



Appeal Decision

Site visit made on 17 June 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th July 2025

Appeal Ref: APP/W5780/W/25/3360733

26 Brian Road, Chadwell Heath, Romford, Redbridge RM6 5DA

- 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 Aman Mann against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 3253/24.
 - The development proposed is a change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4).
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) at 26 Brian Road, Chadwell Heath, Romford, Redbridge RM6 5DA in accordance with the terms of the application, Ref 3253/24, 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 the Location Plan dated 25 November 2024, and drawing nos 2558-002 and 2558-003.
 - 3) The HMO Management Plan, ref. 26BR-2558-HMO-02, shall be implemented prior to the occupation of the development hereby permitted and shall be retained and operated for so long as the use hereby permitted continues.
 - 4) The Planning Fire Safety Strategy for 26 Brian Road, Romford RM6 5DA, dated 5 December 2024, shall be implemented prior to the occupation of the development hereby permitted and shall be retained and operated for so long as the use hereby permitted continues.
 - 5) The development hereby permitted shall not be occupied until details of the cycle parking arrangement and facilities have been submitted to, and approved in writing, by the local planning authority. The approved details shall be adhered to thereafter.

Preliminary Matters

2. The description of development on the Decision Notice differs slightly from that on the planning application form, as it specifies that the proposed House in Multiple Occupation (HMO) would be for a maximum of six people and includes reference to the associated waste/refuse and cycle store. However, in the banner heading and decision above I have used the description from the application form as it accurately and concisely describes the development.

3. An amended HMO Management Plan was submitted with the appeal, which includes a brief confirmation that the outbuilding at the property shall be used only as storage and not as living accommodation. The proposal did not include any living accommodation in the outbuilding and as such the amendment to the Management Plan would not constitute a material change to the scheme. The Council has had the opportunity to comment on the amended Management Plan, and it would not be necessary to seek comments from other consultees. No party would be prejudiced by my consideration of the amended Management Plan as part of this appeal.

Main Issue

4. The main issue is whether the proposed HMO would provide appropriate living conditions for future occupiers, with particular regards to internal communal living space.

Reasons

5. The appeal site comprises a mid-terraced two-storey dwelling with habitable accommodation in the roof space. The proposal would see the existing house converted to a small HMO, with the existing ground floor front reception room becoming a bedroom.
6. The remaining reception room and kitchen would not meet the minimum combined floor area of living, dining and kitchen spaces for a six-person HMO as set out in Appendix A of the London Borough of Redbridge Housing Design Supplementary Planning Document (2019) (SPD). However, the shortfall would be small, and the first-floor utility room would provide additional functional space and would contain the laundry facilities which would otherwise usually be placed in a kitchen. The utility room would therefore create additional useable space in the kitchen. Moreover, SPD paragraph 5.2.3 states that “communal facilities will be required to include at least a living room, kitchen and utility room.”
7. Furthermore, the bedrooms, where occupiers of an HMO are likely to spend a significant amount of their time, would exceed the required space standards. Given the small shortfall of the kitchen and reception room against the standards, and taking account of the larger bedrooms, no harm would arise to the living conditions of future occupiers.
8. The appellant has provided amended drawings with the utility room becoming a second kitchen, and states that this drawing could replace the original proposed drawing should a second kitchen be required. However, as the proposal would be acceptable, I shall proceed with the original drawings.
9. The proposal would provide appropriate living conditions for future occupiers. Therefore, the proposal would accord with Policies LP26 and LP29 of the Redbridge Local Plan 2015-2030 (2018) and Policy D6 of the London Plan (2021), insofar as they require housing development to provide high standards of accommodation including in terms of the size and layout of internal space.

Other Matters

10. The amended HMO Management Plan confirms that the outbuilding would not be used for sleeping accommodation. The Management Plan also states that a company will be employed to maintain the garden and that the Property Manager

will inspect bin stores, cycle stores and communal areas on a weekly basis, and sets out measures to ensure that waste and recycling is properly disposed of. The Management Plan therefore addresses the fourth, fifth and seventh points for HMO Management Plans as set out in the SPD. Furthermore, the appeal property has a driveway and a dropped kerb, and as such the eighth point does not apply to the appeal property. The amended Management Plan therefore complies with the requirements of the SPD, and a condition shall be used to ensure compliance with the Management Plan.

11. The Council states in their officer's report that, without a section drawing, it is unclear how much of the floor area of bedroom 4 has a ceiling height above 1.50 metres. However, the room is currently in use as a bedroom in the existing dwellinghouse. Furthermore, later in the officer's report the Council acknowledge that although the ceiling heights in the property cannot be verified without a section drawing, given the property is an existing house the ceiling heights are likely to be acceptable. Based on the evidence before me, I have no reason to believe that the ceiling height of bedroom 4 would be unacceptable.
12. Although the existing outbuilding is not shown on the submitted drawings, it has not been demonstrated that the outdoor amenity space would be insufficient given the presence of the outbuilding.

Conditions

13. The standard time limit condition and a condition specifying the approved plans are necessary to provide certainty and for enforcement purposes. In the interests of the living conditions of future occupiers and neighbouring residents, a condition is necessary to ensure compliance with the amended HMO Management Plan.
14. The Council has suggested a condition that includes measures to be adhered to in the interests of fire safety and to ensure the safety of all building users. However, the submitted Planning Fire Safety Strategy adequately addresses these measures. A condition would be necessary however to ensure compliance with the Planning Fire Safety Strategy.
15. As set out in the Council's officer report, in order to secure appropriate cycle parking at the appeal property a condition would be necessary which requires the submission and approval of details of the proposed cycle parking facilities.

Conclusion

16. For the reasons given above the appeal should be allowed subject to the conditions above.

D Ellis

INSPECTOR