



Appeal Decision

Site visit made on 30 September 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025

Appeal Ref: APP/B5480/C/23/3327241

10 St Andrews Avenue, Hornchurch RM12 5DT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr and Mrs Chimezie against an enforcement notice issued by the Council of the London Borough of Havering.
 - The notice was issued on 4 July 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission, the material change of use of the rear garage to use for private laundry business.
 - The requirements of the notice are:
 - (i) Cease the use of the garage for the laundry business; AND
 - (ii) Remove all facilities such as the washing machines and any other equipment associated with the business; AND
 - (iii) Remove all other debris, rubbish or other materials accumulated as a result of taking steps (i) to (ii) above.
 - The period for compliance with the requirements is 1 month.
 - The appeal is proceeding on the ground[s] set out in section 174(2)(a), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. I was unable to undertake an internal inspection of the garage building as the appellants failed to attend the accompanied site visit on 30 September 2025. However, I was able to view the appeal site and the subject building from the front and rear of the property and from the shared driveway between Nos 8 and 10 St Andrews Avenue. Therefore, this appeal will be determined on the basis of the evidence and the plans before me, which is considered appropriate given that internal floor plans and elevations of the garage building and photographs of inside the building have been submitted. Both parties were written to explaining this, and therefore I am satisfied that neither party would be prejudiced by this.

Main Issues

3. The main issues are:

- The effect of the development on the living conditions of nearby residential occupiers of St Andrews Avenue with particular regard to noise and disturbance;

- The effect of the development on the character of the area; and
- The adequacy of parking provision to serve the private laundry business use, and the effect of any lack of provision on surrounding residential occupiers and highway safety.

Reasons

The effect of the development on the living conditions of nearby residential occupiers of St Andrews Avenue with particular regard to noise and disturbance;

4. The site consists of a detached garage building situated in the rear garden of 10 St Andrews Avenue, a semi-detached two storey dwelling. The garage building is accessed via the shared driveway between Nos 8 and 10 St Andrews Avenue. The site is within a residential area comprised predominantly of family dwellings, where noise levels are likely to be relatively low, and there is a susceptibility for the living conditions of neighbouring occupiers to be affected by the introduction of a more intensive commercial use of the site.
5. The unauthorised development relates to the material change of use of the detached garage for use as a commercial laundry business. The appellants describe the use as follows:
6.
 - The laundry use involves one vehicle, which collects garments for washing and subsequently the same vehicle delivers washed garments to clients. Therefore, clients are not attracted to the appeal site;
 - The lack of signage ensures that customers do not visit the appeal site;
 - The number of people employed are limited to the two appellants only and the equipment used are three domestic washing machines and two tumble dryers;
 - The use takes place on Mondays to Fridays only and during daytime hours of 09:00 to 17:00.
 - The use involves one single van.
7. Based on the above, the appellants consider that the business use can satisfactorily co-exist within this quiet residential area. However, the unauthorised use has already occurred since circa 2022, and the evidence submitted by the Council in the refused planning application for the same development¹ and neighbouring occupiers indicate that there is clear disconnect between the use, as described by the appellants, and the actual operation of the laundry business.
8. Letters of representations from neighbouring occupiers indicate that the building has been used outside of the stated hours and that the level of activity is significantly different than the low key two-person operation described above, with visits to the site occurring more frequently and at unsociable times. Indeed, one representation from a neighbouring occupier refers to the delivery of laundry to the site from 03:00 hours, and another neighbouring occupier refers to people delivering and taking away laundry between the hours of 07:00 and 22:35. This is in stark contrast to the hours of use specified by the appellants above.

¹ Council ref: P0555.23 refused on 15 June 2023

9. Based on the all the representations received the private laundry business is operated independently from the main dwelling at No 10 and has formed its own planning unit independent of the main dwelling, situated in this rear garden setting. The business activity on site has led to greater levels of noise and general disturbance, associated with increased comings and goings, vehicles arriving and parking near the site, dropping off and collecting the laundry.
10. In addition, the employees of the business do not reside at No 10. As such, the employees dropping off and collecting laundry access the building via the shared driveway between Nos 8 and 10 St Andrew Avenue. Both of these residential properties have windows sited along this shared drive and will have direct line of site when employees arrive and leave the site. The separate business use, independent of these residential semi-detached dwellings forms an incompatible use within the residential area.
11. From the evidence before me, noise and general disturbance resulting from the private laundry use occurs early in the morning and late in the evenings, when neighbouring residential occupiers should reasonably expect a quieter living environment. Noise from the laundry use at these times would be more intrusive and consequentially more harmful. This would be particularly noticeable during summer months when residents are likely to have windows open for ventilation, and more likely to be using their rear garden for relaxation.
12. I therefore conclude that the development fails to provide acceptable living conditions for the neighbouring residential occupiers at St Andrews Avenue with particular regard to noise and disturbance. Accordingly, the development conflicts with Policy 34 of the Havering Local Plan 2016-2031, adopted in 2021 (LP), and Policy D13 of the London Plan, 2021 (London Plan). Amongst other things, these state that the Council will support development proposals that do not unduly impact upon amenity, human health and safety and the natural environment by noise and that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

Character of the Area

13. The Council are concerned that the use of the use of the garage as a private laundry use harms the residential character of the area. Indeed, this part of St Andrews Avenue contains predominantly family dwellings. I observed during my site visit, which was undertaken during a weekday morning, that this suburban residential area is reasonably quiet, and therefore there is the potential for the quality of the environment to be harmed by a more intensive and commercial use of the site.
14. I accept that the laundry use takes place within an existing building and there is no external signage at the address to attract customers. Nevertheless, the commercial activity of the site, occurs within a former outbuilding which is located in a residential garden and is in close proximity to neighbouring residential properties and rear gardens.
15. Indeed, the evidence before me indicates that the use as a laundry business has occurred early in the morning and late in the evenings which has been observed by a number of neighbouring residential occupiers. This activity involved staff and vehicles arriving at the site, dropping off and collecting laundry from the site, with

vehicles parked outside the site on this residential street. The character of the site for commercial operations is in stark contrast with the quiet, residential, suburban character and feel of this section of St Andrews Avenue.

16. I therefore share the Council's views that the development harms the residential character of the area, in conflict with Policy 26 of the LP and Policy D3 of the London Plan. Amongst other things these require that development proposals are informed by, respect and complement the distinctive qualities, identity, character of the site and local area and that proposals respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality.

Parking provision

17. The site is situated in an area with Public Transport Accessibility Level (PTAL) 3, which indicates that the area has moderate public transport accessibility. The main property at No 10 St Andrew's Avenue has one off-street parking space. However, this would be expected to be allocated to the family dwelling at this address in accordance with Policy T6 of the London Plan which requires family dwellings to have 1 off street parking space. No further off-street parking spaces are available for the private laundry use, which is used independent of the main dwelling. The appellants explain that the day-to-day laundry use involves one van visiting the appeal site. Given the constraints of the site, no dedicated off-street parking space is provided for the laundry use.
18. To consider whether the unauthorised change of use is acceptable with no off-street parking spaces it is necessary to review the current on-street parking stress in the area. Incidences of parking stress may lead to increased competition for scarce spaces resulting in unnecessary travel with drivers searching for available spaces, with attention diverted to somewhere to park rather than on road conditions. Parking stress may also lead to obstructive parking to the detriment of the free flow of traffic. Residents may, for example, have to park further away from their homes, and there may be the potential for increased noise and disturbance arising from cars driving around searching for spaces and manoeuvring into spaces. Consequently, it is necessary to assess whether any increased demand for on-street parking arising from the current appeal could be safely accommodated without detriment to the nearby residential occupiers or highway safety.
19. The Council and neighbouring occupiers have raised an objection that parking pressure in the immediate area is already high and consider therefore that the unauthorised change of use would exacerbate this problem. Any additional demand for parking is likely to interfere with neighbouring occupiers' ability to park close to their homes.
20. I also noted during my site visit, which included a walk around the area, between 11:30 to 12:00 on a weekday, that there was a very high occupancy of parked vehicles in the area. Indeed, there was no on-street parking spaces outside the site on St Andrews Avenue given that the properties on this side of the road have dropped kerbs outside their properties to facilitate off-street parking within their front gardens. The nearest on-street parking bays were located opposite the site on Windermere Avenue. However, there were no spaces available within these bays at the time of my site inspection.

21. The appellants state that a parking survey was carried out on Monday 24 July and Thursday 27 July 2023, which demonstrates that there are spaces available near to the appeal site, and that the van associated with the private laundry business was able to be accommodated on one occasion within the front drive for this property. However, this space is used in connection with the main dwelling at this address and it is unclear how this one space can accommodate parking for the main dwelling at this address as well as the private laundry business.
22. Furthermore, no actual copy of this survey has been submitted as part of this appeal, and therefore I am unable to review this report and its findings. I therefore attach limited weight to the findings of this survey. In addition, neighbouring occupiers have observed drivers in connection with the laundry use parking on the corner junction, opposite the site on double yellow lines resulting in obstructive parking to the detriment of the free flow of traffic. I therefore place greater weight on my own observations and the representations from the Council and neighbouring occupiers on the parking issues raised.
23. Taking all the above into account, it has not been demonstrated that the unauthorised change of use has not resulted in an increased need for parking in the area that already has high parking stress.
24. I therefore conclude that the unauthorised change of use of the site, leads to additional on-street parking in the area, to the detriment of neighbouring residential occupiers and highway safety, contrary to policies 7, 23 and 24 of LP. Amongst other things, these state that the Council will support developments that: do not result in unacceptable levels of noise and disturbance; and ensures safe and efficient use of the highway and demonstrates that adverse impacts on the transport network are avoided.
25. However, I find no conflict against Policy T6 of the London Plan which relates primarily to residential type development and does not relate to the laundry use before me.

Other matters

26. I have considered whether conditions relating to restricting the hours of use to Mondays to Fridays during daytime hours only; limiting the number of machines to 3 washing machines and 2 tumble dryers and the provision of sound attenuations measures would overcome the above harms. However, given the close proximity of the commercial laundry use to the surrounding residential properties, and the lack of appropriate off-street car parking for the commercial use, I do not consider that the imposition of these conditions would overcome the harms identified above.
27. Furthermore, it is unclear how a personal planning permission would overcome these harms, as the commercial use would still exist in this residential area and result in harm to the living conditions of neighbouring occupiers, to the character of the area and also fails to provide sufficient parking for the use. As such, a personal planning permission would also fail to overcome the harms identified above.

Conclusion on Ground (a) and the Deemed Planning Application

28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development has a harmful effect

on the living conditions of neighbouring occupiers; the character of the area and result in additional on-street parking in the area, to the detriment of neighbouring residential occupiers and highway safety in conflict with the development plan taken as a whole. None of the other matters raised by the appellants, including the employment benefits of the use, outweigh the harms identified. Therefore, there are no material considerations that would lead me to a decision other than in accordance with the development plan in this case.

29. For the reasons given and with regard to all other matters raised, I conclude that the appeal on ground (a) should fail, and the deemed planning application should be refused.

The Appeal on Ground (g)

30. This ground of appeal is that the time given to comply with the notice is too short. The Council has given 1 months for the use of the site as a laundry business to cease and to remove all facilities and washing machines and any other equipment associated with this unauthorised use.
31. The appellants state that the closure of the business within one month would result in loss of income and unemployment for the appellants. It is also stated that they need time to raise finance to move to alternative accommodation and that the current period does not allow sufficient time to find alternative accommodation and gain planning permission. Therefore, the appellants ask that the time for compliance is extended from 1 to 12 months,
32. However, I have found under the ground a) appeal that the unauthorised use results in harm to the living conditions of neighbouring occupiers and the character of the area and leads to additional on-street parking in the area, to the detriment of neighbouring residential occupiers and highway safety. As such, 12 months requested by the appellants to comply with the notice is disproportionately excessive and would prolong the harms identified.
33. There would not be any complex building operations required to cease the use as laundry or remove the items that facilitate this unauthorised use. Whilst I sympathise with the appellants, given the circumstances, I conclude that the time period given by the Council would be reasonable and proportionate time to comply with the notice and the appeal on ground (g) fails.

Conclusion

34. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

R Satheesan

INSPECTOR