

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0627.24

WARD: Marshalls & Rise Pk **Date Received:** 3rd May 2024

ADDRESS: 32 McIntosh Road
Romford

PROPOSAL: Change of use of existing C3-residential dwelling to a large HMO-8 person Sui-Generis together with provision of cycle and refuse storage

DRAWING NO(S): Planning Statement
Location Plan
Existing and Proposed Ground Floor Plans (Livarch/32MR/401).
Existing and Proposed Plans (Livarch/32MR/402).
Existing and Proposed First Floor Plans (Livarch/32MR/403).
Existing and Proposed loft Plans (Livarch/32MR/404).
Proposed Elevations (Livarch/32MR/406).
Roof Plans (Livarch/32MR/407).
Proposed Site Plan (Livarch/32MR/409).
Bin Plan (Livarch/32MR/410).
Cycle Stand Plan (Livarch/32MR/411).

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The site is comprised of a two-storey semi-detached dwelling fronting McIntosh Road. The dwelling has had a number of extensions, including a two storey side extension, a box dormer to the rear roof slope, and an outbuilding to the rear of the main dwelling. Moreover, the site has benefited from a dropped kerb, and possesses on site parking for up to three vehicles, two spaces to the front of the dwelling, on the site's forecourt, and one within the attached garage. The street scene is composed of predominantly residential single family dwellings, all of which vary in terms of scale and design. The site is located within a predominately residential locality.

Constraints

- 015 Aero Safeguard Zone
- 028 APZ
- 030 APA
- 037 Boundary North
- 067 Marsh & Rise Pk MRP
- 084 2021 Strat Dev Area

DESCRIPTION OF PROPOSAL

Planning permission is sought for the Change of Use of an existing C3 (residential single family dwelling) to a large HMO-8 person Sui-Generis together with provision of cycle and refuse storage. No external alterations are proposed, and the existing outbuilding to the rear would be used as a communal space / gymnasium. The proposed HMO would provide permanent shared residential accommodation for 8 individual adults. No care would be provided under the proposed scheme.

RELEVANT HISTORY

D0261.23 - Certificate of Lawfulness for a loft conversion with rear dormer, change of roof profile from hip to gable and installation of 3 Velux windows to front. PP not required - 28-07-23.

P1953.22 - Outbuilding to rear ancillary to existing dwelling. Approved with cons 13-02-23.

D0595.22 - Certificate of Lawfulness for a hip to gable loft conversion with rear dormer and roof lights to front. PP is required 22-03-23.

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were invited to comment through direct notification. Representations have been received which raised the following objections:

- The proposed HMO would result in an adverse impact on the safety and convenience of the local highway network, through resulting in significant increases of on-street parking and traffic.
- The proposal would result in the loss of a much needed single family dwelling, of which there is a shortage in the borough.
- The proposed HMO would result in adverse levels of noise and disturbance, through the intensification of the site's existing residential use.
- The proposal would result in harmful amounts of waste, well exceeding the level of waste that is produced by a single family dwelling.
- The proposed development would result in making the area less safe and to an increase in crime.
- The proposal would prove adverse to community cohesion.
- The proposed HMO would be harmful to the character and appearance of the street scene.
- HMO properties are often poorly maintained, causing localities to look unpleasant and unsightly.

In addition, the following comments were received from other stakeholders:

Highway Authority - Consulted, no comments or objections received.

Environmental Health - Consulted, no comments or objections received.

Waste & Recycling - The business should have a suitable waste collection/contract to meet the requirements of the business. Please ensure there is sufficient numbers of refuse and recycling bins at this site, suitable storage areas, and that the collection crew access requirements are adhered to in particular with the distance to the bin store. Bins are not provided by Havering Council, nor is

Havering Council liable for them. Bins need to be purchased and maintained privately.

Metropolitan Police - No objection to the proposal, subject to secured by design conditions being imposed, if minded for approval.

RELEVANT POLICIES

Havering Local Plan 2016-2031 (HLP 2016)

Policy 7 (Residential design and amenity).

Policy 8 (Houses in Multiple Occupation)

Policy 16 (Social infrastructure).

Policy 24 (Parking provision and design).

Policy 26 (Urban design).

Policy 35 (On-site waste management).

The London Plan 2021

Policy D1 (London's form, character and capacity for growth).

Policy D4 (Delivering Good Design).

Policy D6 (Housing quality and standards).

Policy D14 (Noise).

Policy GG4 (Delivering the homes Londoners need).

Policy H9 (Ensuring the best use of stock).

Policy T6 (Car parking).

Policy T6.1 (Residential parking).

