

LONDON BOROUGH OF HAVERING**TOWN AND COUNTRY PLANNING ACT 1990****AGENT**

mr Ivar Selter
42prince john road
London
SE9 6QA

APPLICANT

Mr Wendy Olayiwola
9, Eastern Avenue East
Eastern Avenue East
Colliers Wood
RM1 4SB

APPLICATION NO: P2007.22

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **REFUSE PLANNING PERMISSION** for the following development :

Proposal: Part two storey, part single storey side and rear extension, hip to gable loft conversion including 1 x rear dormer and front rooflights use and change of use from Use Class C3 (Dwellinghouse) to Sui Generis (Large HMO 7 Rooms)
Revised Description

Location: 9 Eastern Avenue East
Romford

The above decision is based on the details in drawing(s):

SLP 1:1250

SLP 1:500

101

201

202

for the following reason(s):

- 1 The original floor area of the house to be converted is less than 120 sqm (in the region of 92sqm) and there is then conflict with Havering Local Plan 2016-2031 Policy 8(i) which renders the proposals unacceptable in principle.

- 2 The proposed development by reason of the resultant scale, bulk and mass of the host property and design concept of the extensions proposed cumulatively would be detrimental to the character and appearance of the host property and street-scene therefore contrary to Havering Local Plan Policies 7 and 26 and the design guidance within the Council's Residential Extensions and Alterations SPD. There would be conflict also with the National Planning Policy Framework, specifically Paras 130/134 which fundamentally require good design and that development add to the overall quality of the area.
- 3 The development by reason of its housing typology, the nature of the use as a large HMO with high prospective occupancy and poor access to public transport, would result in significantly higher levels of coming / goings and intensive activity over and above that of a single dwelling house resulting in a detrimental impact to the amenity of adjoining residents from noise and disturbance associated with the use contrary to Policies 8 and 34 of the Havering Local Plan 2016-2031. For the reasons given it is not considered that this could be overcome through a restrictive condition.
- 4 The internal layout of the resultant dwelling would fail to meet with the requirements of the East London HMO guidance, having regard to maximum occupancy based on room sizes and requirements for shared space capable of being used by all occupants simultaneously. Furthermore outlook/aspect and light received to Unit 1 would be unacceptable. The proposals therefore conflict with Havering Local Plan 2016-2031 Policy 8 through failing to provide an adequate living environment for all future occupants.
- 5 The low PTAL rating is suggestive of poor access to public transport. Mindful of the high prospective occupancy based on the size of rooms/internal layout which is not comparable to a single dwelling house and in the absence of evidence to the contrary there would be potentially high reliance on vehicle ownership. It is not considered that it has been demonstrated as required by Policy 8 of the Havering Local Plan 2016-2031 that the proposals would not have unacceptable impact on parking conditions and traffic congestion in the area.

INFORMATIVE(S)

- 1 Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to the agent in writing 30-03-2023

Date: 30th March 2023



Helen Oakerbee
Assistant Director Planning

London Borough of Havering
Town Hall, Main Road
Romford RM1 3BB

IMPORTANT - attention is drawn to the notes overleaf

NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House. 2 The Square. Temple Quay. Bristol BS1 6PN or from the Planning Inspectorate's web site,

www.planning.inspectorate.gov.uk

2. When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, Town Hall, Main Road Romford, RM1 3BB. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
5. The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £116 per request (or £34 where the related permission was for extending or altering a dwellinghouse) will be required.