



Appeal Decision

Site visit made on 26 June 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/B5480/W/25/3360633

18 Hazell Crescent, Romford RM5 2AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Vanessa Vanderstein against the decision of the Council of the London Borough of Havering.
 - Planning permission ref. P1033.24 was granted subject to conditions for a change of use of residential dwelling (Use Class C3) to mixed use as a residential dwelling and dog care business.
 - The condition in dispute is No 1 which states that: The use of part of the dwelling for the purposes of providing a dog day care service (sui generis) shall be for a limited period only, expiring 1 year after the decision date for this approval, on or before which date the use hereby permitted shall be discontinued, all materials and equipment brought into the premises in connection with the use shall be removed and the site/side extension reinstated to its former condition to the satisfaction of the Local Planning Authority.
 - The reason given for the condition is: To enable the Local Planning Authority to retain control.
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Decision

1. The appeal is allowed and the planning permission ref. P1033.24 for a change of use of residential dwelling (Use Class C3) to mixed use as a residential dwelling and dog care business at 18 Hazell Crescent, Romford RM5 2AL, granted on 29 October 2024 by the Council of the London Borough of Havering, is varied by deleting condition 1 and substituting for it the following condition:

1) The development hereby permitted shall begin no later than 3 years from the date of this decision.

Main Issue

2. The main issue is the effect of removing the condition on the living conditions of the occupants of local properties in respect of noise and disturbance.

Reasons

3. The appeal site comprises a semi-detached, two-storey dwelling on a residential cul-de-sac in the north-eastern peripherals of Romford. There is a supermarket car park to the rear accessed via the B174.
 4. The Council argues that the proposed mixed use should be assessed in practice over a period of time, in order to be able to assess the effects upon the neighbourhood. Condition 1 has therefore been imposed in order to predict the levels of noise and disturbance resulting from the use and enable the Council to retain control. If after a year, there are no issues arising from the use, then a new application can be submitted for assessment, and the Council might not have any reason to hold back a full permission.
 5. I have sought further clarification from the Authority; since the grant of permission on 29 October 2024 to the present day no complaints have been received with regard to dog care operations involving the appeal site.
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6. I have also read the numerous letters of support for the dog care business and have seen the license renewals issued by the Council, which add further moderate weight in favour of the scheme.
7. Whilst I fully appreciate the Council's approach to this matter, on balance I am satisfied that no significant adverse impacts on health and quality of life in the vicinity of the appeal site have occurred since the grant of permission nearly 9 months ago. The mitigating factors raised above comprise circumstances to outweigh the Authority's initial concerns and justify the granting of permission. As a result, I find that a condition limiting the permission to a temporary period is no longer necessary and that a permanent permission is warranted.
8. Based on the evidence provided by the Council and my consideration of all pertinent issues, I consider that the permanent use would not be harmful to the living conditions of the occupants of local properties in respect of noise and disturbance. This would comply with Policy 34 of the Havering Local Plan 2021 and the National Planning Policy Framework, which seek to support developments that do not unduly impact upon amenity by virtue of noise and to secure safe and healthy living conditions.

Conditions

9. As I have concluded that the condition is neither reasonable nor necessary, I have varied the planning permission by deleting the disputed condition and substituting a standard time condition. Although the Council has suggested other conditions these duplicate those in P1033.24 and as such it is not necessary for me to impose them here.

Conclusion

10. Having regard to the above and all other matters advanced, the appeal is successful.

C Hall

INSPECTOR