
Appeal Decision

Hearing held on 2 July 2025

Site visit made on 2 July 2025

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/G5750/W/25/3362342

Aram House, 217 Romford Road, Forest Gate, London E7 9HL

- 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 Dilawar Properties Ltd against the decision of the Council of the London Borough of Newham.
 - The application Ref is 21/02453/FUL.
 - The development proposed is the redevelopment and extension of the existing building, mansard roof addition to create part 3, part 2 storey and stepping down to 1 storey at the rear to provide hostel accommodation (Sui-Generis) comprising 28 units with associated amenity space, access, cycle storage and green roofs.
-

Decision

1. The appeal is allowed and planning permission is granted for the redevelopment and extension of the existing building, mansard roof addition to create part 3, part 2 storey and stepping down to 1 storey at the rear to provide hostel accommodation (Sui-Generis) comprising 28 units with associated amenity space, access, cycle storage and green roofs at Aram House, 217 Romford Road, Forest Gate, London E7 9HL in accordance with the terms of the application, Ref 21/02453/FUL, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was submitted by the appellant against the Council which is subject to a separate decision.

Preliminary Matters

3. As will become clear from my reasoning in relation to the first main issue I consider that the proposed development would not result in a material change of use. As a result, for the avoidance of doubt and as suggested by the appellant at the Hearing I have amended the description of development to more accurately reflect the proposal. As the change to the description purely provides clarification of the proposal I am satisfied that no-one would be prejudiced by me making the amendment.

Main Issues

4. The main issues are:
 - Whether or not the proposal would represent a material change of use and if so whether the proposal would accord with relevant development plan and national policies that deal with the provision of social infrastructure use;

- The effect of the proposal on the character and appearance of the area, including whether or not it would harm the significance of a non-designated heritage asset;
- Whether or not the proposal would provide acceptable living conditions for future occupiers with regard to size, isolation, privacy, outlook, daylight and sunlight and whether or not the proposal would provide suitably inclusive and accessible accommodation and a genuine choice of hostel accommodation for the population; and
- The effect of the proposed development on the living conditions of the occupiers of 215 and 219 Romford Road and 16-30 Kinglet Close with particular reference to outlook, daylight, sunlight, noise and disturbance.

Reasons

Change of Use

5. Prior to and at the hearing there was a significant amount of discussion about whether or not the existing use of the appeal property is a hostel (*Sui Generis*) or is a residential institution that falls within Class C2 of Part C of Schedule 1 of The Town and Country Planning (Use Classes) Order 1987.
6. Planning permission was originally granted for a conversion from a residential dwelling to a hostel in 1977 and in 1996 approval was granted for the conversion of a rear garage block to a lounge, office and laundry as an annex to the hostel. The appellant made it clear during the application process that in their view the proposal would not affect the lawful use of the site as hostel (*Sui Generis*), whereas the Council consider there has been a change of use to a C2 use.
7. It is common ground that the existing use is not a hospital, nursing home, residential school, college or training college. Therefore it is necessary for me to determine whether the existing use of the appeal property is for the provision of residential accommodation and care to people in need of care, where care is defined as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, personal care of children and medical care and treatment.
8. The Council set out that in their view based on the information submitted as part of the original application and via a site visit undertaken during the application process the appeal property falls within a C2 use.
9. This is based on the Council's understanding that the existing operator uses the property for young persons with on-site staffing in place. They also rely on an e mail response provided by the appellant to a query on the existing use of the appeal property where the Council asked, "could you please confirm who the existing hostel is currently used for?"
10. The appellant responded to say that "usage is as a hostel to offer housing solutions to local authorities, managing agencies, housing associations and charitable organisations for young and vulnerable individuals."
11. I note that in the original request the Council ask who the hostel is currently used for and in their response the appellant confirm that the use is as a hostel. There is of course reference to young and vulnerable individuals, however, there is no

compelling evidence that these individuals were not only in need of care but received that care at the appeal property. The Council also mention that in 1981 the building was used to house the elderly in the Asian community. But again, there is no compelling evidence that the occupants at that time were in need of care and received that care at the appeal property.

12. Moreover, I accept the evidence from the current operator of the property that they provide hostel accommodation, and the one member of staff is only on site from 1000 to 1700 Monday-Friday and does not provide any care to the occupants but rather provides basic facilities such as cleaning, property maintenance and checking in and checking out the occupants. I also note that the management agreement between the operator of the appeal property, who has managed the appeal property for several years, and the appellant makes it clear that the existing use of the property is a hostel. Moreover, in the same agreement the appellant provides a covenant that it will not change the use of the appeal property during the term of the agreement.
13. It follows that based on the available evidence I am satisfied that the existing use is as a hostel (*Sui Generis*) and I have determined the appeal on that basis. Consequently, the proposal would not result in the loss of a C2 use and it follows that the proposal would not conflict with any of the relevant policies which seek to protect such uses, including Policies INF 8 of the Newham Local Plan (NLP) and Policies S1, S2, H12 and GG5 of the London Plan March 2021 which among other things seek to ensure that community facilities are retained, that social infrastructure is provided and that proposals that result in the loss of London's social infrastructure should only be permitted under certain circumstances, that the need for health and social care facilities should be assessed and provided and that the need for supported and specialised housing which meets an identified need should be supported.
14. I turn now to consider whether the proposal would involve a material change of use. The proposal is for an extension of the existing building to provide additional units. The question is whether the appeal property will change from a hostel (*Sui Generis*) to some other use. The Council determined the application on the basis that they considered there was a change of use to a Large Scale Purpose-built Shared Living Accommodation (LSPBSL). That seems largely based on the fact that the proposed description included on the application form referred to the proposal comprising 28 co-living accommodation units.
15. The Council acknowledge that the term co-living is not recognised by the London Plan or the Newham Local Plan 2018 (NLP) but they consider it interchangeable with the term LSPBSL. I also note that the London Plan Guidance on LSPBSL sets out that LSPBSL are also referred to as co-living. That said the application was submitted to the Council in September 2021 significantly before this guidance was published in February 2024.
16. To my mind the inclusion of the term co-living in the description does not mean that the proposal is necessarily a LSPBSL. Much depends on the context. The term co-living is not inconsistent with the use of the appeal property as a hostel. Moreover, Policy H16 of the NLP sets out that a LSPBSL must meet certain criteria including its units are all for rent with a minimum tenancy length of not less than three months. The explanatory text of the policy indicates that the minimum tenancy length is to ensure that LSPBSLs do not effectively operate as a hostel. The appeal

- proposal does not seek to limit the use of the additional units by reference to the length of tenancy which is consistent with the existing units at the appeal property.
17. Moreover, the explanatory text sets out that LSPBSLs are generally of at least 50 units. Although there is some flexibility given the inclusion of the word generally, the proposal is for significantly less units.
 18. Given these factors and bearing in mind that that in the design and access statement in support of the application the appellant expressly indicates that the proposal would not affect the lawful use of the site as a hostel, I accept that the proposal is for an extension and redevelopment of the hostel and is not a proposal for a LSPBSL. As outlined above, for the avoidance of doubt I have made a minor amendment to the description of the proposal to make it clear that the proposed development involves an increase in the total number of hostel units.
 19. On that basis, the proposal would not involve a material change of use, and it follows that the proposal would not result in the loss of any of the existing hostel rooms but rather would increase the number. Further, there is no indication that the proposal would stop providing accommodation for the type of occupant that currently uses the hostel.
 20. I therefore conclude that the proposal would not represent a material change of use and so the proposal would not conflict with relevant development plan and national policies that deal with the provision of social infrastructure use. Consequently, the proposal would not conflict with those policies that seek to protect such uses as set out previously.

