



Appeal Decision

Site visit made on 4 August 2025

by **C Carpenter BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 September 2025

Appeal Ref: APP/Z5060/W/25/3363595

3 Hedgemans Road, 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 24/01817/FULL.
 - The development proposed is described as: "Proposing to authorise use of existing C4 class HMO Property with internal modifications to maximise the property's potential as a HMO suitable for more than 6 people and thus change the class to Sui Generis".
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I understand the appeal premises has planning permission¹ for use as a four-bedroom four-person house in multiple occupation (HMO) within Use Class C4. The existing plans before me show four bedrooms.
3. The original application sought change of use to an HMO suitable for more than six people but did not specify a maximum number of people to be accommodated in the proposed development. This is reflected in the description above. The appellant's statement of case refers to a four-bedroom HMO suitable for eight people, which materially alters the development proposed. The 'Procedural Guide: Planning appeals – England' states the appeal process should not be used to evolve a scheme. Therefore, I have based my decision on the proposal as set out in the application that was before the Council and upon which notification took place.

Main Issues

4. The main issues are:
 - whether the proposed development would provide adequate living conditions for future occupiers, with particular reference to room sizes;
 - the effect of the proposal on the living conditions of neighbouring occupiers, with particular reference to noise and disturbance; and
 - the effect of the proposal on highway safety, with particular reference to parking.

¹ Ref 24/01064/FULL

Reasons

Living conditions – future occupiers

5. Policy DMH5 of the Barking and Dagenham Local Plan 2024 (BDLP) supports HMOs where they comply with relevant standards and satisfy housing space standards outlined in Policy D6 of the London Plan 2021 (LP) and relevant guidance.
6. LP Policy D6 (with Table 3.1) requires housing developments to provide adequately sized rooms which are fit for purpose and meet the needs of Londoners. It specifies minimum room sizes broadly comparable to those set out in the government guidance document Technical housing standards – nationally described space standard 2015 (NDSS). The Policy does not explicitly indicate minimum room sizes for non-self-contained accommodation, such as an HMO.
7. East London HMO Guidance (ELG) seeks a minimum of 13m² for a double bedroom, which is greater than the 11.5m² specified in the LP and NDSS for self-contained accommodation.
8. The proposed development would reconfigure accommodation in the ground floor rear extension but would not increase the number of bedrooms beyond four.
9. There is evidence before me about the size of the four proposed bedrooms in a Draft Property Licence for the appeal premises dated July 2024, the status of which is unclear; and in the Council's decision report. The figures in these two sources differ widely so I cannot be sure of the actual room sizes proposed. In any event, in neither scenario would the ELG standard for dual occupancy be met in more than two rooms. Overall, there is insufficient evidence to persuade me the proposed bedrooms would be large enough to accommodate more than six people in total living together in an HMO.
10. For the above reasons, I conclude the proposed development would not provide adequate living conditions for future occupiers, with particular reference to room sizes. This is contrary to BDLP Policy DMH5 and LP Policy D6. It is also contrary to LP Policy D4 and BDLP Policies SP2 and DMD1, which together seek high-quality design and homes that facilitate well-being. Further, it is contrary to the National Planning Policy Framework (the Framework), where it requires developments to promote health and well-being, with a high standard of amenity for future users.

Living conditions – neighbouring occupiers

11. The appeal site is at the end of a residential terrace in a relatively compact suburban neighbourhood, with limited external amenity space available to future occupants once off-street parking and storage for bins and cycles are accounted for. Other dwellings are closely sited on three sides. In these circumstances, the comings and goings of more than six people down the narrow passage at the side of the house and in the modest rear yard would materially increase levels of harmful noise and disturbance affecting these immediate neighbours. No measures are proposed to mitigate this.
12. I therefore conclude the proposal would have a harmful effect on the living conditions of neighbouring occupiers, with particular reference to noise and disturbance. This is contrary to LP Policies GG3, D6 and D14, which seek to protect the well-being of communities and mitigate adverse impacts of noise. It is

also contrary to the Framework, where it requires developments to promote health and well-being, with a high standard of amenity for existing users.

Highway safety

13. No pertinent information has been provided about the anticipated car use of the occupants of the proposed larger HMO, or about the way in which the one existing off-street parking space would be managed between households. There is little information about on-street parking capacity within the existing Controlled Parking Zone, and no mechanism is proposed to limit on-street parking permits. Consequently, there is insufficient information to satisfy me that relevant parking standards would be met and/or additional on-street car parking demand could be safely accommodated.
14. In the absence of such evidence, I conclude the proposal would have a harmful effect on highway safety, with particular reference to parking. This is contrary to LP Policies T1, T6 and T6.1 and BDLP Policies DMT1 and DMT2, which together set out car parking standards and require mitigation of transport impacts. It is also contrary to the Framework, which states development should be refused on highways grounds if there would be an unacceptable effect on highway safety.

Other Matters

15. I recognise the appellant wishes to optimise the capacity of the appeal premises. However, this consideration does not outweigh the harms I have identified.

Conclusion

16. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR