



Appeal Decision

Site visit made on 8 April 2025

by **T Bennett BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal Ref: APP/B5480/W/25/3359175

8 Pettits Close, Havering, Romford RM1 4EB

- 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 L Prendi against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1371.24.
 - The development proposed is a change of use from C3 residential to C4 5 bedroom HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the determination of the application, a revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as the parts most relevant to the main issues in this appeal have not substantially changed, I have not gone back to the parties to seek further submissions. I consider no party has been prejudiced by this approach.

Main Issues

3. The main issues are:
 - whether the proposal would result in the loss of a family home,
 - the effect of the change of use on car parking and congestion, and;
 - the effect of the change of use on the living conditions of neighbouring occupiers with particular regard to noise and disturbance.

Reasons

Family home

4. The appeal site relates to a two storey terraced property in a residential area.
5. Policy 8 of the Havering Local Plan 2016-2031 (LP) recognises that Houses in Multiple Occupation (HMOs) can make a valuable contribution to the private rented sector by catering for the housing needs of specific groups, but that is to be balanced with the potential harm that can arise. As such the Council support applications for HMOs where certain criteria are met.

6. The first criteria (i) is that the overall size of the original property to be converted is not less than 120m². The application form states that the existing gross internal area is 150m². However, this includes the floor area of extensions that have taken place following recent planning approvals at the site. Based on documents related to applications submitted at the site in 2015, the Council assert these demonstrate that the original gross internal floor area of the property was 97 m².
7. I acknowledge that the premise of this part of the policy is to prevent a loss of smaller family housing and that following the construction of the extensions permitted in 2015 and 2019 the property no longer meets this definition. However, the policy is clear that the criteria refers to the original property. Whilst no definition of 'original property' is provided, I interpret the original property to be that as originally built. If the policy was intended to be read in any other way, such as the size of the property at the time of the application, the policy would not have included the word 'original'.
8. The appellant has not contested, that without the extensions, the Council's estimation of a floor area of the original building of approximately 97m² is incorrect. Accordingly, the development is contrary to Policy 8(i) of the LP which seeks to protect the supply of family homes.

Car parking

9. The appeal site has a Public Transport Accessibility Level (PTAL) of 1b, indicating poor accessibility.
10. Policy 24 of the LP sets out minimum parking standards for areas of poor accessibility. The Council confirm that the proposal would require 2.5 spaces given the provision of 5 bedrooms. Although not indicated on the original application, the appellant has advised that two spaces would be provided within the existing double garage on the site. This is shown on the submitted block plan, and I observed this garage during my site visit. However, the proposed parking would still fall short of the required 2.5 spaces. The appellant states that a third space could be provided adjacent to the garage; however, I have limited information before me that would demonstrate this would be possible. Thus, I cannot be satisfied that the proposal would meet the minimum parking standards.
11. Consequently, even considering that future occupiers may not all own a car and that the site is within walking distance of Romford town centre where a range of services and facilities are available, it is highly likely additional on-street parking could occur which is not subject to a controlled parking zone.
12. I observed on my site visit, although only a snapshot in time, that on street parking was extremely limited. As the proposal has not demonstrated it can meet the minimum parking standards, I find that the proposal would not have an acceptable effect on car parking and congestion in the area. Accordingly, it would conflict with Policy 24 of the LP, which seeks appropriate parking provision.

Living conditions

13. The property has 5 bedrooms, 4 of which are capable of accommodating two occupants. There is therefore the potential for up to 9 occupants. No details have been provided as to the total number of occupiers proposed in the property.

However, if the appeal were allowed then this could be regulated via a condition, there is no evidence to suggest that this could not be enforceable.

14. Whilst the character of a single-family dwelling can differ markedly from that of a HMO, with unrelated adults more likely to have individual daily schedules, deliveries and visitors and less likely to undertake activities together than a family, the already enlarged dwelling could accommodate a large family, a number of whom could be adults.
15. As previously mentioned, and although only a snapshot in time, the nearby road was heavily parked. Thus, pedestrian and vehicular comings and goings from other nearby properties already contributes to a general level of activity and disturbance. Moreover, there is not an over-concentration of HMOs in the area that might lead to some form of cumulative harm if the appeal were allowed. Overall, there is no substantive evidence to suggest that any additional impact caused by the proposal would be more than modest or out of keeping.
16. Whilst I acknowledge that a neighbour has experienced some disturbance, there is no evidence before me of any anti-social behaviour complaints to the police, and I note that the police have not objected to the application.
17. For the reasons given above, based on the evidence before me, I do not find that the scheme would give rise to a significant impact on the living conditions of neighbouring occupiers with particular regard to noise and disturbance. There would therefore be no conflict with Policy 7 and Policy 8iii of the LP which seek to ensure there are no adverse effects on neighbouring occupiers.

Conclusion

18. Although the proposal would not be detrimental to the living conditions of neighbouring occupiers, there is conflict with the development plan in relation to the loss of a family home and car parking provision. It does not therefore accord with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

T Bennett

INSPECTOR