



Appeal Decision

Site visit made on 10 June 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/Z5060/W/24/3357738

49 Ridley Close, Barking IG11 9PJ

- 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 Lyncroft Developments Ltd against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 24/01452/FULL.
 - The development proposed is a change of use to a children's residential home for up to three children with no internal or external alterations (Use class C2)
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the application form and varies slightly from the decision notice. This has not changed anything fundamental nor prejudiced the ability of any party to make their case in respect of the appeal scheme. In addition, and for clarification, I shall refer to the front bedroom with the boiler as bedroom 1 and the other front bedroom as bedroom 2.

Main Issue

4. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers with specific regard to floorspace.

Reasons for the Recommendation

5. The appeal site is a modest terraced two storey dwelling. The proposal would not include any external alterations or fundamentally alter the general three bedroom internal layout. There would be an office provided downstairs.
6. Even though the proposal is not for a C3 use and would not involve the physical erection of a house, the nature of the proposed C2 use would still be housing development that would be self-contained residential accommodation. Policy D6 of the London Plan 2021 (LP) is therefore relevant.
7. Focusing on the smaller of the two front bedrooms, bedroom 2, it would be more than marginally below the standards set out in the LP. These are expressed

minimums. I understand that there are no Ofsted requirements relating to bedroom space, the building currently functions as a dwelling and would therefore have been considered appropriate when built. However, I must assess the change of use under the minimum room size expectations as they are set out by the development plan, which is the determining factor under primary planning legislation.

8. In the current adopted LP, bedroom 2 would be unacceptably substandard and more than marginally so. Future occupiers would not necessarily be related. This and their age range means they would be more likely to spend more time in their bedrooms and using them for a greater variety of activities than simply sleeping. Hence the importance of the standards in this case. There is a cupboard in bedroom 1 that is used for storage and where the boiler is situated. I am satisfied therefore that the minimum floorspace requirements could be achieved. Nevertheless, there is no compelling evidence before me to justify why a smaller than minimum space should be provided for the children who would occupy bedroom 2. The proposal would therefore provide unacceptable living conditions for future occupiers, contrary to the requirements of the LP as I have set them out above.

Conclusion and Recommendation

9. For the reasons I have set out, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR