



Appeal Decision

Site visit made on 19 August 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/Z5060/W/25/3364789

671 Heathway, Dagenham RM9 5TA

- 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 Mehmet Teqja against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application ref. is 25/00072/FULL.
 - The development proposed is alterations to existing HMO to create 6 room 12 person HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal form states that the appellant intends to submit a planning obligation, but none was supplied. I have assumed that this was a mistake in completing the form and dealt with the appeal on that basis.
3. The appeal form states that the description of development on the application form is still correct, but this differs from that on the decision notice. I have no agreement to the change and so have used that on the application form.
4. As a result, any unauthorised change of use from a dwellinghouse that may have already occurred would be for the Council to address as an enforcement matter and I have not dealt with this as a main issue.

Main Issues

5. The main issues in this appeal are the effect of the proposal on the:
 - living conditions of future occupiers, with particular regard to the adequacy of living space
 - living conditions of neighbours, with particular regard to noise and disturbance
 - use of sustainable transport and adequacy of parking provision

Reasons

Living conditions – future occupiers

6. The house has a floor area of about 165sqm and no new floor area is proposed. The proposal would convert the first floor kitchen into part of a bedroom, combine

the store on the loft floor with the unmarked area adjacent to it, and then convert both into part of a further bedroom.

7. This would result in two kitchens, one on the ground floor and one on the loft floor, and six bedrooms, one on the loft floor, two on the first floor and two on the ground floor, all with *en suite* shower rooms, and one on the ground floor with access via a common staircase to a separate shower room on the first floor.
8. The ground floor bedrooms would be 12.4sqm, 10.5sqm and 14sqm in area, those on the first floor would be 24sqm and 13.1sqm in area, and the loft floor bedroom would be 22sqm. A store of about 0.8sqm in area is proposed on the first floor and other unmarked spaces are shown on the ground floor totalling about 1.6sqm.
9. To accommodate 12 people, each bedroom would have to be a double, for which the minimum internal space standard set by Policy D6 of the London Plan (March 2021) is 11.5sqm. It is not clear how the bedroom with an area of 10.5sqm was previously occupied, but in any event it would now be sub-standard.
10. More generally, whilst no overall space standard is set for a 6-bedroom 12-person dwelling, that for a 6-bedroom, 8-person, 3-storey dwelling is 138sqm. This typically increases by 9sqm for each additional person and thus would result in a standard of about 174sqm for 12 persons, which the proposal would not meet.
11. Furthermore, I am not clear that the proposal would provide the required 4sqm of built-in storage and, whilst a copy of the East London HMO Guidance is not before me, I note that it applies higher standards, referred to by Policy DMH5 of the Barking and Dagenham Local Plan (September 2024) (BDLP).
12. Consequently, the proposal would not provide adequate living conditions for its future occupiers with regard to the living space, contrary to Policy D6 of the London Plan and Policy DMH5 of the BDLP. I attach significant weight to these conflicts.

Living conditions - neighbours

13. The proposal would intensify the use of a house in such a way that it would be more likely to be occupied at or near capacity and by several households. This intensification and its effects, particularly the additional comings-and-goings would be likely to lead to increased noise and disturbance to neighbouring occupiers.
14. Whilst I note that the appellant states that the property has had an HMO licence for nearly two years, these are issued under separate legislation and cannot be relied upon to be renewed or to secure planning objectives. Furthermore, I am not persuaded that a management plan could adequately mitigate adverse effects.
15. Consequently, I consider that the proposal would harm the living conditions of neighbouring occupiers to an unacceptable degree, contrary to London Plan Policy D14 and Policies DMD1 and DMSI3 of the BDLP, which require consideration, mitigation and management of noise, nuisance and other impacts on the amenity of neighbours. I attach significant weight to these conflicts.

Sustainable transport and parking

16. The surrounding area is suburban, comprising pre-war social housing. There are primary and secondary schools 100m and 400m to the south respectively and a supermarket and leisure centre 400m to the north. Heathway is a busy classified

road; the speed limit is 30mph, which appeared during my visit to be reasonably well observed. Its traffic light controlled junction with Wood Lane is immediately north of the site and has pedestrian facilities.

17. Pavement parking is marked on some sections of the wide footway. The area is a Controlled Parking Zone (CPZ) with only resident permit holders allowed to park between 8.30am and 5.30pm on weekdays. The area was heavily parked during my site visit. The Council's highways officer initially advised that the site has a Public Transport Accessibility Level (PTAL) of 2 on a scale of 0-6, but I note that the Council corrected this to 3 'moderate'.
18. London Plan Policy T6.1 requires no more than one parking space for dwellings with three or more bedrooms in Outer London boroughs. Policy DMT2 of the BDLP expects a justification for maximum provision, a parking design and management plan (also required by London Plan Policy T6), and CPZ contributions where stress on parking would result. The proposal is to use the existing driveway with space for one car, which would have to enter and leave in the same gear.
19. Parking demand already appears to exceed supply in the area, which appears to have limited ability to accommodate displaced demand created by the proposal. Whilst the driveway already exists, it would be used more frequently and this would result in more crossing of the footway, half of the time in reverse gear, presenting greater risk to pedestrians. Unmet demand could also result in illegal parking and greater inconvenience for the wider neighbourhood.
20. Whilst complying with cycling policies, the proposal does not demonstrate how it would contribute to promoting sustainable travel and limiting car use, as required by Policy DMT1 of the BDLP. The appellant states that space is available for two cars, but this appears to be impossible without parking on the lawn and would, in any event, be contrary to London Plan Policy T6.1 and Policy DMT2 of the BDLP, which require no more than one parking space in this situation.
21. I accept that occupiers would have moderate access to sustainable travel, but I have insufficient evidence to show that parking provision would be adequate to meet the residual demand created. Additional provision would be contrary to policy and no management plan, stress assessment, CPZ contributions or restrictions on permit applications have been provided. Whilst some of these could be addressed by conditions, at least one would require an obligation.
22. Whilst the proposal complies with London Plan Policy T6.1, it is contrary to London Plan Policies T4 and T6, and Policies SP8, DMT1 and DMT2 of the BDLP, which address sustainable travel and require adequate assessment, management and mitigation of residual parking impacts. I attach significant weight to these conflicts.

Conclusion

23. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR