



# Havering

LONDON BOROUGH

## PLANNING COMMITTEE AGENDA

<b>7.00 pm</b>	<b>Thursday 23 April 2026</b>	<b>Council Chamber - Town Hall</b>
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Members 6: Quorum 3

**COUNCILLORS:**

**Conservative Group  
( 2)**

Jacqueline McArdle  
Carol Smith

**Havering Residents' Group  
3)**

Bryan Vincent (Chairman)  
Robby Misir (Vice-Chair)  
Philippa Crowder

**Labour Group  
1**

Matthew Stanton

**For information about the meeting please contact:**

**Luke Phimister - 01708 434619  
luke.phimister@havering.gov.uk**

**To register to speak at the meeting please call 01708 433100  
Before Tuesday on the week of the meeting**

**Please would all Members and officers attending ensure they sit in their allocated seats as this will enable correct identification of participants on the meeting webcast.**

***Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.***

***Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.***

### **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

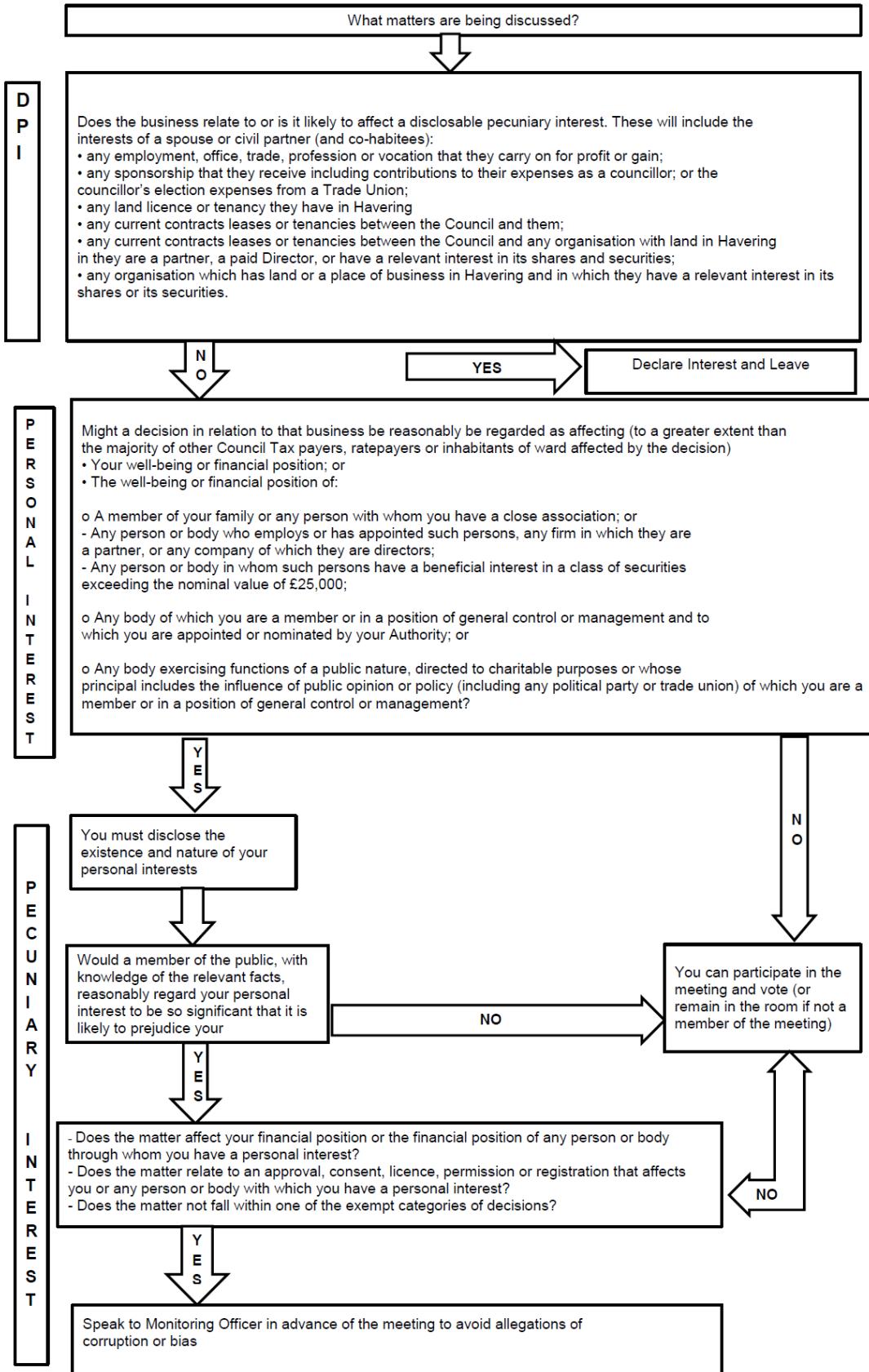
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



**Principles of conduct in public office**

In accordance with the provisions of the Localism Act 2011, when acting in the capacity of a Member, they are committed to behaving in a manner that is consistent with the following principles to achieve best value for the Borough's residents and to maintain public confidence in the Council.

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in an item at any time prior to the consideration of the matter.*

### **4 MINUTES (Pages 7 - 12)**

To approve as a correct record the minutes of the meeting of the Committee held on 12<sup>th</sup> February 2026 and to authorise the Chairman to sign them.

### **5 APPLICATIONS FOR DECISION (Pages 13 - 16)**

See attached document

**6 P1027.23 - 51 WINDERMERE AVENUE, HORNCHURCH** (Pages 17 - 30)

Report attached

**7 P1622.25 - 88 EASTERN ROAD, ROMFORD** (Pages 31 - 50)

Report attached

**Zena Smith**  
**Head of Committee and Election**  
**Services**

**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
Havering Town Hall, Main Road, Romford  
12 February 2026 (7.00 - 8.30 pm)**

**Present:**

**COUNCILLORS:**

<b>Conservative Group</b>	Carol Smith
<b>Havering Residents' Group</b>	Bryan Vincent (in the Chair) Robby Misir (Vice-Chair) and Philippa Crowder
<b>Labour</b>	Matthew Stanton

Councillors Stephanie Nunn and John Crowder were also present for parts of the meeting.

There were 7 members of the public present.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

**32 DISCLOSURE OF INTERESTS**

There were no disclosures of interests.

**33 MINUTES**

The minutes of the meeting held on 14 August 2025 were agreed as a correct record and signed by the Chairman.

**34 P0146.25 - 114 DIBAN AVENUE, HORNCHURCH ELM PARK**

The Committee considered a report for planning permission that seeks to vary Conditions 2 and 3 of that planning permission to regularise various internal and external changes to the layout of the extensions as well as proposed amendments to its materials.

The report detailed the following key amendments:

Internal

- On the ground floor, there has been the subdivision and change of the area indicated on the originally approved plans as living and reception rooms to create a playroom, bathroom and spare room
- At first floor level, there is bedroom and bathroom where the original plans showed a bedroom
- At loft level, there has been the addition of a shower to the bedroom

#### External

- Changes to the rear window design on both the main property and its extensions
- There is one roof light within the front roof slope of the property instead of the two
- Change to the design of the roof slope of the side extension
- The first floor rear extension has been built further away from the attached shared boundary compared to the plans approved under P0047.23 and is therefore less wide (approximately 0.6m less wide)

#### Materials

- The side extension has been finished in brickwork whereas the approved drawings and Condition 2 required the extension to be finished in matching render. The entirety of the extension is proposed to be finished in render as part of this application however.

In accordance with the public speaking arrangements the Committee was addressed by an objector with no reply from the applicant.

The Committee heard from a local resident. It was stated that the owner purchased the property in 2021 and subsequently carried out building works with the planning application submitted only after completion of those works. It was alleged that the development as built did not accord with the approved plans.

The speaker further alleged that the property had previously been advertised on Airbnb as a seven bedroom, four bathroom holiday let. Due to its capacity, this use was said to have attracted frequent parties, resulting in persistent anti social behaviour, loud music, parking problems, blocked driveways, and repeated altercations requiring police attendance. It was also stated that there were no adequate refuse disposal arrangements in place and that the management of the short term letting failed to address breaches of house rules.

Following the alleged unauthorised short term letting use, the owner submitted a planning application for the property. The Committee was advised that this resulted in 133 objections and a petition of approximately 600 signatures. The application was subsequently withdrawn. Due to the history of the site, residents expressed serious concern regarding the potential impact of an oversized dwelling within an area characterised predominantly by two and three bedroom family homes.

Reference was made to policy wording requiring the property to be occupied as a family dwelling and clarification was requested on the definition of family and whether a limit on the number of occupants could be imposed.

It was further stated that the submitted floor plans did not accurately reflect the internal layout. The speaker disputed the officer's assessment that the plans were accurate advising that the ground floor layout did not match the approved plans. In particular, a room located at the end of the hallway was not shown and the dining area was said to be misrepresented. Concern was also raised that internal alterations were not purely cosmetic but facilitated increased occupation including the use of the hallway to access additional rooms.

The Committee was informed that the property was already under investigation by the Council which heightened residents' concerns given the applicant's history of seeking retrospective approvals. The speaker concluded by requesting that the committee carefully consider the application to ensure residents were protected from further misuse of the property.