Character and appearance

21. The appeal site is located along a busy road in an urban area. There is a mix of uses along the road, including residential flats, a hotel, commercial and retail uses. Properties have a range of designs and are from different periods. There are a number of larger former Victorian villas that have been converted into flats. Most properties in the vicinity of the appeal site, both new and old are three stories high, including the properties on either side of the appeal site. Consequently, the existing ridgeline of the roof of the appeal property is noticeably lower than the properties on either side. Further, many properties along the road have a mansard roof and this roof form is not an alien feature in the streetscene.
22. The appeal property comprises a locally listed Victorian villa. Although it has retained some period features, including the two bay windows and front door with attractive architrave, bracketed eaves and two chimneys the inclusion of unsympathetic upvc windows diminishes its historic appearance to a certain extent. Its significance derives from its historic and architectural interest clearly retaining the form of a detached period property. It is also set back on its plot which allows and appreciation of the remaining important features including the prominent bay windows attractive front door and chimneys which adds to the townscape quality of the area and also contributes to its significance.
23. The proposal would result in an extension upwards and would incorporate a mansard roof with grey slate tiles. This element would retain the important bay windows, attractive door and would reintroduce two chimneys and bracketed eaves. The overall height of the proposal would be compatible with the height of the buildings on either side and the mansard roof would be a sensitive addition that

would sit comfortably in the streetscene. The height, mass and bulk of the front elevation incorporating the proposed new roof would appear compatible with the host building and its surrounding context. I do not agree with the Council that it would appear visually incongruous. Rather, this element of the proposal has been sensitively designed, and the retention of the important features ensures that the architectural and historic interest and the townscape quality would not be unacceptably diminished.

24. The proposal would also introduce a rear extension. This would be well designed and would step up so that the upper floors are set back further from the rear boundary than the ground floor extension. Moreover, the proposal would replace an existing unsightly flat roof rear extension. Notwithstanding the width of the proposed development, this stepped design would ensure that the proposed development is subservient to the host building, and it would not subsume the rear elevation. As a result, the proposal would not appear as an unacceptably bulky form of development.
25. Due to the stepped design there would be flat roof elements. However, such a design ensures that the overall massing and bulk would be appropriate for this setting. Moreover, there are significant flat roof elements incorporated in the properties on either side of the appeal site and the proposal would be compatible with the more modern development to the rear. The flat roof of the ground floor extension would also incorporate a green roof which would appropriately soften this element.
26. The proposal would also incorporate an extended basement level served by lightwells below the front bays and along the common boundary with 215 Romford Road (No 215). I observed at the site visit that front lightwells are a common feature within the area. Moreover, the lightwell next to No 215 would be discreetly positioned. As a result, the proposed lightwells would not appear as incongruous features, but rather would be compatible within this context.
27. Similarly, although the fenestration of the rear and side facing windows would adopt a more contemporary design, they have been well designed and are compatible with the existing context provided by the more modern development to the rear as well as 211- 215 Romford Road.
28. I therefore conclude that the proposed development would not unacceptably harm the character and appearance of the area or harm the significance of a non-designated heritage asset. Consequently, the proposal would not conflict with Policies S1, SP1, SP3, SP5 and SP8 of the NLP and Policies D1, D3, D4 D8 and HC1 of the London Plan which among other things seek to ensure all new development adopts a design led approach which are well integrated with their surroundings and the streetscene, ensure there is an appropriate relationship between the space surrounding buildings and their use, be of a high design quality which respects and enhances distinctive features of the borough and ensure that development proposals affecting heritage assets conserve their significance by being sympathetic to the asset's significance.

Living Conditions – future occupants and inclusive and accessible housing

29. Bearing in mind my finding above, that the proposal would not involve a material change of use to a LSPBSL it is not necessary to assess the proposal against Policy H16 of the London Plan or the standards included in the London Plan

Guidance on LSPBSLs. Moreover, given that finding and as I have determined the appeal on the basis that it is an extension and redevelopment of an existing hostel, the fact that the appellant has not submitted a management plan does not weigh heavily against the proposal as I am satisfied that a suitably worded condition could be imposed to ensure the hostel is appropriately managed.

30. That said, it is important that the proposal does provide an appropriate standard of accommodation for future occupants. I observed at the site visit that the existing 16 rooms and associated facilities are basic. Although each bedroom has a wash basin, the vast majority of existing residents share communal toilets and showers. The number provided are limited. In contrast, each of the proposed new rooms would have an en-suite shower room providing private washing and toilet facilities. This is a significant improvement over the existing situation for the 16 rooms.
31. I am satisfied that each of the proposed rooms would accommodate only one occupant and that can be controlled by a suitably worded condition. On that basis, the size of the rooms would be appropriate and would provide satisfactory accommodation for future occupants.
32. Moreover, the only existing communal space is a kitchen. Each room in the proposed development would have basic cooking facilities in the form of a kitchenette. This would be in addition to a communal kitchen, laundry, lounge reception room and communal room/games room. Again, the proposed facilities would be a significant improvement over the existing situation and would provide satisfactory accommodation for the occupants of the proposed new hostel rooms. I also do not have any concerns about the location of either the facilities in each room or the location of the communal facilities within the proposed extended building.
33. I accept that the size of the communal outside area would be rather small. However, it would provide a well-designed outside space that along with the other communal spaces would ensure that the future occupants of the proposed development have adequate communal facilities and would not be unacceptably isolated.
34. Further, although some rooms would face towards the side elevation of the properties on either side, look out onto a light well or look out over the communal space, I am satisfied that given the proposed use, the outlook would be satisfactory, particularly as many rooms in the existing hostel have a similar outlook now. Similarly, in terms of privacy, some of the existing rooms look out over communal areas. I note that two ground floor rooms would look out over the communal space. However, I consider that in a hostel a reasonable amount of communal living should be expected and overall, the outlook from these rooms would be attractive and the level of privacy would be acceptable.
35. The appellant has undertaken a detailed daylight and sunlight assessment. This concluded that all habitable rooms within the proposed development will meet or exceed the minimum target values for natural daylight set out within the Building Research Establishment – Site Layout Planning for Daylight and Sunlight – A guide to good practice, second edition 2011 (The BRE Guidelines) and with the guidance provided in the British Standard, 8206-2:2008 – Lighting for buildings – Part 2 – Code of Practice for daylighting (the British Standard).

36. I note that the assessment found that most of the proposed rooms would meet the target Average Daylight Factor (ADF). For the seven rooms that would not, that is because they have been assessed against the daylight value for a kitchen. However, I agree with the appellant that in practice the principal use of these rooms would be as living rooms. Therefore, it is reasonable to assess an ADF target of 1.5% for these rooms and on that basis, they meet that target and will consequently have adequate daylight.
37. In terms of sunlight, the assessment set out the annual and winter probable sunlight hours for each room. The aspirational target set out in the BRE Guidelines is that each room should have 25% annual probable sunlight hours (APSH) and 5% winter probable sunlight hours (WPSH). A number of the rooms do not meet these aspirational targets. However, given the location of the appeal property in a densely populated urban area, where some of the rooms are located at basement level or rely on sunlight via a lightwell, I consider that it is reasonable to apply some flexibility particularly as the assessment sets out that all rooms would receive some sunlight throughout the year. Consequently, I consider that overall, the provision of sunlight would be acceptable to ensure that the living conditions of future residents would not be unacceptably harmed.
38. The existing hostel does not make any provision for disabled access. The proposed development would allow step free access to all rooms. Moreover, the proposal provides for a lift to serve the upper floors, and a number of the rooms would be adapted to allow wheelchair access. This would be a significant improvement in provision compared to the existing situation and consequently the proposal would provide suitably inclusive and accessible accommodation and would provide a genuine choice of hostel accommodation for the population.
39. I therefore conclude that the proposed development would provide acceptable living conditions for future occupiers with regard to size, isolation, privacy, outlook, daylight and sunlight and would also provide suitably inclusive and accessible accommodation and a genuine choice of hostel accommodation for the population. Consequently, the proposal would not conflict with Policies SP1, SP2, SP3, SP8, S1, H1 and H3 of the NLP or with Policies GG4, D1, D3, D4 and D7 of the London Plan which among other things seek to ensure that the borough is an attractive place to live which help to engender sociable and inclusive mixed and balanced communities, that ensures adequate access to daylight and sunlight, minimises overlooking and loss of privacy, delivers appropriate outlook, amenity and avoids overshadowing, that makes appropriate provision for communal spaces and private amenity spaces, that provides adequate internal and external space with appropriate provision of wheelchair user accommodation that provides suitable housing and a genuine choice for London's diverse population, including disabled people.