Other Relevant Policy

The National Planning Policy Framework December 2023. (NPPF)

National Planning Policy Guidance. (NPPG)

East London Houses in Multiple Occupation.

MAYORAL CIL IMPLICATIONS

There is no CIL liability as the development relates to existing floor space.

STAFF COMMENTS

The main issues in this case for consideration are the principle of development, density & site layout, visual amenity, residential amenity, and highway safety.

PRINCIPLE OF DEVELOPMENT

Use Class C4 (Small Houses in Multiple Occupation) is defined as "Small, shared dwelling houses occupied by between 3-6 unrelated individuals as their only or main residence, who share basic

amenities such as a kitchen or bathroom." Given that the proposed HMO scheme would have 8 residents, the subject scheme is deemed to be a Sui Generis use, Not C4.

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. The Council will support applications for HMOs where it can be demonstrated that:

i. The overall size of the original property to be converted is not less than 120m².

Officer notes: Fails to comply, as the dwelling has a cumulative floor area of approximately 80m².

ii. The proposal does not result in more than 10% of properties in one street becoming HMOs (including existing lawful HMOs) or more than two adjacent properties becoming HMOs, thereby undermining the principle of mixed communities;

Officer notes: Complies, at present there are no established HMO's on McIntosh Road.

iii. 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;

Officer notes: Fails to comply, see residential amenity section.

iv. The proposal meets Havering's parking requirements and it will not have an unacceptable impact on parking conditions and traffic congestion in the area;

Officer notes: Not comply. See highway safety section.

v. Adequate, secure and well screened refuse storage is provided within the curtilage of the site and is accessible by all residents;

Officer notes: Complies.

vi. The property contains communal space, including either a dining or living area, large enough for all the dwelling's occupants to use simultaneously; and

vii. The proposal meets the requirements of the East London HMO guidance.

Officer notes: Fails to comply with vi & vii, see density and site layout section.

Overall, given what has been outlined above, officers considered that the proposed HMO scheme fails to comply with sections i, iii, vi, and vii. Thus, the proposal is deemed to be unacceptable in principle, and not to be in accordance with Policy 8 of the Havering Local Plan 2016.

DENSITY/SITE LAYOUT

Given the minor nature of the proposed works, it is considered that the proposal would not result in any noteworthy alterations to the built density or layout of the site.

Policy D6 of the London Plan 2021 outlines that proposals should be of high quality design and provide adequately sized room with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. Policy D6 of the London Plan 2021 outlines gross internal space standards for residential dwellings, outlining that a two storey dwelling with six bedrooms and 8 occupants must have a minimum culminative floor area of 132m². The proposed scheme would have a total floor area of approximately 80m² when rounded up, and therefore is considered of a substandard scale, and contrary to Policy D6.

Private outdoor amenity space

Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

The proposed rear garden area has a depth and width greater than 1.5m, and has a total area greater than 11m².

East London Houses in Multiple Occupation guidance outlines the accepted internal space standards for HMOs within the Borough of Havering. The proposed scheme will be accessed against the internal space standards below:

Bedrooms

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.

According to East London HMO guidance, a one bedspace single bedroom must have a floor area of at least 8.5m². Under the subject scheme:

Bedroom 3 would have a total floor area of 8.9m².

Bedroom 4 would have a total floor area of 9.1m².

Bedroom 5 would have a total floor area of 8m².

Bedroom 6 would have a total floor area of 9m².

Thus, the proposed scheme fails to comply with East London HMO guidance as proposed bedroom 5 would have a total floor area below 8.5m².

According to East London HMO guidance, a two bedspace double (or twin) bedroom must have a floor area of at least 13m².

Bedroom 1 would have a total floor area of 17.3m² or more.

Bedroom 2 would have a total floor area of 15.2m² or more.

The proposed two bedspace double rooms are deemed to be in compliance, as both exceed 13m².

Living and dining rooms

According to East London HMO guidance, a communal living room should be at least 13m² for three people, plus 1m² for every additional person. Given that the proposed scheme would have 8 occupants, the proposed living room must be at least 18m². The proposed living room measures 38m², and thus is compliant.

Kitchens

Kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers and the following guidelines for shared kitchens applies: A kitchen shared by 8 -10 occupants must have a minimum floor area of 11.5m². The proposed kitchen would have a total floor area of 20m², and thus is acceptable.

Personal Washing and W.C. Facilities

A bathroom and water closet (w.c.) should be within one floor of all lettings, and where shared, must be accessible from a common area.