A Councillor call-in has been received which accords with the Committee consideration criteria. The application had been called-in by a Ward Councillor, Councillor Barry Mugglestone. With its agreement Councillor Stephanie Nunn addressed the Committee on behalf of Councillor Mugglestone.

Councillor Nunn stated that the objection was being submitted on behalf of local residents, noting that the situation had been extremely distressing in an area that has been residential for nearly 100 years. It was explained that the scale and use of the extension conflicted with the Local Plan which does not support a change of use of a family dwelling where it would result in significantly greater noise than would normally be associated with such a property. Reference was also made to policy objectives requiring residents to feel safe and comfortable in their homes with adequate privacy, amenity space and security.

Councillor Nunn described the use of the property as akin to a mini hotel or function venue at times involving the erection of a marquee in the rear garden, which adversely affected neighbouring occupiers through noise, loss of privacy and an inability to enjoy their gardens. It was confirmed that this activity has currently ceased following engagement with officers however ongoing concerns remain regarding continued comings and goings and multiple occupants leading to increased vehicle movements and disturbance. The adequacy of a single parking space was questioned, with the view expressed that increased occupancy inevitably leads to increased car usage. Councillor Nunn advised that, should the retrospective application be approved, residents would closely monitor compliance with any imposed conditions. Concern was also raised regarding discrepancies between the approved ground floor plans and the development as built, with additional rooms constructed that, notwithstanding their stated use, were

considered by residents to function as bedrooms, effectively resulting in a seven bedroom dwelling. Councillor Nunn concluded by asking the Committee to consider how similar developments often subsequently become unlicensed houses in multiple occupation.

During general debate, officers confirmed that the property had been subject to several visits. These included an initial enforcement visit in 2024, a joint visit with enforcement in March 2025, and further site inspections in November 2025 and January 2026. During these visits officers met with occupants and confirmed that the property was in use as a single family dwelling.

The Committee was advised that an allegation had been made that the property was previously used as an Airbnb. This allegation prompted enforcement investigation but officers confirmed that any such activity had ceased in January 2025. The enforcement investigation remains open however officers stated that no evidence currently indicates use of the property as an HMO or continued short term let.

The Committee noted that the application before Members was not for a change of use. The proposal sought only to regularise internal amendments, including the addition and reconfiguration of bathrooms and associated minor layout changes and to approve minor external alterations from the 2023 approved plans. Officers emphasised that the property is currently and remains a C3 single family dwelling. Members were informed that any future use as an HMO would require a separate planning application, due to the Council's Article 4 Direction.

A Member expressed concern that the number of bathrooms and the internal configuration might facilitate future HMO use. Officers reminded Members must determine the application based on the proposal submitted. It was further confirmed that officers had assessed the internal layout and found it consistent with a family dwelling.

Members sought clarification on whether conditions could be applied to limit the future use of certain rooms as bedrooms or to restrict any future conversion to an HMO. Officers advised that such conditions would be unlawful, unenforceable or unnecessary as planning law already requires permission for any material change of use from C3 to HMO, hotel type accommodation or C2 care use.

In response to a Member question, officers confirmed that an informative could be added to the decision notice, clearly setting out the accepted this approach.

Members queried how any future breaches, including HMO use or short term letting beyond the permitted 90 day allowance, would be monitored. Officer stated that any future alleged breaches reported via the Council's enforcement process would be fully investigated.

Officers addressed the minor external differences between the approved and built schemes. These included a slight alteration to the roof slope of the side extension and changes to the number and design of rooflights and rear windows. Officers confirmed that these changes were minor and acceptable and did not give rise to additional harm when compared with the 2023 permission. They also noted that the extension now sits slightly further away from the boundary thereby marginally reducing its impact.

Members discussed the condition requiring rendering of the rear elevation within nine months of the decision date. Officers confirmed this was a standard timeframe but noted that the Committee could reduce it to six months if desired. No formal amendment to the condition was proposed.

Officers reminded Members that the 2023 permission remains extant and that the variations now proposed are relatively minor in nature. Officers advised that refusal based on the concerns expressed would be difficult to defend at appeal.

Following discussion and consideration the Committee Resolved to Grant planning permission subject to conditions and the additional informative regarding future change of use.

The approval was carried by three votes to 2.

Councillors Phillipa Crowder, Robby Misir and Carol Smith voted in favour while Councillors Bryan Vincent and Matt Stanton voted against the proposal.

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**Chairman**

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## Agenda Item 5

### Applications for Decision

#### Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

#### Advice to Members

#### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
  - London Plan Adopted March 2021
  - Havering Local Plan 2016 – 2031(2021)
  - Site Specific Allocations (2008)
  - Site Specific Allocations in the Romford Area Action Plan (2008)
  - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development

which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made based on the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

#### Non-material considerations

11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - Building Regulations deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by Highways Legislation.
  - Environmental Health covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the Party Wall Act.
  - Covenants and private rights over land are enforced separately from planning and should not be considered.

#### Local financial considerations

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail.
13. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

#### **Public speaking and running order**

14. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.
15. The items on this part of the agenda will run as follows where there are registered public speakers:

- a. Officer introduction of the development
  - b. Registered Objector(s) speaking slot (3 minutes)
  - c. Responding Applicant speaking slot (3 minutes)
  - d. Ward Councillor(s) speaking slots (3 minutes)
  - e. Officer presentation of the material planning considerations
  - f. Committee questions and debate
  - g. Committee decision
16. The items on this part of the agenda will run as follows where there are no public speakers:
- a. Where requested by the Chairman, officer presentation of the main issues
  - b. Committee questions and debate
  - c. Committee decision


**Late information**

17. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

**Recommendation**

18. The Committee to take any decisions recommended in the attached report(s).

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>16th April 2026</b>
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<b>Application Reference:</b>	<b>P1027.23</b>
<b>Location:</b>	<b>51 Windermere Avenue Hornchurch RM12 5EP</b>
<b>Ward</b>	<b>Elm Park</b>
<b>Description:</b>	<b>Retrospective change of use from single dwellinghouse to C2 (Ofsted regulated residential children's home to accommodate not more than 2 children between the ages of 8 and 17).</b>
<b>Case Officer:</b>	<b>Cole Hodder</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria</b>

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### **Background / Clarification of matters for earlier deferral**

- 0.1 The application was considered by members at a Planning Committee meeting (22<sup>nd</sup> August 2024). The application sought retrospective permission for a change of use from single dwelling house to C2 (Ofsted regulated residential children's home) to accommodate not more than 2 children between the ages of 8 and 17 years.
- 0.2 Members noted that the consent was sought for the change of use of the premises (retrospective) to provide care for up to two children. The use commenced operating in May 2023 and has been staffed by three adults who work on a shift basis caring for the resident(s). It was accepted that no external changes to the building or internal layout were carried out.
- 0.3 The application was deferred in order for the following matters to be clarified:
  - **Evidence of Police report of Crime and Antisocial behaviour in the area (attendance)**

- **Evidence of OFSTED report on the suitability of the premises for its intended use (Committee agreed this was not a material planning condition)**
- **Insight from Havering Social Care Team on a carer to child ratio, in order to understand if there was a benchmark**

0.4 Evidence of Police report of Crime and Antisocial behaviour in the area (attendance)

- I. Councillor Mugglestone highlighted instances where the police had attended the property (specifically 7th and 13th July 2023), dates which had not been raised or flagged to officers when consulting with the Metropolitan Police. For the avoidance of doubt, these dates and events were also raised in representations made by residents. They were considered when a recommendation for approval was made by the LPA.
- II. Following the resolution of members to defer the application, the Metropolitan Police confirmed the dates given above as showing on their system. It is unclear why these dates were not initially flagged when consulting with the Metropolitan Police but earlier assessment made accepted that there may have been instances where the Police had attended the premises.
- III. In the intervening period further consultation has been carried out periodically with the Metropolitan Police who confirmed that from 1st October 2024 to 28th July 2025 there was one recorded incident linked to the address. It is understood from the applicant that this was due to staff from the home raising safeguarding concerns over an incident that took place offsite. Officers attended the premises in connection with this. At that time, and for that period, no other incidents or patterns of concern were identified.
- IV. Officers asked the Metropolitan Police to check their records from 28 July 2025 until 1 April 2026. In this period one incident of ASB is registered in August 2025. The Metropolitan Police advised that this incident did not generate a crime report as such, but Police were made aware of an excessive noise from the property and referred the informant to the Local Authority.
- V. On consultation with the Council's Public Protection team who would register and look into any noise complaints, there are no records of any noise complaints from the property being recorded at all since the use commenced.
- VI. In view of the limited scale of the use and low occupancy, officers consider that any noise or disturbance would be capable of being controlled through planning condition.

0.5 Evidence of OFSTED report on the suitability of the premises for its intended use (Committee agreed this was not a material planning condition)

- I. As permission has not been granted, there is no OFSTED report available. The use needs to be established as being lawful before this can take place. As above, this is not a material planning consideration which was agreed by members previously.
- II. Some concerns were raised over the suitability of the property for the intended use more generally. Officers have engaged with the Strategic Commissioner for Havering, who did not raise an objection to the layout of the property for its intended/ongoing use.
- III. They did comment that there was no space for confidential meetings, or to store confidential documents. The only room that could be considered as a potential office is the upstairs bedroom and it would not be appropriate to have meetings in this space.
- IV. Comments made also further highlighted the current position in respect of these uses in the borough. At that time of consultation, it was indicated that there were already 18 children's homes in the borough, of which 9 had opened in the past 24 months. The make provision for 73 children. LBH at the time of consultation had 3 children living in these homes. The issue of need is set out in a re-drafted paragraph 7.6 in the main report.
- V. Therefore, the other children are from other council areas, and this means that they will not have a school place and will require access to services commissioned for local children, thus creating an unforeseen demand and placing pressure on services.

0.6 Insight from Havering Social Care Team on a carer to child ratio, in order to understand if there was a benchmark

- I. Indication was given through consultation with the Strategic Commissioner that the benchmark for staffing would be that a child cannot be left alone with a single adult. A one bedded home would need two staff on duty at all times and a two-bedroom property would have a minimum of two staff also.
- II. The staffing for the use under consideration complies with this requirement.

## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1.1 The proposed use of the property subject to safeguarding conditions is considered to comply with the objectives of the Havering Local Plan 2016-2031, the NPPF and London Plan. Based on the limited occupancy proposed which can be restricted through condition the proposed use would not be distinguishable from any other lawful use of the premises, for example C3(B)

(six unrelated individuals receiving care) or its continued use as a single dwelling house which may accommodate a large multi-generational family.

- 1.2 This assessment is consistent with other decision making in the borough including appeal decisions.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission subject to:
- 2.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

2. Within 3 months of the date of this decision, a detailed management plan for the premises shall be submitted to the Local Planning Authority for approval. The management plan shall include details of how the premises will be run to control noise, disturbance and ASB; how reports of any ASB can be made; details on notification to neighbours of contact numbers, should they wish to report concerns and complaints procedure including minimum response timescales. The premises shall be operated in accordance with the approved management plan.

Reason: To ensure that the use integrates with the surrounding residential environment and to ensure that residents are able to raise any concerns with the operator directly in the interest of creating safer, sustainable communities and in order that the proposals comply with Havering Local Plan 2016-2031 Policy 6.

3. The premises shall only accommodate a maximum of two young persons as described by the applicant (up to the age of 18 years old) receiving care at any given time unless otherwise agreed in writing with the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and that the development accords with Policy 6 of the Havering Local Plan 2016-2031.

4. The use of the premises hereby permitted shall be C2 and shall only be used for the purposes of residential care and accommodation and

not any other use falling within Class C2 of The Town and Country Planning (Use Classes) Order 1987.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

5. Within three months of the date of this decision the applicant must submit to the Local Planning Authority for approval in writing, a scheme which specifies the provisions to be made for the control of noise from residents emanating from the site. Such a scheme as approved shall then be implemented in full to the satisfaction of the Local Planning Authority within a further period of three months and permanently maintained thereafter.

Reason: To protect the amenity of neighbouring residential properties.

- *Consultation with the Designing Out Crime Officer also recommended a Secured by Design Condition. In view of the limited scale of the use, limited occupancy and staffing and in view of other decision making it is not considered that this would be proportionate. However if Committee members feel it is required this can be imposed, otherwise see Para 5.3*

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Site and Surroundings**

- 3.1 Application site comprises one half of a semi-detached pair. The site is neither listed, nor within a Conservation Area.

#### **Proposal**

- 3.2 Consent is sought for the change of use of the premises (retrospective) to provide care for up to two children. The use commenced operating in May 2023 and is staffed by three adults who work on a shift basis caring for the resident(s). There are no external changes to the building or internal layout.
- 3.3 The intended use is for one child with learning disabilities, however by the nature of these uses there may be occasions where emergency placement is required for another child. Given the size of the property it is capable of accommodating this level of occupancy, however the applicant has been clear in indicating that this would be an exceptional circumstance. By allowing for up to two children this would not remove their ability to provide an emergency placement.
- 3.4 For the purposes of assessment, the applicant agreed to alter the description to make provision for a maximum of two children and the application has been assessed on that basis.

#### **4 Planning History**

4.1 The following planning decisions are relevant to the application:

P1349.13 51 Windermere Avenue - Single storey front extension – APPROVED WITH CONDITIONS

#### **5 CONSULTATION RESPONSE**

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 The following were consulted regarding the application:

5.3 LBH Highway Authority – No objection made.

Environmental Health – No objection made subject to condition

Fire Brigade – No objection made

LBH Waste / Recycling – No objection made

DOC0 – SBD Condition recommended

(OFFICER RESPONSE: Mindful of the limited scale of the proposed use an SBD condition as recommended is not considered to be proportionate or reasonable. Other conditions where recommended have been outlined at Para 2.2. However should the Committee feel that this condition is necessary, this can be negotiated with the applicant with a suitable timeframe for accreditation/measures being implemented).

#### **6 LOCAL REPRESENTATION**

6.1 A total of 8 neighbouring properties were invited to comment on the application submission.

6.2 The outcome of all consultation is as follows:

No of individual responses: 54 of which 47 objected

Petitions received: None submitted

6.3 The following Councillor made representations:

Councillor Barry Mugglestone objecting and calling-in on grounds of:

- Added Parking Pressure and movement of vehicles especially at 23:00 on shift turn overs.
- Noise & Disturbance resulting from use.
- Fear of crime
- Increase in ASB due to age range of the children
- Increase demands on the Police due to increase in ASB
- Can't simply change a residential property into a care home, with high risk children.
- Lack of info on how the care home will be set up.
- Movement and hand over during shift times early in the morning and late at night

## **Representations**

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

### Objections

- Police attending premises/ASB
- Negative impact on community
- Potential noise/disturbance in particular during changeover
- Increased parking pressure
- Fear of crime/vandalism

(OFFICER RESPONSE: The comments received describe situations where disturbance has been caused by the operation of the property. It is evident that the use of this property has created some issues and has operated in some capacity for an extended period, however no record of any planning enforcement complaint is held.

Notwithstanding this some of the issues raised go beyond what is considered by the planning system including disturbance during works. The comments raise a number of examples of what could be reasoned to be poor management of the premises which would be capable of being addressed by other legislative powers.

The evidence of police attendance is limited, no police reports or substantive information has been present in representations made.

Officers requested further information regarding incidents involving the police for the intervening period from when comments were originally made by the Council's Designing Out Crime Officer (approx. 12 months). When originally commenting this would have been a consideration. Nevertheless in searches undertaken in conjunction with the Elm Park Safer Neighbourhoods Team it was confirmed that no calls for the police were made from or in relation to the subject property in that period July 2023 – July 2024. Observations made by residents who indicate that police have attended the premises are not disputed, however there is no evidence before officers as to the purpose of those visits or their frequency.

The fear of crime and its perception is of course a material planning consideration when it is based on sound evidence. Comments made refer to the behaviour of residents being anti-social and give examples where the police have attended the premises. However the low level of occupancy proposed which could be controlled through planning condition is not suggestive of a use which if managed properly would not be capable of integrating with the surrounding environment.

In some instances where the prospective occupancy of a care related use is low it can be argued that planning permission is not required. On the basis that an application has been made to the Council there is opportunity to impose

conditions to try and mitigate any adverse impacts which may arise. It is noted also that many representations refer to concern over prospective impacts of the use and seem unaware that the use has been in situ since May 2023.

### **Non-material representations**

6.5 The following issues were raised in representations, but they are not material to the determination of the application:

- Loss of property value
- Financial gain for developer

### **Procedural issues**

6.6 The following procedural issues were raised in representations, and are addressed below:

- Some comments refer to a lack of transparency/notification. (OFFICER RESPONSE: In response to this the statutory requirement of the LPA when consulting on such a planning application is to notify only those that directly adjoin an application site. The Council is satisfied that it has fulfilled its statutory obligations and has not prevented anyone with an interest from commenting on the application or making representations.

## **7 MATERIAL PLANNING CONSIDERATIONS**

7.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Quality of accommodation/suitability
- Design
- Impact on amenity
- Highways/Parking
- Other issues

### **Principle of development**

7.2 Class C2 as defined by the Use Classes Order 1987 (as amended)(UCO) is the use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses). Use as a hospital or nursing home, use as a residential school, college or training centre. It is the first limb of Class C2 that is relevant: "Use for the provision of residential accommodation and care to people". The use of the word "and" means the provision of "residential accommodation" and "care" are conjunctive. It is not sufficient for a use to fall within this class that it involves the provision of "residential accommodation" only.

7.3 The definition of "Care" in Article 2 to the UCO is that "care" means 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, and in class C2 also includes the personal care of children and medical care and treatment". The Use Class Order does not specify what "care" comprises,

how it is delivered or by whom it is delivered. There is no pre-requisite in the UCO that the staff delivering care are nurses or social workers for example or that the care is delivered by permanent staff, as opposed to agency staff.

- 7.4 Policy H12, the London Plan supports the delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for.
- 7.5 Policy 6 of the Havering Local Plan 2016-2031 requires consideration of the following when assessing Specialist Accommodation:  
The provision of appropriate housing to meet the specialist needs of local people will be supported where it can be robustly demonstrated that:
- i. There is an identified need within the borough;
  - ii. The site has access to essential services and shops by walking and cycling;
  - iii. The site is well served by public transport;
  - iv. The proposal contributes to a mixed, balanced and inclusive community;
  - v. The site is suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care;
  - vi. An appropriate level of amenity space is provided to meet the needs of the intended occupants taking account of the need for an attractive outlook;
  - vii. Consideration has been given to all possible future needs and the development can be easily adapted to meet the needs of future occupants;
  - viii. The proposal does not have any adverse impacts on the surrounding area and will not be likely to give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties;
  - ix. The proposal meets the parking requirements set out in Policy 24 and it will not have an unacceptable impact on parking conditions and traffic congestion in the area; and
  - x. Adequate provision for visitor and carer parking facilities is provided and where appropriate, provision is made for the safe and convenient storage of wheelchairs and mobility scooters.
- 7.6 In respect of Policy 6(i), subsequent to the deferral of a decision by this committee, comments have been received from Havering Strategic Commissioning, who have commented that there is currently an overprovision of children's homes and as such there is not a need locally for the proposal.
- 7.7 It is accepted that, in light of the current position, that the proposal would conflict with Policy 6(i) as a result. However, as set out elsewhere in this report, the level of harm arising from the current use is considered to be limited.
- 7.8 Given that the proposal relates to the accommodation of one resident and, only in certain circumstances, two, the extent to which the identified lack of need would contribute to material harm is considered to be limited. On the basis of a

balanced planning judgement, it is considered that refusal solely on this ground would be difficult to substantiate and defend at appeal.

- 7.10 Having considered the main objectives of the Policy and mindful of the low prospective occupancy it is not considered that there would be conflict with Policy 6 (ii), (iii), (iv), (v), (vi) or (vii). The other criteria as well as the broader character impacts, if any, will be considered in the following sections of this report.

#### **Quality of accommodation/suitability**

- 7.11 A key requirements of Policy 6 of the Havering Local Plan 2016-2031 is that the proposed building is suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care. It also requires that an appropriate level of amenity space is provided to meet the needs of the intended occupants taking account of the need for an attractive outlook.
- 7.12 The proposals under consideration are not suggestive of any internal or external changes to the subject property which has historically been used as a single dwelling house. The intent of the applicant is to provide accommodation for residents in a family environment. There are no changes proposed which would prevent the dwelling from returning to its former use at a later date if no longer required. It is reasonable to assert that one of the three bedrooms might be allocated to staff to rest whereas the rest of the property is sufficiently sized to enable staff to work.
- 7.13 The indication is that only one young person would reside at the property at most times. With staff present through the night it is not inconceivable that one staff member would remain awake if required and the other would sleep in the allocated room leaving a further room for any additional need as required. There is no substantive evidence to demonstrate that the scheme would in itself materially change the character of the area, particularly as the development has a residential appearance and that the property would function much like a typical family home.
- 7.14 There is nothing inherent within the proposed layout or wider site including garden area which would weigh against the proposals in terms of the facilities offered. The development would on balance comply with Havering Local Plan 2016-2031 Policy 6, in so far as it would be suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care as well as provision of amenity areas - Policy 6 (iv, v, vii).

#### **Design / Impact on street-scene**

- 7.15 It is considered that the proposal does not adversely affect the street scene, as there are no external changes. Further to this, the Design and Access Statement (DAS) submitted does not describe a use which generates significant levels of activity.

- 7.16 The premises would maintain the appearance of a single dwelling house within a residential environment. There is no evidence before officers that the use of the site for the purposes intended would be conspicuous or materially harmful to the residential character of the area in particular given the low prospective occupancy

**Impact on amenity**

- 7.17 A requirement of Policy 6 of the Havering Local Plan 2016-2031 is that the proposed use must not have any unacceptable adverse impacts on the surrounding area and not give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties.
- 7.18 Care-related/specialist accommodation can run smoothly with no significant impacts on residential amenity if appropriately managed. Generally, residential areas are the most appropriate places for these types of use as they tend to exhibit little in the way of outward signs of the use and occupants are able to live within the community. This is recognised to be an important part of the overall objective of care-related uses. It is accepted that some care uses by contrast may well bring long-term harm and significant amenity concerns for adjoining/neighbouring residents. This is usually due to the scale and intensity which presents in high numbers of occupants, complex care needs and associated levels of activity through comings and goings.
- 7.19 The main planning consideration is whether the level of activity associated with the proposed use could be regarded as an intensification over and above that of the previous use or any other not requiring permission. To that end, the use is seeking to accommodate up to two children between the ages of 8 and 17. The level of comings and goings described within the planning statement are regarded as being low. Activity associated with staff is described at Para 3.2 of the applicant's Planning Statement. The applicant in their statement indicates that there would be three staff members expected to be on a two days on, four days off rota pattern.
- 7.20 The indication is that staff would sleep at the premises when their shift had ended so as to reduce movement at unsocial hours. It is unlikely that if managed correctly that noise and disturbance during turnover times that these periods would be long in duration or cause significant detriment to amenity. Three members of staff as a maximum would be at the premises at any given time. The child's social worker would attend once every six weeks, whilst the independent reviewing officer would attend every six months.
- 7.21 Given how the use is described it is not unreasonable to consider that the level of activity would likely be lesser than, for example, a multi-generational family using a single dwelling house. Occupants would, by nature of the level of care provided likely have complex care needs. However such children can and do live in traditional family dwellings in residential areas. Furthermore through permitted development a dwelling is capable of being used for up to six unrelated individuals receiving care without planning permission – through Use Class C3(B). Minded that this would not require planning permission officers do

not consider that there are any in principle grounds to withhold permission for a C2 use as described.

- 7.22 Officers consider that the former use would have had the potential to attract an equivalent or greater level of comings and goings to the property than the proposed use sought if managed correctly. Further to this the occupancy of the dwelling by a single multi-generational family would not be comparable to that of one (at most two children) and three adults with other occasional visits made by other parties as described.
- 7.23 It is of course recognised that the frequency of visits may be prone to change based on the needs of any future occupant. However the use as described by the applicant if managed correctly is not suggestive of one which would be unsuitable in a residential environment for the reasons given.
- 7.24 It is recommended to impose a condition restricting the number of occupants as well as the use of the property. Further to this a detailed management plan shall be required through condition which shall include methods of contacting/raising any issues observed by residents to the management company and timeframes for response. It is not considered that a scheme of sound-proofing would be reasonable or would meet with the tests of the Framework.
- 7.25 Comments made by residents relate to behaviour of staff and the behaviour of residents. It is accepted from the planning statement provided that residents would be particularly vulnerable and may have complex care needs. Whilst the fear of crime is a material planning consideration, it is not considered sufficient to withhold permission in this instance. In much the same way as the property might be let privately there is little scope to withhold permission based on the potential behaviour of a future resident.
- 7.26 In the opinion of officers there does not exist sufficient evidence to conclude that the proposals would unduly harm the amenity of surrounding residents, nor be detrimental to the sense of place, safety and community experienced by those residents if properly managed. The proposals would therefore, subject to safeguarding conditions not be contrary to Havering Local Plan Policies 6, 16, 26 and 34 as well as Policies S1 and S2 of the London Plan and the objectives of the NPPF.

### **Highways/Parking**

- 7.27 Policy 6 of the Havering Local Plan requires that the site is well served by public transport, that the parking requirements set out in Policy 24 are met and that there would not be any unacceptable impact on parking conditions and traffic congestion in the area. It requires also that adequate provision for visitor and carer parking facilities is provided and where appropriate, provision is made for the safe and convenient storage of wheelchairs and mobility scooters. There is no parking standard as such, with Local Policy requiring assessments to be made for uses such as this to be made on an individual basis using a transport assessment.

- 7.28 The applicant provided a transport statement which indicates that three spaces (in a tandem arrangement) are achievable to the frontage of the site. Whilst not an entirely convenient method of arranging parking it is accepted that vehicle ownership would be by staff attending the site and other visitors, owing to the age of prospective occupants. It is acknowledged by nature of the use that parking on the site could be managed between staff and visitors/other health professionals and that acceptable arrangements would be capable of being made.
- 7.29 How vehicles attend the site and when would need to be carefully managed by the applicant/property manager so as not to inconvenience other residents. However there is no evidence before officers that the parking demand would be greater than any former use or that which could be undertaken without planning permission. Officers reach this view mindful of alternative lawful uses for the premises which may attract a greater level of adults residing at or visiting the property - C3(B) for example, or a large multi-generational family as a single dwelling house C3(A). These uses would have a far greater likelihood of increasing parking demand/stress in the locality which is noted not to have any restrictions within the immediate vicinity.
- 7.30 Often with similar uses comments are made over the behaviour of staff in particular relating to matters of parking. The planning system is not able to control how people choose to park only whether adequate provision would be made. To that end, it is difficult to argue how the use would attract greater vehicle movement than any other use capable of being implemented.
- 7.31 No details of refuse storage have been provided however it is recognised that there would have been a previous domestic arrangement. It is unlikely that the situation would be worsened or that further details are required through condition given the historic residential use. Cycle storage would be sought through condition in the interests of encouraging alternative means of travel to the site for staff/visitors and occupants. The applicant indicates that cycle storage would be provided, however does not provide sufficient detail as to whether this would align with the London Plan/TFL Guidance in terms of its means of being secured etc.
- 7.32 Subject to those measures as outlined the development would be compliant with Havering Local Plan 2016-2031 Policies 6 and 24 which seek to ensure adequate parking provision.

#### **Environmental and Climate Change Implications**

- 7.33 Given the limited scale and nature of the proposals which concern the repurposing of an existing dwelling house, no specific measures to address climate change are required to be secured in this case.

#### **Financial and Other Mitigation**

- 7.34 None relevant.

#### **Equalities**

7.35 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

7.36 The application, in this case would seek to provide accommodation for up to two children with learning disabilities (a protected characteristic) which is relevant to the consideration of the application

## **8 Other Planning Issues**

8.1 None relevant

## **9 Conclusions**

9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b>  <b>16<sup>th</sup> April 2026</b>
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<b>Application Reference:</b>	<b>P1622.25</b>
<b>Location:</b>	<b>88 Eastern Road, Romford, RM1 3QA</b>
<b>Ward</b>	<b>St Edwards</b>
<b>Description:</b>	<b>Single storey rear extension to facilitate change of use from Use Class C3 (Residential Dwelling) to Use Class Sui Generis (HMO) for up to 10 people, including installation of security gate, fencing, bin/cycle stores and internal alterations, following the demolition of existing rear extension.</b>
<b>Case Officer:</b>	<b>Adèle Hughes</b>
<b>Reason for Report to Committee:</b>	<ul style="list-style-type: none"><li><b>Councillor call-ins have been received which accord with the Committee Consideration Criteria</b></li></ul>

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## **1 BACKGROUND**

- 1.1 This application is a resubmission of a previous application, P0607.25, for a single storey rear extension to facilitate a change of Use from an HMO (Use Class C4) to an HMO (Sui Generis), including the installation of a security gate, fencing, bin/cycle stores and internal alterations, following the demolition of an existing rear extension, which was refused planning permission and subsequently dismissed on appeal.
- 1.2 The issue in this case is whether the revised proposal overcomes previously stated concerns from that dismissed appeal.

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 It is considered that the proposal is acceptable and the changes detailed above have addressed the previous reasons for refusal that were upheld on appeal. It is considered that the proposal would not adversely affect the streetscene, neighbouring amenity or result in any highway or parking issues. This application is recommended for approval subject to conditions and a legal agreement to prevent future occupiers of the HMO from obtaining car parking permits.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission subject to:
- 3.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
- The prior completion of a legal agreement or undertaking to secure the following planning obligations:
    - Obligation to prevent future occupiers of the HMO from obtaining car parking permits.

That the Assistant Director Planning is delegated authority to negotiate the legal agreement indicated above.

- 3.3 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

#### **Conditions**

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Materials - Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of a written specification prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

4. Flank window condition - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

5. Balcony condition - The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: In the interests of the amenity of the occupiers of neighbouring dwelling.

6. Parking provision - The car parking in the rear garden shall be laid out in accordance with the approved plan and retained permanently for the parking of vehicles for the occupiers of the HMO and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

7. Refuse/recycling - Notwithstanding the details on the approved plans, no building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally.

8. Cycle store - Prior to the first occupation of the HMO hereby permitted, the proposed cycle store shown on drawing No.'s 3584/01/46 Revision 00 and 3584/01/46 Revision 00 shall be provided to the satisfaction of the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents and sustainability.

9. Maximum number of occupants - There shall be a maximum of ten occupants for the HMO hereby approved..

Reason: To protect neighbouring amenity and ensure satisfactory conditions for future residents.

10. Boundary treatments - No building shall be occupied or use commenced until details of any proposed walls, fences and boundary treatment, including the perimeter treatment to the communal amenity space, are submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to the first occupation of the dwellings will protect the visual amenities of the development and prevent undue overlooking of adjoining property.

11. Landscaping - Notwithstanding the details on the approved plans, no building shall be occupied or use commenced until a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development shall be submitted to and approved by the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to the use hereby approved commencing will ensure that the development achieves a satisfactory level of landscape quality.

12. Hours of construction - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity.

13. Secured by design - a) Prior to commencement of any above ground works, a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police NE Designing out Crime Office, demonstrating how Secured by Design Certification will be achieved for this scheme.

b) Prior to occupation, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter shall be fully retained and maintained as such for the lifetime of the development.

Reason: In the interest of creating safer, sustainable communities.

### **Informatives**

1. Approval no negotiation
2. Approval and CIL
3. Secured by design informative

## 4. PROPOSAL AND LOCATION DETAILS

### Site and Surroundings

- 4.1 The application site is a detached two storey dwelling at No. 88 Eastern Road, Romford. St Kilda Children's Centre is located at No. 90 Eastern Road, which is north east of the site. No.86 Eastern Road is a two and a half storey semi-detached dwelling with accommodation in the roof space. No.'s 84 and 86 (Roseville and Craigville) Eastern Road and 90 Eastern Road are locally listed buildings, as per the London Borough of Havering Local Heritage List.

### Proposal

- 4.2 Planning permission is sought for a single storey rear extension to facilitate a change of use from Use Class C3 (Residential Dwelling) to Use Class Sui Generis (HMO) for up to 10 people, including the installation of a security gate, fencing, bin/cycle stores and internal alterations, following the demolition of an existing rear extension.
- 4.3 The proposal differs from that previous refused and dismissed on appeal in the following ways:
- The number of car parking spaces has been reduced from ten to five and they have been relocated from the south western boundary to the north eastern boundary of the site.
  - The size of the communal amenity space in the rear garden has been increased from approximately 19 square metres to 128 square metres.
  - The combined cycle/bin store has been replaced with a separate bin store and cycle store.
  - The bin store has been repositioned from the end of the rear garden to the front garden.

### Planning History

- 4.4 P0607.25 - Single storey rear extension to facilitate change of Use from HMO (Use Class C4) to HMO (Sui Generis), including installation of security gate, fencing, bin/cycle stores and internal alterations, following the demolition of existing rear extension – Refused for the following reasons:

1) The communal amenity space for a 10 bedroom HMO is of poor quality and usability and inadequate to meet the needs of future occupiers given its limited depth and size, harmful to the amenity of future occupiers contrary to Policies 7 and 8 of the Havering Local Plan and the National Planning Policy Framework.

2) Ten car parking spaces in the rear garden of the site would exceed the maximum car parking provision of up to 0.5 spaces per dwelling. Due to their siting and proximity to the south western boundary of the site, the rear parking would lead to noise and disturbance in the rear garden harmful to the amenity of neighbouring properties, particularly No. 86 Eastern Road, contrary to the aim of the Mayor to reduce car use and contrary to Policies 7,

8, 24 and 34 of the Havering Local Plan, Policies D14 and T6.1 of the London Plan and the guidance contained in the National Planning Policy Framework.

3) The proposal would not provide adequate servicing arrangements for a change of use from an HMO (Use Class C4) to an HMO (Sui Generis), contrary to Policies 8, 24 and 35 of the Havering Local Plan, Policy D6 of the London Plan and the National Planning Policy Framework.

4) Ten car parking spaces would lead to significantly greater use of the inadequate access and would increase danger to pedestrians given limited visibility contrary to Policies 23 and 24 of the Havering Local Plan, Policy T4 of the London Plan and the National Planning Policy Framework.

4.5 The application was subsequently dismissed on appeal. The appeal decision concluded that: "The proposal would have an unacceptable effect on the living conditions of occupiers of adjoining properties, with specific regard to noise and disturbance, and this would be contrary to Criteria (iii) of Policy 8 of the London Borough of Havering Local Plan." "The proposal would have an unacceptable effect on the living conditions of future occupiers, with specific regard to amenity space, and this would be contrary to Policies 7 and 8 of the Havering Local Plan".

4.6 The appeal decision stated that: "The proposed development is contrary to LP Policies 8, 24 and 35 and Policy D6 of the London Plan. These policies seek, amongst other things, that development provide convenient, easily accessible waste disposal storage and safe, accessible cycle storage. The Inspector was of the view that "the overprovision of car parking at the appeal site would encourage car use. As such, there would be a conflict with T6.1 of the London Plan which specifies a maximum car parking provision of up to 0.5 spaces per unit". The appeal decision stated that: "The proposal would not be consistent with Policies 8 and 24 of the LP and T6.1 of the London Plan, which seek to reduce dependence on private vehicle use". The Inspector was of the opinion that "The proposed increased level of occupation of the site, would result in an increase in vehicle movements". However, there was little evidence "to show that the access would cause an unacceptable impact on highway safety" and concluded that: "The proposal is compliant with Policies 23 and 24 of the LP, T4 of the London Plan and the National Planning Policy Framework".

4.7 D0009.24 - Certificate of Lawfulness for Change of Use from Use Class C3 (Residential) to use Class C4 (HMO) including internal alterations – Planning permission not required.

Upon review, it is considered that this decision was incorrectly made in that the site is in an area covered by an Article 4 Direction covering the former Romford Town Ward (now St Edward's ward) which applies to all properties including detached houses. The only way to have reversed this decision would have been through the Council challenging its own decision through the Courts, however the time limit for such a challenge has passed. In

addition, it is considered that a planning application for a C4 (small HMO) at this site would have been recommended for approval as it would have complied with Local Plan policies (including the minimum size of the dwelling) and Council records indicate that the property may have been a form of shared accommodation with letting rooms.

- 4.8 Y0003.24 - Single storey rear extension with an overall depth of 8m, a maximum height of 3m, and an eaves height of 3m. (PRIOR APPROVAL) – Refused.

## **5 CONSULTATION RESPONSE**

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

- 5.2 The following were consulted regarding the application:

- 5.3 TfL Spatial Planning – No comments.

- 5.4 Heritage Officer – No objection is raised on heritage grounds. Detailed comments are contained elsewhere in this report.

- 5.5 StreetCare Department – Domestic waste and recycling sacks will need to be presented by 7am on the boundary of the property on Eastern Road on the scheduled collection day.

- 5.6 Public Protection Department – No comments on land contamination or air quality grounds. Recommend conditions regarding the impact of noise emanating from the railway upon the development and an assessment to be undertaken of the impact of vibration from the use of the railway lines upon the site if minded to grant planning permission.

*Officer Comment – the property is an existing dwelling located some 50 metres from the railway. It is considered to be unreasonable and unnecessary to add these conditions.*

- 5.7 Designing Out Crime Officer – No objection subject to the specific concerns stated in Section 3 being addressed and a Secured by Design planning condition and informative being attached to the permission.

- 5.8 Highway Authority – The reduction from 10 to 5 spaces is a material improvement. The proposed permit-free obligation effectively mitigates potential overspill parking pressure. The revised parking level is considered acceptable. No objection on highway safety or access grounds.

## **5 LOCAL REPRESENTATION**

- 5.1 A total of 16 neighbouring properties were notified about the application and invited to comment.

- 5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 14 of which objected

5.3 This application has been called in by Councillor Patel on the grounds of the following planning matters:

1. There are significant concerns regarding the suitability of this development within the Gidea Park area. Eastern Road is characterised by spacious plots, substantial family homes, and a low-density residential environment. The area has a distinct suburban character defined by large, well-maintained dwellings intended for single-family occupation. The proposed intensification of use to accommodate up to 10 unrelated occupants represents a material change in the character and function of the property that is out of keeping with the prevailing residential pattern.
2. Impact on Residential Amenity: Increased comings and goings, potential noise disturbance, waste storage issues, and parking demand are likely to adversely affect neighbouring residents and undermine the quiet residential nature of the area.
3. The scale of the proposed HMO (up to 10 occupants), the change to Sui Generis use and the potential cumulative impact on the character of the area.

5.4 This application has been called in by Councillor Taylor on the grounds of the following planning matters:

This is a resubmission of a previously refused application (P0607.25) which was taken to appeal and dismissed by the Planning Inspectorate in December 2025. There are concerns that the changes to the plans are largely cosmetic and don't meaningfully address why the application was refused and dismissed. The same fundamental problems remain:

- The communal amenity space is still a narrow strip at the rear, sandwiched between the parking area and the rear extension. The Inspector specifically found this to be oppressive and inadequate for the number of occupants.

*Officer Comment – this is not correct – the amenity space differs from the dismissed proposal and has been increase in size.*

- Ten parking spaces remain at the rear, which still exceeds the maximum under London Plan Policy T6.1 and continues to pose a noise and disturbance risk to the neighbouring property at No. 86.

*Officer Comment – this is not correct – the proposal includes 5 parking spaces, not 10.*

- A bin store and cycle store have been added, but they still appear to be located at the far rear of the plot. The Inspector found the original storage was around 66m from the roadside, well above the Council's 30m guidance, and it's not clear this has changed.

*Officer Comment – the bin store is now proposed to be located at the front of the site.*

- No changes have been made to the access arrangements, which remain a concern given the level of vehicle movements a development of this size would generate.

- It is still an 11-bedroom HMO with limited bathroom and kitchen provision for that number of occupants.

*Officer Comment – the proposal is for a 10 bed HMO – the quality of living accommodation was not a concern with the earlier proposal raised either by the Council or Planning Inspector at appeal.*

## **Representations**

5.5 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

### Character of the Area and Overdevelopment

- Harm to the character and appearance of the area.
- Overdevelopment and excessive intensification of the site.
- Scale of the proposed development being out of keeping with the surrounding area.
- Concern about an overly large number of residents within a limited space.

### Loss of Family Housing and Housing Mix

- Loss of family-sized housing.
- Shortage of family homes in the area.
- Concern about the cumulative provision of flats and HMOs in Romford.
- Existing and excessive concentration of HMOs altering the character, demographic balance and amenity of the neighbourhood.

### Impact on Residential Amenity

- General impact on residential amenity and quality of life for existing residents.
- Overlooking and loss of privacy.
- Noise and disturbance from intensified occupation.
- Increased levels of activity, including comings and goings and deliveries.
- Noise, vibration and air quality impacts from parking in the rear garden.

### Parking, Traffic and Highway Safety

- Increased parking pressure on Eastern Road.
- Insufficient or poorly defined parking provision, including:
  - Existing parking spaces not being formally designated.
  - Rear garden parking causing amenity impacts.
- Increased traffic, pedestrian and vehicular movements.
- Highway safety and access concerns.

#### Crime, Safety and Management of the HMO

- Security and safety concerns.
- Potential for increased crime, anti-social behaviour and drug use.
- Concerns regarding the future management and maintenance of the HMO.

#### Living Conditions for Future Occupants

- Poor quality and cramped accommodation.
- Inadequate internal and external amenity space.
- Some bedrooms considered excessively small.

#### Social Infrastructure and Sensitive Neighbours

- Impact on nearby social infrastructure, including:
  - Proximity to two nurseries.
  - Adjacency to a children's centre.
- Concern that the use is incompatible with neighbouring sensitive uses.
- The site's proximity to the railway line.

#### Waste Management

- Absence of an appropriate waste management strategy.

#### **Non-material representations**

5.6 The following issues were raised in representations, but they are not material to the determination of the application:

- Sanitation problems (Officer comment: Sanitation is covered under Building Regulations or Environmental Protection Legislation and is not a material planning consideration.

### **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 The main planning issues raised by the application that the committee must consider are:

- The principle of development, density/site layout, the impact on the streetscene, the impact on neighbouring amenity and any highway or parking issues arising from the proposal.

#### **Principle of development**

6.2 Policy 8 of the Havering Local Plan states that: "The Council recognises that Houses in Multiple Occupation (HMOs) can make a valuable contribution to the private rented sector by catering for the housing needs of specific groups. This needs to be balanced with the potential harm that can arise from such development if they are not subject to control."

6.3 The Council will support applications for HMOs where it can be demonstrated that the resultant scheme would not result in proliferation of HMOs, would not give rise to unacceptable levels of noise, on-street parking problems, provide good standards of accommodation and have adequate outdoor provision without being detrimental to the wider area.

6.4 Policy 8 of the Havering Local Plan states that the Council's policies seek to deliver appropriate residential conversions whilst maintaining a supply of family housing; this policy is in line with the strategic housing need of the borough. The Outer Northeast London SHMA identified a need for three bedroom properties in the borough, meaning the conversion of small family homes to HMOs would have a particularly negative impact on the supply of family housing. In order to protect family housing, properties must be at least 120sq m in order for a conversion to an HMO to be considered acceptable.

6.4 The original property would have been approximately 125 sq m and so there is no policy conflict with its loss to an HMO. The principle of development was deemed to be acceptable for planning application P0607.25.

6.5 Subject to compliance with the other criteria set out in Policy 8, there is no in principle objection to the proposal.

#### **Impact on character/streetscene**

6.6 There is no objection to the demolition of the existing single storey rear extension.

6.7 No.'s 84 and 86 (Roseville and Craigville) Eastern Road and 90 Eastern Road are locally listed buildings, as per the London Borough of Havering Local Heritage List. It is considered that the proposed single storey extension would not be harmful to the character and appearance of the area, as it would be single storey with a flat roof, located to the rear of the property and would be set in from the north eastern flank wall of the existing property.

6.8 The Council's Heritage Officer was consulted and raised no objections. In particular, given the single storey nature means that there is no impact upon the adjacent buildings, particularly as their significance is primarily experienced from views of their principal (front) elevations, which would remain unaffected. Similarly, the proposed installation of a security gate on the eastern side of the site, together with associated fencing, security cameras, and the proposed landscaping and boundary treatments, is not considered to cause harm to the setting of the locally listed buildings.

6.9 Although the single storey rear extension is deep and to a degree lacks subservience to the existing dwelling, views where this can be experienced and said to cause harm are very limited and therefore not considered to be grounds to justify a refusal.

6.11 The proposed security gates would have a height of between approximately 1.8 and 2.5 metres. It is considered that the proposed gates would not adversely affect the streetscene, as they would comprise of metal railings, which would allow some visual permeability and would be set back approximately 16 metres from Eastern Road, which would help to mitigate their impact.

- 6.12 It is considered that the proposed fence (approximately 1.5m high), that would be located adjacent to the proposed single storey rear extension, would not adversely affect the character of the area or streetscene, as it would be set back a minimum distance of approximately 16 metres from Eastern Road, which would help to mitigate its impact.
- 6.13 It is considered that the proposed cycle store would not adversely affect the character or streetscene, as it would be set back approximately 68 metres from Eastern Road, which would help to mitigate its impact. It is considered that the bin store would not adversely affect the streetscene, as it would be partly screened by soft landscaping in the front garden of the site.

#### **Impact on amenity**

- 6.14 The Framework expects developments will function well and add to the overall quality of the area. An aim is to ensure places are safe, inclusive and accessible with a high standard of amenity.
- 6.15 Policy 7 (Residential Amenity) of the Havering Local Plan states that the Council will support developments that do not result in unacceptable overlooking or loss of privacy or outlook, loss of daylight and sunlight; and unacceptable levels of noise, vibration and disturbance. Policy 8 of the Havering Local Plan states that the Council will support applications for a HMO where it can be demonstrated that the proposal does not have an adverse impact on the surrounding area and will not be likely to give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties than would a single family dwelling of equivalent size.
- 6.16 **Effect of proposed intensification of HMO**  
The property is a large dwelling with up to 7 bedrooms, a living room and kitchen and, by virtue of the certificate of lawfulness, could be used as a 6 person HMO.
- 6.17 There would be a total of ten bedrooms in the extended property and the proposed single storey rear extension.
- 6.18 It is considered that an HMO operates differently from a family detached house given the occupiers would be from different households independently coming and going. The site is located within walking distance of Romford town centre, where a certain level of activity and associated noise is to be expected. As such, it is considered that the proposal would be likely to result in some additional noise and disturbance from increased levels of activity on the site, but the degree of increase is not deemed to be materially harmful to the amenity of neighbouring properties, as to warrant a refusal on this ground.

#### **Effect on 90 Eastern Road – St Kilda Children’s Centre**

- 6.19 It is noted that the proposed single storey rear extension would have a depth of approximately 17.5 metres, which greatly exceeds the depth of 4 metres for a detached dwelling as per the Residential Extensions and Alterations SPD. However, it is considered that the proposed rear extension would not

result in a significant loss of amenity of No. 90 Eastern Road, as it would be single storey and it would have a flat roof with a height of between approximately 2.6 and 2.8 metres, which adheres to the Residential Extensions and Alteration SPD and its flank wall would be set in between approximately 6-7 metres from the north eastern boundary of the site, which would help to mitigate its impact. In addition, Google Earth images show that there are single storey detached buildings and various single storey extensions and other structures adjacent to the north eastern boundary of the site, which would help to mitigate the impact of the proposal. There is a garden/play area to the rear of No. 90 Eastern Road. No. 90 Eastern Road appears to have a ground floor flank window and a ground floor bay window on its south western flank. It is not known if any of the other buildings and structures at No. 90 Eastern Road have flank windows. The proposed single storey rear extension would be partly screened by the proposed fence, which would be approximately 1.5 metres high.

#### Effect on 86 Eastern Road

- 6.20 No. 86 Eastern Road is a two storey semi-detached residential dwelling with a two storey rear projection. There are flank windows toward no. 88 some of which are obscurely glazed or secondary light sources.
- 6.21 It is noted that a Prior Approval application, reference Y0003.24 for an 8 metre deep single storey rear extension at 88 Eastern Road was refused as it would be intrusive and unneighbourly and have an adverse effect on the amenity of adjacent occupiers at No. 86 Eastern Road. The proposed rear extension for Y0003.24 had a flat roof with a maximum height of 3 metres. For this application, the proposed single storey rear extension would have a flat roof with a height of between approximately 2.6 and 2.8 metres.
- 6.22 Drawing No. 3584/01/46 Revision 00 shows that the proposed single storey rear extension would project between approximately 0.5 and 0.7 metres above the height of a 2m high fence on the south western boundary of the site. However, the Case Officer visited No. 86 Eastern Road for planning application P0607.25 and measured the height of the fence panels adjacent to this neighbouring property (including its flank wall) and they have a height of between approximately 1.54 to 1.7 metres. Therefore, the proposed single storey rear extension would be more visible above the fence line than that shown on the proposed plans.
- 6.23 The proposed single storey rear extension would have a depth of approximately 17.5 metres, which exceeds the depth of 4 metres for a detached dwelling as per the Residential Extensions and Alterations SPD. No. 86 Eastern Road has a two storey outrigger rear projection. The proposed single storey rear extension would substantially impede a 45 degree notional line taken from the 4 metre dimension on the property boundary from the 2.5 storey (recessed) rear elevation of No. 86. The proposed single storey rear extension would marginally impede a 45 degree notional line taken from the 4 metre dimension on the property boundary from the two storey outrigger rear projection of No. 86.

- 6.24 However, it is considered that the proposed rear extension would not result in a significant loss of amenity, (including loss of light) of No. 86 Eastern Road to justify a refusal, as it would be single storey and it would have a flat roof with a height of between approximately 2.6 and 2.8 metres, which adheres to the Residential Extensions and Alterations SPD and its flank wall would be set in between approximately 1.8 metres from the south western boundary of the site, which would help to mitigate its impact. In addition, No. 86 Eastern Road does not have any ground floor flank windows that are primary light sources to habitable rooms. The application site is located to the north east of No. 86 Eastern Road.
- 6.25 The proposed single storey rear extension features one window on its north eastern flank, which serves a kitchen/living/dining room. It is considered that this window would not create any undue overlooking or loss of privacy, as there is a timber paling fence on the north eastern boundary of the site, which would provide some screening. The proposed single storey rear extension features five additional windows on its north eastern flank, which serve bedrooms, which would be partly screened by the proposed fence, which would be approximately 1.5 metres high. Also, there is a timber paling fence on the north eastern boundary of the site, which would provide some screening.
- 6.26 Planning conditions will be imposed to prevent the flat roof of the proposed single storey rear extension being used as a balcony, roof garden or similar amenity area and to control the installation of windows in the sides of the extension if minded to grant planning permission to protect neighbouring amenity. It is considered that the proposal would not create any undue overlooking or loss of privacy over and above existing conditions. It should be noted that the previously refused and dismissed appeal was not refused on grounds related to the physical impact of the extensions to neighbours.
- 6.27 Representations have been received with concerns regarding security, safety, crime and anti-social behaviour. The Council's Designing Out Crime Officer was consulted and has no objection subject to the specific concerns being addressed and recommends a Secured by Design planning condition and informative, which will be imposed if minded to grant planning permission in the interest of creating safer, sustainable communities.
- 6.28 Planning application P0607.25 was refused on the grounds that: "Ten car parking spaces in the rear garden of the site would exceed the maximum car parking provision of up to 0.5 spaces per dwelling. Due to their siting and proximity to the south western boundary of the site, the rear parking would lead to noise and disturbance in the rear garden harmful to the amenity of neighbouring properties, particularly No. 86 Eastern Road, contrary to the aim of the Mayor to reduce car use and contrary to Policies 7, 8, 24 and 34 of the Havering Local Plan, Policies D14 and T6.1 of the London Plan and the guidance contained in the National Planning Policy Framework". This reason for refusal was upheld on appeal.

- 6.29 The appeal decision concluded that: “The proposal would have an unacceptable effect on the living conditions of occupiers of adjoining properties, with specific regard to noise and disturbance, and this would be contrary to Criteria (iii) of Policy 8 of the London Borough of Havering Local Plan. “The proposal would have an unacceptable effect on the living conditions of future occupiers, with specific regard to amenity space, and this would be contrary to Policies 7 and 8 of the Havering Local Plan”.
- 6.30 The current application differs from the refused scheme, P0607.25, as the number of car parking spaces has been reduced from ten to five and they have been relocated from the south western boundary to the north eastern boundary of the site. It is considered that these changes have brought the proposal within the realms of acceptability. It is considered that the five car parking spaces would not be materially harmful to the amenity of No. 90 Eastern Road – St Kilda’s Childrens Centre, given its use and daytime hours of operation as a Childrens Centre. It is considered that the five car parking spaces would not generate significant levels of noise and disturbance, which would be materially harmful to the amenity of neighbouring properties or the St Kilda’s Childrens Centre, particularly as the rear of the site is currently used as a car park. Details of landscaping and boundary treatment will be secured by condition if minded to grant planning permission to protect neighbouring amenity.

#### Effect on future HMO occupiers

- 6.31 According to the Certificate of Lawfulness, D0009.24, the proposed use of the dwellinghouse would be by 3-6 residents. The proposal involves increasing the property from 6 No. bedrooms to 10 No. larger HMO.
- 6.32 Planning application P0607.25 was refused on the grounds that: “The communal amenity space for a 10 bedroom HMO is of poor quality and usability and inadequate to meet the needs of future occupiers given its limited depth and size, harmful to the amenity of future occupiers contrary to Policies 7 and 8 of the Havering Local Plan and the National Planning Policy Framework” and this reason for refusal was upheld on appeal.
- 6.33 The appeal decision stated that: “The proposed outdoor communal space would be to the immediate rear of the proposed single storey extension and rear access to the accommodation. Adjacent to this space would be both the access lane and the proposed ten parking spaces. I find the proposed communal space to be disproportionately small for the potential number of occupiers of the property. As such it would offer limited opportunity for future occupiers to enjoy any meaningful outlook and would result in an oppressive and cramped area, inadequate to meet the needs of future occupiers. The proposal would have an unacceptable effect on the living conditions of future occupiers, with specific regard to amenity space, and this would be contrary to Policies 7 and 8 of the Havering Local Plan”.
- 6.34 In comparison with planning application P0607.25, the size of the communal amenity space in the rear garden has been increased from approximately 19

square metres to 128 square metres. In addition, the depth of the amenity space has increased from approximately 2.5 metres to between approximately 15 and 18 metres. It is considered that the communal amenity space would be reasonably well separated from the five car parking spaces and the quality and quantity of the communal amenity space would be sufficient for ten occupiers of the HMO.

- 6.35 Policy 8 of the Havering Local Plan states that the Council will support applications for HMOs where it can be demonstrated that the property contains communal space, including either a dining or living area, large enough for all the dwelling's occupants to use simultaneously; and the proposal meets the requirements of the East London HMO guidance.
- 6.36 The HMO East London Guidance states that "A landlord may provide a communal living room in addition to any space that is required for shared kitchen and dining facilities. Kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor as, or close to, the kitchen. If dining facilities are combined with the living room, the room should be at least 14 square metres for three people, plus 1 sq m for every additional person".
- 6.37 Policy 8 of the Havering Local Plan advocates that HMOs contain communal space, including either a dining or living area, large enough for all the dwelling's occupants to use simultaneously. The HMO guidance expects 21sqm of living space (including dining facilities) for a 10-person HMO and 11.5sqm of kitchen space, which have a combined total of 32.5sqm. The proposed scheme has an open plan kitchen/living/dining room on the ground floor, with a floor area of approximately 34.96sqm, which is sufficient.
- 6.38 In terms of the space standards for sleeping accommodation, the HMO East London Guidance states that "a bedsit is defined as a room used for sleeping within a building where some of the basic facilities for food preparation and hygiene are provided within the room. The remaining facilities are either provided in separate rooms and are shared with other people living in the HMO, or are provided in separate rooms but for the exclusive use by the occupiers of the bedsit". The HMO East London Guidance also states that "a bedroom is a room within a building used for sleeping and which does not contain any of the basic facilities. The facilities are either provided in separate rooms and are shared with other people living in the HMO, or are provided in separate rooms but for the exclusive use by the occupiers of the bedroom".
- 6.39 The HMO East London Guidance states that rooms for sleeping (with kitchen facilities in a separate room) for one or two occupiers should have a gross internal floor space of 8.5 and 13 square metres respectively. In this instance, the plans show that none of the bedrooms have any kitchen facilities. Single bed Units 1 & 2 on the ground floor each have a gross internal area of 11.18 and 9.11 square metres, which meets the gross internal floor space of 8.5 square metres for one occupier in the HMO East London Guidance. Single bed Units 3, 4 and 5 on the first floor each have a gross internal area of 10.77,

13.16 and 10.10 square metres, which meets the gross internal floor space of 8.5 square metres for one occupier in the HMO East London Guidance. The five bedrooms in the proposed single storey rear extension each have a gross internal area of between 9.29 and 9.76m<sup>2</sup>, which meets the gross internal floor space of 8.5 square metres for one occupier in the HMO East London Guidance.

- 6.40 The HMO East London Guidance states that a bathroom and W.C. should be within one floor of all lettings. In licensable HMOs, wash hand basins in each bedsit sleeping room are required where practicable in houses with five or more occupiers, unless the room contains a functioning sink/drain. Units 1 & 2 on the ground floor and Unit 3 on the first floor all have an en-suites. Units 4 and 5 on the first floor have a shared bathroom. Two of the bedrooms in the proposed single storey rear extension have en-suites. The remaining three bedrooms in the proposed single storey rear extension each have a W.C and basin, but no shower is indicated, although there is room to supply a shower. Although the East London Guidance only refers to the provision of wash hand basins in each bedsit sleeping room are required where practicable in houses with five or more occupiers in licensable HMOs. The three bedrooms in the proposed single storey rear extension can use the bathroom on the first floor of the property if showers are not provided, in accordance with the Guidance.
- 6.41 The East London HMO Guidance states that “Rooms should have a minimum floor to ceiling height of at least 2m over 75% of the floor area”. The existing property has an internal floor to ceiling height of approximately 2.6 metres at ground and first floor level, which is acceptable. The bedrooms in the proposed single storey rear extension would have an internal floor to ceiling height of approximately 2 metres, which is acceptable.
- 6.42 It is noted that the five bedrooms in the proposed single storey rear extension would be located in relatively close proximity to the proposed fence approximately 1.5 high, although this is not deemed to be materially harmful to the quality of the accommodation and outlook for future occupiers of the HMO.

#### **Highway/Parking**

- 6.43 Policy 8 of the Havering Plan states that the Council will support applications for HMOs where it can be demonstrated that the proposal meets Havering's parking requirements and will not have an unacceptable impact on parking conditions and traffic congestion in the area. The London Plan has no specified car parking standard for HMOs.
- 6.44 The site is located within walking distance of Romford town centre. According to the TfL WebPTAL's calculator, the site has an estimated Public Transport Access Level (PTAL) PTAL rating of 2. Although the site is within the Romford Opportunity Area (Romford Strategic Development Area) where the parking standard is a maximum of 0.5 spaces per dwelling.

- 6.45 Planning application P0607.25 was refused on the grounds that: “Ten car parking spaces would lead to significantly greater use of the inadequate access and would increase danger to pedestrians given limited visibility contrary to Policies 23 and 24 of the Havering Local Plan, Policy T4 of the London Plan and the National Planning Policy Framework”.
- 6.46 The appeal decision for P0607.25 stated that: “the overprovision of car parking at the appeal site would encourage car use. As such, there would be a conflict with T6.1 of the London Plan which specifies a maximum car parking provision of up to 0.5 spaces per unit”. The appeal decision stated that: “The proposal would not be consistent with Policies 8 and 24 of the LP and T6.1 of the London Plan, which seek to reduce dependence on private vehicle use”.
- 6.47 In comparison with P0607.25, the number of car parking spaces has been reduced from ten to five, which complies with policy. In the circumstances, it was considered that the application to increase occupancy is unlikely to increase parking stress. Although there are no residents bays in Eastern Road, there are spaces in Junction Road which could be used by residents - therefore the proposal would only be acceptable with a legal agreement to prevent future occupiers of the HMO from obtaining car parking permits under Section 16 of the Greater London Council (General Powers) Act 1974.
- 6.48 It is noted that there is an existing vehicle access and nothing new is being proposed in this regard. The concerns regarding the inadequate access and highway safety were not upheld on appeal. The Inspector was of the opinion that “The proposed increased level of occupation of the site, would result in an increase in vehicle movements”. However, there was little evidence “to show that the access would cause an unacceptable impact on highway safety” and concluded that: “The proposal is compliant with Policies 23 and 24 of the LP, T4 of the London Plan and the National Planning Policy Framework”. It is considered that the proposal would not create any parking or highway issues.
- 6.49 Policy T5 (Cycling) of the London Plan states that there should be one space per one person one bedroom dwelling. The plans show a cycle store for ten cycles at the end of the rear garden, which is sufficient and will be secured by condition if minded to grant planning permission in the interests of providing a wide range of facilities for non-motor car residents and sustainability.
- 6.50 Planning application P0607.25 was refused on the grounds that: “The proposal would not provide adequate servicing arrangements for a change of use from a HMO (Use Class C4) to a HMO (Sui Generis), contrary to Policies 8, 24 and 35 of the Havering Local Plan, Policy D6 of the London Plan and the National Planning Policy Framework”. The appeal decision stated that: “The proposed development is contrary to LP Policies 8, 24 and 35 and Policy D6 of the London Plan. These policies seek, amongst other things, that development provide convenient, easily accessible waste disposal storage and safe, accessible cycle storage”.

6.51 The Waste Management Practice Planning Guidance states that storage locations are no more than 30m distance from the point of collection. In comparison with planning application P0607.22, the combined cycle/bin store has been replaced with a separate bin store and cycle store. In addition, the bin store has been repositioned from the end of the rear garden to the front garden. The Council's Streetcare Department has no objection to the application. The plans show a bin store, but there are no details of its capacity (in litres) for refuse and recycling. Therefore, a condition will be imposed if minded to grant planning permission requiring details of refuse/recycling storage. Subject to this condition, it is considered that the servicing arrangements for the proposal are acceptable.

#### **Biodiversity Net Gain**

6.52 The BNG statement states that: "The site proposals affect less than 25sqm of habitat and are therefore exempt from BNG requirements". As such the development is subject to the de minimis exemption.

### **7 Environmental and Climate Change Implications**

7.1 Given the limited scale and nature of the proposals, no specific measures to address climate change are required to be secured in this case.

### **8 Financial and Other Mitigation**

8.1 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:

- £10,625 LB Havering CIL
- £2,125 Mayoral CIL towards Crossrail

#### **Equalities**

8.2 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.3 The application, in this case, raises no particular equality issues.

### **Conclusions**

8.4 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.