Living Conditions – Neighbouring Residents

40. The proposed development has been carefully designed and has adopted a stepped design which ensures that the upper storeys are stepped back from the common boundary with 16-30 Kinglet Court. Similarly, the proposed stepped design ensures that the side elevations facing towards the properties on either side, No 215 and 219 Romford Road (No 219) would align appropriately with the bulk and massing of these properties. This arrangement would ensure that the proposal

would not appear overbearing, result in an increased sense of enclosure or unacceptably harm the outlook for the occupants of these neighbouring properties.

41. As outlined above, the appeal property is located within a densely populated urban area surrounded by existing residential uses. In such an area outside garden spaces are to be expected. There is already a communal outside space to the rear of the appeal property. I accept that the proposal would increase the potential number of residents that could use the proposed new space which would also be located to the rear. However, I have no reason to conclude that future occupants of the proposed development would act in an unsociable manner that would cause an unacceptable degree of noise and disturbance or would be responsible for any crime and disorder. Further, an appropriately worded condition could be imposed to ensure that the proposed development is appropriately managed to address such concerns.
42. In terms of daylight and sunlight, as outlined above the appellant has prepared a detailed daylight and sunlight assessment which has made a reasonable assessment of the likely impact on the surrounding buildings, including Nos 215 and 219 and Kinglet Close. In terms of daylight, although one window at No 219 would be adversely affected, I accept the appellant's evidence that this serves a relatively small kitchenette which would not serve as a main habitable room and consequently the living conditions of the occupants of this property would not be unacceptably harmed. As a result, I accept the findings of the assessment that in line with BRE guidelines the impact on surrounding properties would be negligible.
43. In terms of sunlight an APSH assessment has been undertaken on a significant number of relevant windows of surrounding properties. The assessment concluded that only the kitchenette window at No 219 mentioned above would experience an adverse impact with all the other windows meeting BRE Guidelines. For the same reasons as above, I consider that the living conditions of the occupants of No 219 would not be unacceptably harmed. It follows that in terms of the impact on sunlight serving habitable rooms the proposal would have a negligible impact on neighbouring buildings.
44. Surrounding buildings also have outside garden areas. BRE Guidelines recommend that at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March (the Spring Equinox) or the area that receives 2 hours of direct sunlight should not be reduced by more than 20%. The assessment found that all of the outside spaces at the surrounding properties would be compliant with the BRE Guidelines. As a result, I am satisfied that the proposed development would not result in an unacceptable level of overshadowing of the neighbouring gardens or outside amenity areas.
45. I therefore conclude that the proposed development would not unacceptably harm the living conditions of the occupiers of 215 and 219 Romford Road or 16-30 Kinglet Close with particular reference to outlook, daylight, sunlight and noise and disturbance. Consequently, the proposal would not conflict with Policies SP1, SP2, SP3, SP6, SP8 and S6, of the NLP or with Policies D1, D3, D6 and D14 of the London Plan which among other things seek to ensure the borough is an attractive place to live, that ensures adequate access to daylight and sunlight, minimises overlooking and loss of privacy, delivers an appropriate outlook, avoids overshadowing, seeks to prevent crime and anti-social behaviour and reduces, manages and mitigates noise to improve health and the quality of life.

Other Matters

46. I have had regard to other matters raised by interested parties including concerns about the impact of the proposal on trees and wildlife. However, I am satisfied that no trees or vegetation of high amenity value or wildlife would be unacceptably harmed by the proposal and that the proposed green roof would enhance biodiversity. Although there would be additional residents accommodated at the proposed development which could lead to additional parking pressure, I will impose a suitably worded condition to ensure that no future occupants would be able to obtain a parking permit for on-street parking. Concern has also been raised about the impact of the proposal on property values. However, the protection of purely private interests such as the impact of a development on the value of a neighbouring property is not a material consideration in the determination of this appeal.

Conditions

47. I have had regard to the conditions suggested by the Council as discussed at the Hearing and I have amended them as necessary in the interests of precision and clarity, as well as to comply with advice in the Framework and Planning Practice Guidance (PPG). It is necessary to impose pre-commencement conditions, and the appellant has confirmed that they agree to such conditions.
48. A condition is needed to secure compliance with the approved plans for the avoidance of doubt and in the interests of proper planning. However, I do not think that this condition should be expanded to include other documents and so where necessary I will impose separate conditions to deal with matters covered by relevant documents submitted in support of the proposal.
49. Given the location of the appeal site along a busy road, it is necessary to impose a condition requiring the submission, approval and implementation of a construction method statement which I have amended from that proposed by the Council as some of the requirements were imprecise. To ensure that any contamination associated with the appeal site is appropriately identified and treated conditions are necessary.
50. Despite the reservations expressed by the appellant, given the proximity of the development to a major road in the interests of the living conditions of future residents, it is necessary to impose a condition in relation to air quality. Moreover, again given the proximity to the busy road it is necessary to impose a condition to ensure that traffic noise is appropriately mitigated.
51. Given that the proposal is for a redevelopment and extension of an existing hostel building, it is not necessary to impose a condition requiring the implementation of a travel plan. However, in the interests of sustainability it is necessary and reasonable to require that the development is car free and that adequate cycle parking is provided, and I shall impose suitably worded conditions. In relation to car free development, I appreciate that the condition I shall impose contemplates the execution of a planning obligation. In accordance with the advice in the PPG I am satisfied that there are exceptional circumstances to justify such an approach as without the condition the delivery of the proposed development could be at serious risk due to the complexities involved.

52. In the interests of the character and appearance of the area and given the fact that the appeal site is a heritage asset it is necessary to impose a condition to ensure that the proposed dwelling is constructed of appropriate materials, that the architectural detailing is shown at an appropriate scale and that external features, such as rainwater pipes, flues, guttering etc are appropriately controlled. However, as rainwater pipes are already visible on the front elevation of the appeal property it is not reasonable to impose a condition to require such features are not visible. Rather, it is reasonable to include them in the list of architectural detailing that needs to be approved.
53. Similarly, in the interests of the character and appearance of the area it is necessary to impose conditions to ensure that an appropriate landscaping scheme is implemented. On the application form the appellant indicates that the four existing parking spaces will be retained but the details of the layout of these existing spaces is not included on the approved drawings. Consequently, I have included the need to provide details of these spaces as part of the landscaping condition.
54. To ensure that the living conditions of future occupants and neighbouring residents are protected it is necessary and reasonable to restrict the number of residents to one person per room. I shall impose a separate condition to secure that requirement.
55. To protect the living conditions of neighbouring residents and to ensure that the development is managed effectively it is necessary to impose conditions to ensure that the development achieves Secured by Design certification and that a management plan is implemented. I consider that the requirements of the proposed delivery and servicing plan can be incorporated into the management plan and so a separate condition is not necessary.
56. In the interests of the environment, I shall impose a condition to ensure that any refuse and recycling is appropriately dealt with and finally in the interests of biodiversity, it is necessary to impose a condition to ensure that details of the biodiverse green roof are submitted, approved and implemented.

Conclusion

57. For the reasons given above the appeal should be allowed.

S Rawle

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan received by Council 30 September 2021; Dwg No 14803; Dwg No 14804; Dwg No 14805; Dwg No 14806; Dwg No 14807; Dwg No 14808.

- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 4) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

The assessment shall include:

- i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- 5) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and

approved in writing by the local planning authority before the development is occupied.

- 6) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 7) No development shall take place, including any works of demolition until a scheme for protecting the development hereby permitted from air pollution has been submitted and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any part of the development is occupied.
- 8) Prior to occupation of the development hereby permitted a scheme for protecting the development hereby permitted from noise from Romford Road has been submitted and approved in writing by the local planning authority. The scheme should demonstrate that noise mitigation measures should produce internal noise levels as specified in British Standard 8233:2014. All works which form part of the scheme shall be completed before any part of the noise-sensitive development is occupied.
- 9) No development above ground level shall take place until, with the exception of any on-site parking provision, arrangements have been made to secure the development as a car-free development, in accordance with a detailed scheme or agreement which shall have first been submitted to and approved in writing by the local planning authority. The approved scheme or agreement shall ensure that:
 - i) no occupiers of the approved development shall apply for, obtain or hold an on-street parking permit to park a vehicle on the public highway within the administrative district of the local planning authority (other than a disabled person's badge issued pursuant to section 21 of the Chronically Sick and Disabled Persons Act 1970 or similar legislation); and
 - ii) any occupiers of the approved development shall surrender any such permit wrongly issued or held.Such scheme or agreement 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.
- 10) The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the local planning authority and they shall be retained in perpetuity.
- 11) No above ground construction shall commence until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local

planning authority. Development shall be carried out in accordance with the approved samples.

