

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1225.25

WARD: St Andrew's **Date Received:** 17th September 2025

ADDRESS: 54 Doncaster Way
Upminster

PROPOSAL: Change of use from Class C3 to Class C2, and alterations to rear fenestration

DRAWING NO(S): 1001 Revision P01
2000 Revision P01
2001 Revision P01
2002 Revision P01
Location Plan

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

SITE DESCRIPTION

The application site comprises of two storey end terraced dwelling finished in a painted render. There is parking on the drive to the front of the property. The surrounding area is residential in nature, containing single and two storey dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

The applicant is seeking consent for a Change of use from Class C3 to Class C2, and alterations to rear fenestration.

RELEVANT HISTORY

P1190.03	Two storey side extension	
	Apprv with cons	13-08-2003
P1618.00	Loft conversion	
	Apprv with cons	02-01-2001

CONSULTATIONS/REPRESENTATIONS

Neighbouring properties were notified about the application and invited to comment.

The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 35 representations were received, multiple ones from same residents.

1 Petition was received with fifty names.

Representations

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:

Comments / Objections:

- The use is not suitable for a residential street.
- Parking issues within the street from commercial vans & private vehicles.
- Traffic and Parking Concerns / Highway Safety. Access for emergency vehicles due to congestion.
- Health & Safety Issues.
- A traffic and parking assessment needs to be completed. Parking and transport impacts.
- Very limited on-street parking available in the area.
- Noise and disturbance from use.
- Over-intensification and Incompatible Use Doncaster Way
- Increased activity would impact & have a detrimental impact on amenity of neighbours.
- Proposal is out of character with a residential area.
- The increased activity, traffic, and general disruption would harm character of the neighbourhood.
- Not been demonstrated a compelling need for this change of use in this location. Lack of justification.
- No information on shift patterns and staff movement.
- Planning policy requires that any change of use be clearly necessary & appropriately located.
- The absence of a needs assessment, location suitability analysis, or exploration of alternatives.
- Concerned about noise & activity.
- Existing noise & anti-social behaviour. A change to C2 use would likely worsen this problem.
- Proposal is out of character with the area.
- Increased traffic & parking difficulties due to staff & visitors.
- Insufficient details about the use.
- Loss of privacy.
- The area is primarily made up of family homes & introducing an institutional use will have an impact.
- If approved will set a precedent for further conversions, gradually eroding family/residential balance.
- The suitability of the location of the proposal within a residential street.
- Noise, anti-social behaviour & parking disruptions.
- Increased traffic & parking pressure, safety concerns, noise & disturbance.
- Property is not a semi-detached but an end terraced property.
- Appears to be no mitigation or management details for the operation of the change of use.
- Safeguarding and suitability concerns within a residential street.
- Object due to noise, parking, safeguarding & incompatibility of a C2 use within a residential street.
- Devaluation of neighbouring properties.
- Land ownership matters.

In response to the above comment, the material planning consideration will be taken into consideration during the assessment of the proposal.

- Land ownership matters and devaluation of a property are not a material planning consideration.

The proposal was called in by Councillor Paul Middleton to be determined at a planning committee meeting should the application be recommended for approval. The call in is on the following grounds -

The application is for a house in Doncaster Way that the owner wants to turn into a care home. The main consideration is the size of the property only four bedrooms. The application is to house 4 no 7 to 18-year-olds, autistic children with learning difficulties and two full-time day and night members of staff.

The application is wholly unsuitable for a residential road.

An e-mail was also received from the office of Julia Lopez MP regarding concerns from one her constituents regarding the proposal.

LBH Highway Authority & Public Protection were consulted but no comments were received.

In with previous applications of a similar nature, LBH Public Protection would require a Noise Management Plan to be provided within 3 months of the decision.

LBH Children's Services have provided comments which will be outlined within the Principle of Development section of the report below.

However, further to the assessment of the proposal below, the application was recommended for refusal and determined under delegated powers.

RELEVANT POLICIES

Havering Local Plan 2016-2031 - Policies 3 (Housing Supply), 6 (Specialist Accommodation), 16 (Social Infrastructure), 23 (Transport connections), 24 (Parking provision and design, 26 (Urban Design) and 34 (Managing pollution).

London Plan 2021: Policies H9 (Ensuring the best use of stock), D1 (London's form, character and capacity for growth), D4 (Delivering good design), D6 (Housing quality and standards), D11 (Safety, security and resilience to emergency), T5 (Cycling), T6 (Car parking), T6.1 (Residential parking), T9 (Funding transport infrastructure through planning), S1 (Developing London's social infrastructure), S2 (S2 Health and social care facilities) of the London Plan 2021 are relevant.

The National Planning Policy Framework.

MAYORAL CIL IMPLICATIONS

There is no requirement under the CIL regulations for any contribution.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not initially undertaken. Site photos were provided by the agent in support of the application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

The main planning issues raised by the application for consideration are:

- Principle of development.
- Quality of accommodation/suitability.
- Design.
- Impact on amenity.
- Highway and parking
- Other issues.

PRINCIPLE OF DEVELOPMENT

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.

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.

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. 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.

The Council's Children Services Department has provided some comments in respect to the planning application which are as follows:

Children Services has commented that they have reviewed the documents, which are limited in detail, so the applicant's proposal is vague.

The applicant proposes to adapt a current 4 bedroomed property into a 3 bedroomed children's home.

There will be an en-suite bedroom on the ground floor, and a further en-suite bedroom and a single bedroom for children on the first floor. There will be a further room for staff on the first floor and another staff room on the second floor.

The applicant is a clinical lead for young people with learning disability and autism in NHS-E, and has a wealth of experience working with this client group. The proposal is to create a children's home for 3 children aged 7 to 18 years of age. The children are described as having emotional & behavioural difficulties, learning disabilities and mental disorder. This is a wide range of needs, and potentially will make it difficult to manage in one home, but this will be assessed by OFSTED in their registration application and the home's statement of purpose.

There is a large garden space which will be beneficial for the children. The house is a semi-detached property which will require the provider to manage the relationship with the neighbours. There is likely to be disturbances through the party wall.

The document identifies a minimum of 2 staff throughout the day and night, given the potential needs of the children it is likely to be 3 staff plus the registered manager.

The document does not reflect the number of visitors to the home, or how the children's education will be delivered. There is a likelihood that these children will need identified special school education.

Overall there is currently 18 operation children's homes in Havering offering homes to 73 children. Havering currently places 3 children in these homes, with the remainder being used by councils from all over England.

As the description of the needs of the children in the document is wide ranging. Children's services cannot give a view on whether Havering children's services would be a likely customer. If the provision was specifically for children with learning disability or autism there is a greater likelihood this home would be used.

There is no evidence before officers that the use is required for the purposes of providing specialised accommodation for local residents, nor has any meaningful detail been given over the occupancy of the premises which would give weight to the applicant's case. There is then in the view of officers an in principle conflict with Policy 6(i).

As there is no identified need, the proposal results in the unacceptable loss of a residential dwelling, which is contrary to Policy 3 (xi) of the Havering Local Plan.

DENSITY/SITE LAYOUT

Quality of accommodation/suitability.

Key requirements of Policy 6 of the Havering Local Plan 2016-2031 are that the proposed building/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. 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.

The proposals under consideration would require little in the way of works to facilitate the use with only minor internal alterations and internal changes as follows:

The existing dwelling has a living room, dining room & kitchen at ground floor with two bedrooms, one with en-suite, a shared bathroom and another living room at first floor with two bedrooms in the loft. There will be internal changes at ground floor converting the living room and room to rear to a downstairs bedroom and en-suite for wheelchair access. The first floor living room will have a staff room and shared area with the two bedrooms being retained. The two bedrooms in the loft will also be retained. Access to one of the bedrooms from the staff room.

