

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

Other Cityscape PA
6
Spencer Way
London
E1 2PN

APPLICANT

Mr. Iftakhar Ahmed
6 Spencer Way
London
E1 2PN

APPLICATION NO: P0957.24

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: Conversion of first floor 3-bedroom flat (Use Class C3) into 5-person small HMO (Use Class C4) - Retrospective.
Rev description & plans received 27/9/24

Location: Durham Arms, Brentwood Road
Romford

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

19/498/007

19/498/008

19/498/009 Revision A

for the following reason(s):

- 1 The original dwelling entitled Flat 2 has a gross internal floor space of approximately 73 square metres, which fails to meet the standard of 120 square metres contrary to Policy 8 of the Havering Local Plan. The proposal would therefore have an adverse impact on the supply of family housing within the Borough, the loss of which is not adequately justified and which could set an undesirable precedent for similar development in the locality.
- 2 There is insufficient evidence to clearly and robustly demonstrate that Flats 1 and 2 above the public house have been lawfully separated from the Durham Arms public house for a

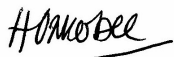
continuous period of at least ten years. In addition, there is insufficient justification that the loss of Flat 2 would not compromise the operation or viability of the public house use contrary to Policy 16 of the Havering Local Plan and Policies HC7 and S1 of the London Plan.

- 3 The lack of communal amenity space is harmful to the amenity of the occupants of the HMO contrary to Policy 7 of the Havering Local Plan.
- 4 There are insufficient dining facilities for the five occupiers of the HMO. The kitchen and living/dining room have a cumulative floor area of 16.7sqm on the first floor, which fails to provide adequate communal living/dining space for the occupiers of the HMO and provides a poor quality living environment harmful to the amenity of existing occupiers contrary to Policies 7 and 8 of the Havering Local Plan, the East London HMO Guidance and the guidance contained in the National Planning Policy Framework.
- 5 The two person occupancy bedrooms each have a gross internal area of 12.4 square metres, which fails to meet the gross internal floor space of 13 square metres for two occupiers, which results in a poor quality living environment harmful to the amenity of existing occupiers contrary to Policies 7 and 8 of the Havering Local Plan and the HMO East London Guidance.

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 Cityscape PA via email on 1st May 2025.

Date: 6th May 2025



Helen Oakerbee
Director of 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.