
Appeal Decision

Site visit made on 28 July 2025

by T Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2025

Appeal Ref: APP/G5750/W/25/3364122

1 Dean Street, London E7 9BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Ahmed against the decision of the Council of the London Borough of Newham.
 - The application Ref 24/02564/FUL, dated 11 December 2024, was refused by notice dated 7 April 2025.
 - The development proposed is the demolition of the garage and construction of a two storey, 2 bedroom house with associated cycle parking and waste storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - The effects of the proposal on the character and appearance of the area
 - The standard of the proposed accommodation
 - The effects on the living conditions of neighbours.

Reasons

Character and Appearance of the Area

3. The appeal relates to part of the rear garden of this terraced house which is located at the junction of Dean Street and Odessa Road. The site has a frontage onto Odessa Road and currently accommodates a garage. The surrounding area is primarily residential in nature and contains a variety of mainly 2 (some 3) storey terraces of houses.
4. The proposed new house would sit immediately adjoining the building at No 74 Odessa Road. No 74 and all the other houses on this section of Odessa Road are set back from the pavement, behind a modest front garden area. The proposed new house would abut the rear edge of the pavement and so would be set forward of No 74.
5. The proposed elevation facing onto Odessa Road would contain just a door at the ground floor and 1 window at the first floor. The majority of the windows would be in the proposed elevation facing towards the host property at No 1

Dean Street. This design would mean that the main front elevation addressing Odessa Road would be dominated by large, unbroken areas of brickwork and would contain just 2 small areas of punctuation. This would be in marked contrast with the existing form of development in the area where the houses have a number of windows and other features such as bays or porches within the main street elevation. I consider that this, along with its forward siting, would mean that the proposal would have a significant and negative effect on the locality. It would fail to harmonise with the existing form and pattern of the houses and would result in harm to the appearance of the area. Therefore, the proposal is contrary to Policies D3 and D4 of The London Plan (LP) and Policies S1, SP1, SP3 and SP8 of the Newham local Plan 2018 (NLP).

Standard of Accommodation

6. The proposed accommodation fails to meet the minimum requirements for the overall size of the dwelling and the sizes of the 2 bedrooms, as set out within Policy D6 of the LP. In response, the appellant states that they could combine the 2 bedrooms to provide one larger room but he has not provided any plans to indicate this. Even if I were to accept such a revision, the proposal would remain deficient in its overall size and would be unacceptable in this respect, failing to provide an acceptable standard of accommodation.
7. The Council also make reference to the single aspect nature of the dwelling and its lack of space to the frontage. I agree that these are also factor which would combine to mean that the standard of accommodation proposed would be unacceptable. Therefore, the proposal conflicts with Policies GG4, D3, D4 and D6 of the LP and Policies SP1, SP2, SP3, SP8 and H1 of the NLP.

Living Conditions of Neighbours

8. The proposal would have all of its main windows facing towards the rear of properties on Dean Street and the proposed house would be clearly visible from the garden areas of those houses. Given the proximity of the windows, I consider that unacceptable levels of overlooking would be likely to occur between the first floor windows of the new and existing properties and also from the first floors into the existing and proposed gardens.
9. In addition, due to the proposed siting, I consider that the proposed new building would appear dominating and unacceptably overbearing to the neighbours when they are within their garden areas. As a result, the proposal is contrary to PolicD3 of the LP and Policies SP1, SP2, SP3 and SP8 of the NLP.

Conclusions

10. I have taken account of all other matters, including the fact that the proposal would provide a new dwelling within an accessible and established residential area. However, I find that the unacceptable negative aspects of the proposal would far outweigh any benefits. As a consequence, the appeal is dismissed.

T Wood

INSPECTOR