



Appeal Decision

Site visit made on 3 June 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23RD July 2025

Appeal Ref: APP/B5480/W/25/3361306

64 Gelsthorpe Road, Romford, Havering RM5 2NA

- 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 Tamara Wolek of Amara International Real Estate Limited against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1360.24.
 - The development proposed is Change of use of a single dwelling house (Class C3) to a 5-bedroom House of Multiple Occupation (HMO) including provision of 5 x bin storage facilities, 6 x bicycle parking spaces, 4 x car parking spaces and communal rear amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit renovation works were taking place. However, the application form states that the change of use started on 3 June 2024. I have proceeded on the basis that the appeal property is being used as a House in Multiple Occupation (HMO). I have also removed the word 'retrospective' from the description of development in the banner heading above as this is not a term of development.

Main Issues

3. The main issues are:
 - whether the HMO provides adequate living conditions for current and future occupiers, with particular regards to privacy and outlook; and
 - whether the appeal site is suitable as an HMO, with particular regards to the supply of family housing and the effect of the HMO on the living conditions of neighbouring residents.

Reasons

Living conditions

4. The appeal site contains a two-storey end-of-terrace house in a residential area. The site is a corner plot at the junction of Gelsthorpe Road and Hampden Road. This part of Gelsthorpe Road is situated to the rear of a busy commercial area along Collier Row Road and Clockhouse Lane, which are also the location of the nearest bus stops to the appeal site.

5. Bedroom 1 is situated on the ground floor at the front of the property and is immediately adjacent to the entrance door to the house. Although ground-floor bedrooms can occur, the bedroom window faces directly onto the driveway and, consequently, anyone using the driveway or walking towards the entrance door would be able to see into the bedroom. Furthermore, given the corner location of the dwelling, it is likely that a significant number of people would walk past the front of the house on their way to and from the commercial area and bus stops on Collier Row Road and Clockhouse Lane. As such there would be a significant loss of privacy for the occupier of Bedroom 1.
6. The appellant states that blinds and curtains would prevent any loss of privacy, however having blinds or curtains permanently shut would result in a complete lack of outlook from the bedroom. Neither situation would result in an acceptable living environment for the occupier of Bedroom 1.
7. The HMO Licencing process is separate to the planning process, and the granting of an HMO Licence does not automatically mean that a scheme is acceptable in planning terms.
8. The HMO therefore fails to provide an adequate living environment for the occupier of Bedroom 1 and conflicts with Policy 7 of the Havering Local Plan 2016-2031 (2021) (LP). This policy seeks to ensure that the amenity and quality of life of existing and future residents is not adversely impacted, including through an unacceptable loss of privacy or outlook.
9. The Council also cites a conflict with LP Policy 8, which has regard to Houses in Multiple Occupation. However, this policy makes no direct reference to privacy or outlook and LP Policy 8 and therefore my decision is not inconsistent with this policy.

Is the site suitable for an HMO

10. LP Policy 8 sets out several criteria relating to the creation of HMOs. Criterion (i) requires that the overall size of the original property to be converted is not less than 120 square metres. The supporting text explains that there is an identified need for three-bedroom properties in the borough, that the conversion of small family homes to HMOs would have a negative impact on the supply of family housing, and that the 120 square metre threshold seeks to protect family housing.
11. Although the current property exceeds 120 square metres, prior to being extended the property was smaller than this threshold. However, Policy 8 does not define 'original', and that the supporting text does not refer to the 'original' property.
12. Notwithstanding this, the policy seeks to maintain three-bedroom, or small, family housing. Before the change of use, the appeal property was a four-bedroom family house. The 120 square metre threshold suggests that the conversion of a larger family house to an HMO would be acceptable in principle. As such, even if the original property was less than 120 square metres, the conversion of the appeal property would not harm the supply of small family housing and would not undermine the overarching aims of LP Policy 8.
13. Criterion (iii) of LP Policy 8 requires, in part, for an HMO to not be likely to cause significantly greater levels of noise and disturbance to nearby residents than would a single family dwelling of equivalent size.

14. My attention has been drawn to instances of excessive noise, disturbance, crime and antisocial behaviour. Moreover, HMOs can make a valuable contribution to housing needs, as is recognised by the Council in LP Policy 8, and the presence of an HMO does not automatically result in an increase in antisocial behaviour and crime.
15. The HMO would have one additional bedroom compared to the previous use. Whilst the intensity of the proposed use may differ from the previous four-bedroom family house, and notwithstanding the incidents raised, I do not consider that the change to a small HMO use is likely to significantly affect the living conditions of the neighbours, since the use of the house by a single family could generate a similar amount of activity, noise and disturbance in and around it.
16. The Council raises no objections with regards to the other criteria listed in LP Policy 8 and, based on the evidence before me, I have no reason to conclude otherwise. For these reasons, the appeal site would be a suitable location for an HMO and, consequently, the proposal would comply with LP Policy 8. The proposal would also accord with LP Policies 7 and 34, insofar as they require the amenity of existing residents to not be adversely impacted, including through undue noise.

Other Matters

17. The HMO would have six cycle parking spaces and thus would provide an option for healthy and sustainable transport. The appeal site is also within walking distance of shops, services and bus stops. However, the scheme provides four car parking spaces, which also allows the option for car travel. As such, and given the small scale of the development, I ascribe limited weight to these benefits which would not outweigh the harm identified above.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For these reasons the appeal is therefore dismissed.

D Ellis

INSPECTOR