Within an HMO that is shared by 6 - 10 occupants, 2 bathrooms with WHBs in each bathroom must be provided. One of the bathrooms must contain a bath and the other a shower which may be a fixed over-bath type.

Under the subject scheme, four communal bathrooms would be provided, two at first floor level, one

within the converted loft space, and one within the detached outbuilding to the rear. The proposal is therefore considered to be compliant with policy.

Overall, the proposed scheme is considered to be unacceptable, given that the proposed gross internal floor space would be substandard, below 132m², and as bedroom 5 fails to comply with East London HMO guidance as the proposed bedroom would have a total floor area below 8.5m². The proposed scheme is therefore not in compliance with Policy D6 of the London Plan 2021, and East London HMO guidance.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Concern have been raised outlining that the proposal would prove harmful to the visual amenity of the street scene and wider locality. However, it is considered that the proposal would not adversely affect the visual amenity of the site or wider locality, as there would be no notable external changes. The premises would have 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.

IMPACT ON AMENITY

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 7 of the Havering Local Plan 2016-2031 outlines 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.

In this instance, in view of the number of occupants (8 people), the level of prospective occupancy is considered to be significantly greater than that of a single dwelling house C3. Thus, given the proposed number of independent adult occupants, officers considered that the proposed scheme would result in a greater level of comings and goings to the property than the existing use, which would result in a harmful effect on the residential amenity of the adjoining neighbouring properties.

The proposed use of the subject site by such a large number of residents would result in a significant intensification of the site residential use, and as a consequence would result in a significant increase in any noise and disturbance generated on site, to the detriment of the amenity of the surrounding neighbouring occupants.

Thus, overall, from a residential amenity perspective, officers consider that the proposal would unduly harm the amenity of the surrounding residents, and would be detrimental to the sense of place, safety and community experienced by those residents. The proposals would therefore be contrary to Havering Local Plan Policies 7 and 8, and to the objectives of the NPPF.

HIGHWAY/PARKING

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.

The site has a PTAL of 1A.

Policy 24 of the Havering Local Plan 2021 outlines that "in areas of the borough that have low public transport access (PTAL 0-1) where no improvements are planned, the minimum residential parking standards for dwellings with 3 bedrooms or more, are 1.5 on site parking spaces.

The information provided within the proposal's submitted application form states that the proposed scheme would benefit from x3 on-site car parking spaces, two to the front of the main dwelling and one within the attached garage.

Policy T5 of the London Plan 2021 states that a minimum of two on site cycle parking spaces must be provided for all dwellings with more than two residents and 1 bedroom.

Six cycle storage spaces would be provided under the proposed scheme.

With regard to waste and refuse storage, waste and refuse would be stored to the front of the main dwelling, as indicated on the proposed plans.

Notwithstanding the above, and while 3 on-site parking spaces are shown, the spaces cannot be independently accessed by occupants of the units. As such, the proposal does not meet Havering's parking requirements and will have an unacceptable impact on parking conditions and traffic congestion in the area. Overall, the proposed development is not considered acceptable from a highway safety perspective, and not in accordance with policies 8 and 24 of the HLP 2016, and policies T5, T6, and T6.1 of the London Plan 2021.

KEY ISSUES/CONCLUSIONS

This appraisal, which is informed by the policy and guidance set out above, identifies material planning issues which compromise the acceptability of this application. Thus, it is considered that the application is unacceptable and should be refused.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Reason for refusal - Substandard Internal Space.

By reason of the proposed scheme's gross internal floor space being substandard, below 132m², the proposal is deemed unacceptable, and not to be in compliance with Policy D6 of the London Plan 2021.

2 Refusal non standard - Substandard Internal Bedspace.

By reason of proposed scheme's internal bed space (Bedroom No.5) being substandard,

below 8.5m², the proposal is deemed unacceptable, and not to be in compliance with East London HMO guidance.

3 Reason for refusal - Parking Deficiency

Whilst 3 on-site parking spaces are shown, the spaces cannot be independently accessed by occupants of the house. As such, the proposal does not meet Havering's parking requirements and will have an unacceptable impact on parking conditions and traffic congestion in the area. The proposal therefore conflicts with policies 8 and 24 of the Havering Local Plan 2016, and policies T5, T6, and T6.1 of the London Plan 2021.

4 Reason for refusal - Noise and Disturbance.

The proposal would, by reason of the noise and disturbance induced through the intensification of the site's residential use, result in undue harm to the amenity of the surrounding residents. Thus, the proposal would therefore be contrary to Havering Local Plan Policies 7 and 8, and to the objectives of the NPPF, and is deemed unacceptable.

Authorising Officer:



Raphael Adenegan

31st July 2024