
Appeal Decision

Site visit made on 16 September 2025

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 October 2025

Appeal Ref: APP/Z5060/W/25/3368977

20 Sparrow Green, Dagenham, Barking and Dagenham RM10 7EU

- 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 Home Choice Estate Agents Ltd against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref is 25/00560/FULL.
 - The development proposed is two bedroom house, demolition of existing rear shed.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on:
 - the living conditions of 49, 51 and 53 Lawrence Crescent with particular reference to outlook and daylight;
 - the character and appearance of the area; and
 - on street parking and the highways network.

Reasons

Living conditions

3. The appeal site is an end terrace house attached to a block of terraced houses which have flats above. The proposal is to add a two storey house on the side of the existing end house.
4. The appeal site abuts 49, 51 and 53 Lawrence Crescent, which are terraced houses oriented at right angles to the appeal site. Although there is an alleyway running along the rear of these properties, it has been effectively subsumed into several of the rear gardens. The proposed dwelling would be positioned very close to the appeal site boundary, occupying the whole of the common boundary with No 51 and part of the boundaries of Nos 49 and No 53.
5. The rear gardens of Nos 49-53 are narrow and relatively short - the appellant estimates them to be 13 metres deep, which the Council has not disputed - as a result of which the outlook from these dwellings particularly no 51 is principally that of the end elevation of the block containing the appeal property. The block containing the appeal property is currently set back from the boundary with Nos

49-53, and it is this degree of separation which helps to safeguard the outlook of these properties.

6. By extending the length of the side wall of the appeal property and bringing it much closer to the rear boundary of Nos 49-53, the proposal would dominate the outlook from No 51 and have a significant effect on the outlook from Nos 49 and 53, notwithstanding the marginal benefit gained from demolishing the existing shed. Although it would not impact on sunlight owing to the orientation of Nos 49-53, it would reduce daylighting in the rear portions of their gardens. The overall effect would be harmfully overbearing in relation to these properties. The lack of objection from the affected householders should not be taken as an acceptance of this level of impact.
7. The reason for refusal refers to a loss of privacy to neighbouring occupiers, but as no windows are proposed in the side elevation of the proposed dwelling, the proposal would not overlook Nos 49-53, whilst the front and rear windows of the proposed dwelling would not result in overlooking of nearby properties. I therefore consider that the proposal would not adversely affect the privacy of existing occupiers.
8. I conclude that the proposal would unacceptably harm the living conditions of 49, 51 and 53 Lawrence Crescent as a result of a loss of outlook and daylight, and would therefore be contrary to Policy D6 of the London Plan March 2021 (LP) and Policy DMD 1 of the London Borough of Barking and Dagenham Local Plan 2020-2037 (BDLP), which together require sufficient daylight and sunlight to be provided to surrounding housing, appropriate to their context, and for the useability of their outdoor space to be maximised. It would conflict with the aspiration of the National Planning Policy Framework (the Framework) to achieve well-designed places by protecting the health and well-being of existing users.

Character and appearance

9. According to the planning history in the Council's Delegated Report, the block containing the appeal site, along with the block on the opposite side of Sparrow Green and a similar block in the adjacent Tannery Close, were constructed in the immediate postwar period. The blocks are notable for their symmetrical appearance, each being three storeys high with a pitched roof, with a flat roofed two storey house at either end. Whilst they have a relatively utilitarian appearance, their unity of design lends them a certain charm.
10. The end houses, being lower and flat roofed, contrast with the appearance of the main block, which the recent rendering of the appeal property has reinforced. The proposed house would be narrower and deeper than the end house, but would match its appearance in terms of eaves height and detailing and would be rendered to match the existing house, contrasting with the facing bricks which characterise the remainder of the block.
11. Whilst the widening of the two storey element which "bookends" one end of the block would alter the block's symmetry, its impact would be ameliorated by the matching eaves line, materials and detailing of the proposed house. Moreover, the additional unit would be situated at the far end of the block of flats when viewed from the entrance to the site from Bull Lane, which would limit the wider visual impact of the proposal. I therefore consider that the proposal would not harmfully alter the symmetry of the block.

12. I conclude that the proposal would not harm the character and appearance of the area and would accord with Policy D4 of the LP and policies SP2 and DMD 1 of the BDLP, which together seek high quality design which relates to the local context and, where applicable, uses this to inform detail, materials and landscape. The proposal would accord with the aim of the Framework of achieving well-designed places which are visually attractive and sympathetic to local character.

On street parking

13. The appeal site has a Public Transport Accessibility Level (PTAL) rating of 1, meaning that it has very poor access to public transport. Notwithstanding its poor accessibility rating, there are bus stops in Rainham Road North, which is a short walk from the appeal site, with buses to Dagenham East underground station. Nonetheless, the proposal does not make provision for off street car parking and, although it includes cycle parking, it is reasonable to expect residents of the appeal property to place a degree of reliance on the motor car.
14. Policy DMT 2 of the BDLP requires all developments to demonstrate how they contribute to promoting active, efficient and sustainable modes of travel and reducing car use by complying with the parking standards set out in the LP. Policy T6.1 of the LP sets a maximum parking requirement of up to 1.5 car parking spaces for a 1 or 2 bed dwelling having a PTAL rating of 1. Taken together, the policies of the BDLP and the LP seek to minimise car use and parking provision.
15. Bar one house, none of the properties in Sparrow Green benefit from private parking, meaning that residents and visitors are likely to rely on kerbside parking. However, there are no on-street parking controls in nearby residential roads aside from yellow lines at junctions, meaning there is significant scope for roadside parking near to the appeal site. No evidence has been presented to me that there is parking stress in the area, especially in the evenings, and I therefore do not consider that parking surveys are necessary. Whilst the proposal is likely to increase roadside parking, it would not do so to the extent that danger would be caused to users of the highway as a consequence of parking stress.
16. I therefore conclude that the proposal would not have an adverse effect on on-street parking or the highways network, and would therefore accord with Policy T6.1 of the LP and Policy DMT 2 of the BDLP, the aims of which I have outlined above. It would accord with the advice in the Framework that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. I have moreover not found conflict with Policy T1 of the LP, which advocates a strategic approach to transport.

Planning Balance

17. The Council has confirmed that it did not meet the most recent Housing Delivery Test, with the delivery of housing being less than 75% of the housing requirement over the previous three years. Therefore paragraph 11(d) of the Framework should be applied. The policies most important for determining the application are deemed to be out of date and consequently permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
18. The delivery of a dwelling on previously developed land would be a social benefit, whilst economic benefits would accrue from the construction phase. A two

bedroom dwelling would assist in delivering a mixed and balanced community, and the proposal would contribute towards meeting the Council's small sites housing target. A single dwelling is capable of being constructed quickly, generating additional Council tax. The dwelling would positively contribute to the Council's housing land supply, albeit in a modest manner for a single dwelling. I attach moderate weight to the benefits that the scheme delivers.

19. The harm I have identified as arising from the proposal relates to its adverse impact on the living conditions of adjoining properties, in particular a loss of outlook and daylight. Such an outcome conflicts with Policy D6 of the LP and Policy DMD 1 of the BDLP.
20. The Framework advises that good design is a key aspect of sustainable development, with planning decisions required to ensure that developments create places which promote health and well-being, including a high standard of amenity for existing and future users. For the reasons given above, the loss of outlook and daylight to 49, 51 and 53 Lawrence Crescent would be to the detriment of the quality of life of the occupiers, which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for achieving well-designed places.

Conclusion

21. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR