



Appeal Decision

Site visit made on 10 April 2024

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2024

Appeal Ref: APP/Z5060/W/23/3332616

3 Hedgemans Road, Dagenham, Barking and Dagenham RM9 6HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. Zaman A Raja against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref is 23/00980/FULL.
 - The development proposed is change of use from dwelling (C3) to a HMO (C4) for up to 3 people.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from dwelling (C3) to a HMO (C4) for up to 3 people at 3 Hedgemans Road, Dagenham, Barking and Dagenham RM9 6HA in accordance with the terms of the application, Ref 23/00980/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing number: 02 of 03 and drawing number: 03 of 03.
 - 3) Prior to first occupation, details of cycle storage including the design, quantum and location shall be submitted to and approved in writing by the Local Planning Authority. All cycle storage shall be designed in accordance with the London Cycle Design Standards. The approved cycle storage shall be implemented prior to first occupation and thereafter retained and maintained for the lifetime of the development.
 - 4) Prior to first occupation, details of all refuse and recycling storage including the design, quantum and location shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage shall be implemented prior to first occupation and thereafter retained and maintained for the lifetime of the development.

Preliminary Matters

2. The Council's statement advised that their Draft Local Plan (DLP) had been subject to Examination in Public in November 2023. I sought a further update on the plan progress to which the Council reiterated their previous statement. I will return to this matter in due course.

3. I have used the description of development from the appeal form in the banner heading and my decision as it more accurately describes the development proposed.

Main Issue

4. The main issue is the effect of the proposed development on the supply of family sized housing within the borough.

Reasons

5. Borough Wide Development Policies Development Plan Document (2011) (BWDPD) Policy BC4 confirms the Council will resist proposals which involve the loss of housing with three bedrooms or more. The existing plans show the property has two bedrooms at first floor. There is nothing in the policy or its supporting text to indicate that reception rooms should be taken into consideration when assessing the number of bedrooms. Given the typical use of family dwellings, I consider it would not be reasonable to require such rooms to be considered as potential bedrooms when applying this policy.
6. There is no evidence before me suggesting that the number of houses in multiple occupation (HMO) along Hedgemans Road exceeds 10% of the total number of dwellings in the road. Nor is there any evidence that the neighbouring property is not a single dwellinghouse. No external alterations to the appeal property are proposed, consequently the planned appearance of the Beacontree Estate would not be affected. Private amenity space, space for refuse storage and one off-street parking space would be provided. There is easy access to both bus and underground services. The dwelling has been extended in the past, and a good standard of internal accommodation would be provided for future occupiers. As a result, the proposal would not conflict with the other criteria set out in BWDPD Policy BC4.
7. DLP Policy SP 3 intends to ensure the supply of self-contained and particularly family housing is not undermined. I acknowledge the dwelling meets the internal space standard requirements and would be capable of accommodating a small family. Policy DMH 5 also requires proposed conversions to meet an identified need and seek to protect small family dwellings. No such need has been identified by the appellant. However, there is no evidence before me as to the extent to which there are unresolved objections to these policies or as to any findings the examining inspectors may have made. Consequently, I attach only limited weight to the emerging plan.
8. The proposed development would not harm the supply of family sized dwellings within the borough. It would therefore be in accordance with BWDPD Policy BC4 which seeks to protect the supply of family housing by resisting the loss of housing with three or more bedrooms.

Conditions

9. The Council has suggested conditions should I be minded to allow the appeal. I have had regard to these in light of the tests set out in paragraph 56 of the National Planning Policy Framework and I have made amendments to some of them for consistency and clarity purposes. In the interests of certainty, I have imposed conditions stipulating the timescale for the commencement of works and the approved plans.

10. It is reasonable and necessary for cycle parking and refuse storage to be required, available prior to the first occupation of the dwellings and thereafter available for occupiers to use.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

J Downs

INSPECTOR