Such an arrangement is unusual as there were to separate staircases within the dwelling. The dwelling however, would otherwise remain as existing with bedrooms at first floor and shared facilities retained. The bedrooms vary in size and shape would be generously sized, certainly with consideration given to the age of prospective occupants. The indication is that up to three children, with at least two carers at any one time. However, Ofsted regulations may need more staff due to the Officer's previous dealings with applications of a similar nature but more staff may be required in the care of the children residing on site. There is a very limited information on how the operation of the use at 54 Doncaster Way will operate.

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 - 6(iv, v, vii). As a result, no objections are raised.

DESIGN/IMPACT ON STREET/GARDEN SCENE

It is considered that the proposal does not adversely affect the streetscene, as there are no external changes. The premises would have the appearance of a 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

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.

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 use and occupants are able to live within the community. It is accepted that some care uses by contrast may well bring long-term harm and significant amenity concerns for joining/neighbouring residents generally as a result of the intensity of the use. Consequently, a key consideration is whether the level of activity associated with the proposed use could be regarded as an intensification over and above that of the existing use or any other not requiring permission.

In this instance, in view of the number of occupants (up to two children, with a manager and up to four carers, with two being onsite overnight, working on a rota basis) the level of prospective occupancy for a dwellinghouse would not be dissimilar to a single dwelling house (C3a) which might be occupied by a large multi-generational family. There is no evidence before officers that the existing or former use would not have attracted potentially an equivalent or greater level of comings and goings to the property than the proposed use sought here, or that the occupancy of the dwelling by a single multi-generational family would not be comparable or potentially worse. The number of occupants can be controlled through condition through this application. Even with staff coming and going on a shift basis, the level of activity is not envisaged to be substantial or so frequent that it could be regarded as over-and-above that of a typical family dwelling or a large multi-generational family. Officers do not consider the use of the property and outside areas arising from the use as proposed to be beyond that of the former use, or use as a single dwelling house or any other not requiring planning permission.

There certainly would be the potential for comings and goings and the frequency of visits may be prone to change based on the needs of any future occupant. However, there would only be up to three children and at least two carers. No details have been provided how the use of the property for C2 will operate.

It is not anticipated that the changing of staff or visitors to the property would generate any undue noise/disturbance which could not be safely accommodated on the front of the site, however, there is no information to demonstrate this. Doncaster Way is a relatively busy street. The property

benefits from two off street parking to the front. No Noise Management Plan (NMP), Good Neighbour Policy (GNP) Document or any statement has been provided to demonstrate how the use will operate.

The applicant has not demonstrated that the development by virtue of its use and scale including proposed occupancy/levels of staffing would not be at odds with the suburban nature of its surroundings and would not result in undue harm to the residential amenity of neighbouring occupiers through comings and goings, turnover of staff and residents in a manner distinguishable from the use of the property as a single dwelling house. The proposals would therefore be contrary to Policies 6, 7, 24, and 34 of the Havering Local Plan 2016-2031 and Policies H12 of the London Plan as well as 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 applicant has not provided a transport assessment with this resubmission. It is indicated that there are two spaces to the front of the site and one space to the rear. Staffing levels and shift patterns have not been clearly outlined and if reliant on personal vehicles as the low PTAL rating would suggest, that there would be a minimum of two staff members present excluding any manager and other staff which may be needed for the care of the children. It is reasonable to assume that if all staff members travelled by car, as might be the case, that two vehicles could be accommodated on the drive.

Notwithstanding the above, there would be periods of increased activity on and during shift turnover and the applicant has not explained how this would be managed and that it would not create congestion and conspicuous activity within the cul-de-sac. Whilst the current submission does provide clarity on the amount and extent of parking, the applicant has not demonstrated that the site would be suitable for a use as proposed and that staff turnover, if vehicle reliance is high, would not create a situation that requires vehicles to be parked on the street to allow turnover to take place. This is relevant as the no means of justifying the proposals (for example through a parking-stress survey) has been submitted to evidence that any increased demand could be accommodated within the street or surrounding roads. The proposals are not assisted by the ambiguity over occupants, length of placement and specifics on staffing and visitors/visiting professionals as not details have been provided. The exact nature and scale of the use would need to be presented by the applicant in order for an informed decision to be made.