- 12) No above ground construction shall commence until full details (including plans, sections and elevations at a scale of 1:20) of the following architectural detailing have been submitted to and approved in writing by the local planning authority;

- Typical window detail including depth of reveals
- Rainwater pipes, guttering, flues, grills or meter cabinets;
- Signage
- External doors
- Boundary treatment
- Privacy screen details.

The development shall be carried out in accordance with the approved details prior to the development being occupied.

- 13) No above ground construction shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) A full soft landscaping plan;
- ii) A full hard landscaping plan, including the layout of any on-site parking provision;
- iii) Any exterior lighting;
- iv) Details of management, maintenance and implementation programme; and
- v) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.).

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.

- 14) The landscaping works shall be carried out in accordance with the approved details as per the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with the approved scheme of management and/or maintenance.
- 15) The 28 hostel rooms hereby permitted as shown on the approved plans shall only accommodate a maximum of one occupant per room.
- 16) Prior to occupation of the development hereby permitted a detailed Management Plan for the whole facility shall be submitted to and approved in writing by the local planning authority. The management plan shall provide details on the following matters:
- Maximum occupancy levels at any one time and the process to demonstrate compliance with the maximum occupancy condition;
 - Site security and access arrangements;
 - Restrictions on noise levels including amplified music;

- Procedure for managing potentially challenging behaviour of occupants of the hostel;
- Procedure for managing potential detrimental impacts upon surrounding residents in respect of noise and disturbance, anti-social behaviour and crime;
- Method for local residents/members of the public to bring complaints and the procedure for dealing with any such complaints; and
- Delivery and Servicing arrangements for the hostel.

The approved Management Plan shall be implemented upon first occupation of the development hereby permitted and shall be retained and implemented thereafter.

- 17) No above ground construction shall take place until details of the measures to be incorporated into the development demonstrating how it can achieve Secured by Design Certification, shall be submitted to and approved in writing by the local planning authority. Prior to occupation of the development hereby permitted the development shall achieve Secured by Design Certification which shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the measures shall be maintained thereafter.
- 18) The development shall not be occupied until facilities and the management arrangements to deal with waste (recycling and refuse) have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Details shall include the layout and dimensions of the bin storage facilities, number and type of bins they are designed to accommodate, access and ventilation arrangements, design, appearance and servicing arrangements. The approved facilities and management arrangements shall be installed and implemented prior to first occupation and shall be retained in that form thereafter.
- 19) No above ground construction shall take place until details of the biodiverse green roof have been submitted to and approved in writing by the local planning authority. Details shall include quantity, size, species, position and time of planting of all elements together with anticipated maintenance and protection. The biodiverse green roof shall be installed prior to occupation of the development hereby permitted and thereafter maintained in accordance with the approved details. If within 5 years of the installation any planting shall die, be removed or become seriously damaged or diseased, then this planting shall be replaced in the next planting season with planting of a similar size and species.

APPEARANCES

For the Appellant:

Jon Wills

Landmark Chambers, Counsel for the appellant

Olesea Monozan

Agent for the appellant

Teymour Ali	Agent for the appellant
-------------	-------------------------

Dilawar Singh	Appellant
---------------	-----------

Surjan Singh	Appellant
--------------	-----------

For the Council

Ross Harvey	Principal Planner, London Borough of Newham
-------------	---

Joe Arnott	Assessment Officer, London Borough of Newham
------------	--

Halil Yorel	Planner (Urban Design and Conservation)
-------------	---

DOCUMENTS

1. Appellant's Position for the Hearing and Cost Application.
2. Appellant's written confirmation in relation to pre-commencement conditions.