



Appeal Decision

Site visit made on 25 February 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 April 2025

Appeal Ref: APP/G5750/W/24/3351280

31 Woodhouse Grove, Manor Park, London E12 6SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Yusuf Karmadi on behalf of Children Care Centre against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/01007/COU.
 - The development proposed is change of use to children's home for up to four children (C2 Use Class).
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Decision

1. The appeal is allowed and planning permission is granted for change of use to children's home for up to four children (C2 Use Class) at 31 Woodhouse Grove, Manor Park, London E12 6SR in accordance with the terms of the application, Ref 24/01007/COU, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos:
Site location plan dated 13/0/5/25
Block Plan – SBP
Proposed Plans – P501

Main Issue

2. The main issues are:
 - the effect of the proposal upon the achievement of mixed and balanced communities, and;
 - the effect of the proposal upon the integrity of the Epping Forest Special Area of Conservation.

Reasons

Mixed and balanced communities

3. The Newham Local Plan ('NLP') spatial strategy supports the stabilisation of communities, and protecting and increasing family housing. NLP Policy S1 states that mixed and balanced communities should be achieved where homes are not

created at the expense of the provision and protection of family housing. NLP Policy H4 sets out the specific protection of 3 and 4+ bedroom housing.

4. The proposal would result in the loss of a single, existing four-bedroom dwelling. It has not been shown that the proposal would meet any of the criteria set out within Policy H4 where conversion to other uses may be considered acceptable. No alternative housing floorspace would be provided. In doing so, the proposal would be contrary to NLP Policy H4 in this respect.
5. However, NLP Policy H3 states that new speciality Use Class C2 properties will be directed towards local need and should be appropriately located in terms of the achievement of mixed and balanced communities. This is reflective of Policy H12 of the London Plan ('LP') which supports the delivery of supported and specialist housing which meets an identified need, including accommodation for young people with support needs.
6. The appellant has identified that there is a lack of provision of accommodation for young people within the borough and this is not contested by the Council. The Newham Sufficiency Strategy for Children Looked After and Care Leavers 2019 - 2022 highlights a lack of provision of children's homes within the borough and states an aim to build capacity. This is reflected in the provided extracts from the 2019 – 2022 Annual Monitoring Report (AMR) for the borough which indicate that further improvement is needed in terms of the delivery of Use Class C2 accommodation. Overall, there is compelling evidence that there is a local need for the proposal.
7. The AMR also indicates that the borough is performing well in terms of both the protection of existing larger family homes, and the delivery of new larger units. While this does not indicate that pressures on existing stock, or the need to provide additional family homes no longer exist, it does indicate that significant progress is being made in this regard.
8. The provision of both supported accommodation and larger family homes forms part of the mix of balanced communities. The policy context and evidence before me indicates that there is a need for both. There is no substantive evidence before me that would indicate that the proposal would lead to a concentration of C2 uses within the area to the detriment of the balance of the community, and in any event, the operation of the property in the manner set out would not, in many respects, differ significantly from its current function as a larger family dwelling.
9. Consequently, although the proposal would lead to the loss of a larger family home, it would provide a home which would meet the needs of other residents of the borough. I conclude that the proposal would not harm the achievement of mixed and balanced communities. The proposal would conflict with NLP Policy H4 but would meet a local need for new specialist housing in accordance with NLP Policy H3 and LP Policy H12. It would also accord with the achievement of balanced and mixed communities in accordance with NLP Policy S1.

Special Area of Conservation

10. Epping Forest Special Area of Conservation ('the SAC') is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended. The evidence indicates that the habitats such as North Atlantic wet heaths, European dry heaths and Atlantic acidophilous beech

forests, within the SAC and for which the SAC is designated, are vulnerable to recreational pressures. The current appeal concerns residential accommodation, and due to its proximity to the SAC, there is a reasonable likelihood that its residents would access the SAC for recreational purposes. I have sought the views of Natural England regarding this.

11. The proposal would replace a four-bedroomed dwelling that already exists. The proposal seeks to accommodate four children. It is stated that there would be a maximum of two members of staff on site at any one time, and that the total number of occupants within the property would not exceed six. Accordingly, the level of occupation of the property would not exceed that which might reasonably be expected within a four-bedroom family home. Consequently, the proposed development would not lead to increased recreational pressure upon the SPA, and I am therefore satisfied that the appeal proposal would not adversely affect the integrity of the SPA, either individually or in combination with other schemes.

Conditions

12. No conditions have been suggested to me, although reference is made within the Council's evidence to a need to secure a management plan, cycle parking and bin storage. In relation to cycle parking and waste storage, there is no substantive evidence before me to indicate that the proposal would lead to a materially worse situation in these respects than the existing arrangements at the property, given the similarity between the occupation of the dwelling by a single family and in the manner of the proposal. Nor is there any substantive evidence to indicate that the occupation of property as a family home has been unacceptable in these respects.
13. In relation to the securing of a management plan, the Council considers that any noise and disturbance generated from the change of use would not be unacceptable, and I have no reason to reach a different conclusion.
14. It has not, therefore, been shown that any of these conditions would be necessary in order to make the development acceptable.
15. I have therefore attached only the standard conditions in relation to the time limit for commencing the development, and a condition specifying the approved plans in the interests of clarity.

Conclusion

16. The proposal would lead to the loss of a larger family home contrary to NLP Policy H4. However, the proposal would deliver Class C2 accommodation where there is an identified need and would not harm the achievement of mixed and balanced communities. It would accord with LP Policy H12 and NLP Policies S1 and H3 in this regard.
17. On this basis, I consider that it would accord with the development plan when read as a whole. There are no material considerations, including the Framework, that indicate that a decision should be taken other than in accordance with it. Therefore, I conclude that the appeal should succeed.

C Harding

INSPECTOR