The site has a PTAL of 1A which translates to poor access to public transport. The proposed use and nature of the use does not lend itself to occupants owning vehicles based on their age however it is reasonable to conclude that staff and other visitors/visiting professionals would need more than likely attend by private vehicle. Officers have had regard to a condition requiring a travel plan, in order that staff movement to the site by vehicle might be reduced but it is unclear whether this

would unduly restrict the business or place unreasonable restrictions on it.

It is reasonable to assert that staff might car-share, but given the shift arrangement this would create instances where a number of vehicles are present and in order to allow staff off the driveway, vehicles would be parked in the street or surrounding roads. This may also lead to instances where driveways are blocked or vehicles left in the cul-de-sac through convenience. It is accepted that officers have no way to control how visitors/or staff may park when attending the premises however what is clear is that the applicant has not demonstrated that the premises and the scale of the operation is suitable in this location and that it would not be conspicuous and distinguishable from any other lawful use. In the absence of any compelling evidence otherwise the proposals would fail to make adequate provision for off-street parking and have not demonstrated that the surrounding area is capable of accommodating increased demand for on-street parking without detriment to the amenity of surrounding occupants through competition for limited spaces.

Furthermore it has not been demonstrated that proposed use would not lead to increased comings and goings to the site over and above that of a single dwelling house and that an adequate degree of visitor and carer parking facilities would be provided. Therefore as a consequence this would result in an adverse impact on the safety and convenience of the local highway network, through exacerbating pedestrian-vehicular conflict along pavements and traffic congestion within the area. Thus, the proposal is considered unacceptable, and would not be in accordance with Policies 6 & 24 of the HLP 2021, Policy T6 of the London Plan, and to the objectives of the NPPF.

OTHER ISSUES

Given the limited scale of the use, and other lawful use of the premises arguably of comparable scale it is not considered reasonable to impose a Secure By Design condition. An informative will be placed on any approval given.

KEY ISSUES/CONCLUSIONS

Having regard to the above and in doing so all relevant planning policy and material considerations, REFUSAL is recommended for the reasons outlined above within the report.

RECOMMENDATION:

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

1 Refusal non standard

The proposal for a change of use from a residential dwelling (Use Class C3), to a children's home (C2) would be contrary to Policy 6 (i) of the Havering Local Plan as there is no identified need within the borough for additional places. As there is no identified need, the proposal results in the unacceptable loss of a residential dwelling, which is contrary to Policy 3 (xi) of the Havering Local Plan.

2 Refusal non standard

The applicant has not demonstrated that the development by virtue of its use and scale including proposed occupancy/levels of staffing would not be at odds with the suburban nature

of its surroundings and would not result in undue harm to the residential amenity of neighbouring occupiers through comings and goings, turnover of staff and residents in a manner distinguishable from the use of the property as a single dwelling house. The proposals would therefore be contrary to Policies 6, 7, 24, and 34 of the Havering Local Plan 2016-2031 and Policies H12 of the London Plan as well as the objectives of the NPPF.

3 Refusal non standard

The site is not well served by public transport. The applicant has not demonstrated that proposed use would not lead to increased comings and goings to the site over and above that of a single dwelling house and that an adequate degree of visitor and carer parking facilities would be provided. Therefore as a consequence this would result in an adverse impact on the safety and convenience of the local highway network through exacerbating pedestrian-vehicular conflict along pavements and traffic congestion within the area. As such there would be conflict with Policy 6 of the Havering Local Plan 2016-2031, Policy T6 of the London Plan as well as the objectives of the NPPF.

INFORMATIVES

1 Refusal - No negotiation

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 Mr Ryait (Agent) by e-mail on 05/12/25.

Authorising Officer:



Neil Goate

5th December 2025