
Appeal Decision

Site visit made on 12 August 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 October 2025

Appeal Ref: APP/G5750/W/25/3366719

20 Manbey Park Road, Stratford, Newham, London E15 1EY

- 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 Francesco Guerrieri against the decision of the Council of the London Borough of Newham.
 - The application reference is 24/02533/FUL.
 - The development proposed is described as: C3 dwelling conversion into 3 bed HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's submission indicates that the appeal development has commenced. Nonetheless, I have determined the appeal based on the plans and documents before me.
3. The delegated report states that the proposal is for the change of use of a single dwellinghouse to a four bedroom House of Multiple Occupation (HMO) and the reason for refusal stated in the decision notice refers to a large HMO. Nevertheless, based on the submitted plans and documents, and the description of development, the proposal is for a three bedroom HMO, which would comprise a 'small HMO' falling in the C4 use class. The Council's officer report makes it clear that its decision was based on consideration of a small HMO falling in the C4 use class, rather than a larger HMO falling outside any specific use class. I have therefore determined the appeal on this basis.

Main Issue

4. Whether the use of the appeal property as a HMO would be acceptable in terms of its effect on the housing mix within the borough.

Reasons

5. The appeal property relates to a flat split over first and second floors, adjacent to Manbey Park Road. The surrounding area is predominately residential in nature. The appeal property includes three bedrooms, one living room, one bathroom and a kitchen.
6. The appellant contends that the appeal property has been in continuous use as a HMO for the past 10 years. However, the Council maintain that the lawful use of the property is a C3 dwellinghouse. The relevant planning history submitted is absent of any planning approval for change of use to a HMO. Further, the planning history includes a lawful development certificate application for the change of use from a C3

dwellinghouse to a C4 HMO that was withdrawn. Notwithstanding, it is not within my remit to formally determine whether a C4 HMO use has already been established as claimed by the appellant and it remains open to them to seek a certificate of lawfulness separately.

7. Policy H1 of the Newham Local Plan (2018) (Local Plan) stipulates HMOs must be in appropriate locations in accordance with policy H3 of the Local Plan, which requires HMOs to be purpose-built or converted from premises other than family-sized dwellings. Further, Policy H4 of the Local Plan states that the Council will specifically protect family housing with three or more bedrooms, with the justification of Policy H1 of the Local Plan stating that the greatest housing need within Newham is for three bedroom homes.

8. The justification for the above policies acknowledges that HMOs can provide relatively cheap accommodation for residents. However, as many were created from what were originally family-sized dwellings, this has challenged the wider aspiration to stabilising communities, through the reduction of housing choice. Further, they consider that there is sufficient capacity for flats and HMOs through purpose-built new build and conversion of non-residential uses.

9. Whilst the appeal property does not have access to any private external living space, there is nothing before me to suggest that this would preclude it from being utilised as family housing. Therefore, if the scheme was allowed, it would result in the loss of a three bedroom family sized dwelling.

10. The appellant contends that Policy H8 of the London Plan – the Spatial Strategy for Greater London (2021) (London Plan) supports the provision of shared housing where it meets an identified need. They go on to outline how the proposal would help with homelessness through the provision of accessible and affordable housing. However, based on the evidence before me I am not satisfied that the scheme would meet an identified need that would justify the above identified departure from policy. Further, the proposal would form open market accommodation and there is nothing before me to secure its use for the homeless. I therefore give this limited weight which would not outweigh the loss of a three bedroom family sized dwelling.

11. For the above reasons, the proposal would have an unacceptable effect on the housing mix within the borough. As such, it would conflict with the relevant provisions of Policies H1, H3, and H4 of the Local Plan. When read together, these policies require development to protect three bedroom family sized dwellings.

12. I do not find any conflict with Policies H8 and H10 of the London Plan which broadly relate to replacing existing housing with new housing at existing or higher densities, and the distribution of unit sizes within schemes, respectively.

Other Matters

13. The appellant contends that single households generate less car traffic than families and that if the appeal property were to be used as a single-family dwelling, it would increase dependency on private vehicles. In this particular case, it has not been shown that a three-bedroom household would likely generate more traffic than a three-person HMO in this location; however, even if this were the case, given the scale of the proposal the difference in vehicle movements would be nominal and carry limited weight that would not outweigh the above identified harm to the housing mix within the borough.

14. The appellant raises a lack of communication from the council during the application process. This is a procedural matter and not something I consider relevant to the merits of the appeal.

Conclusion

15. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no other considerations which indicate planning permission should be granted. The appeal should be dismissed.

N Unwin

INSPECTOR