

 <p>Havering LONDON BOROUGH</p>	<p>Planning Committee</p> <p>16th April 2026</p>
---	---

Application Reference:	P1622.25
Location:	88 Eastern Road, Romford, RM1 3QA
Ward	St Edwards
Description:	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.
Case Officer:	Adèle Hughes
Reason for Report to Committee:	<ul style="list-style-type: none"> Councillor call-ins have been received which accord with the Committee Consideration Criteria

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 9.76m², 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.