
Appeal Decision

Site visit made on 20 April 2026

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2026

Appeal Ref: APP/G5750/W/25/3375939

Rear of 1-3 Glasgow Road, Plaistow Road, London E13 9HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr H Virk against the London Borough of Newham Council.
 - The application Ref is 25/00665/FUL.
 - The development proposed is a new one bedroom house.
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Decision

1. The appeal is allowed and planning permission is granted for a new one bedroom house at Rear of 1-3 Glasgow Road, Plaistow Road, London E13 9HW in accordance with the terms of the application, Ref 25/00665/FUL, subject to the conditions in the schedule attached.

Main Issues

2. Based on the submitted policies, my site visit and the representations from the appellant, Council, consultees and local residents I find that main issues to be the effect of the proposal on:
 - Sustainable transport; and
 - The character and appearance of the local area.

Reasons

3. During the application process and following negotiations with the Council the appellant submitted revised drawings and additional information in attempting to satisfy the Council's concerns on various matters. I have considered the most recent submissions in my determination of this appeal accordingly.

Sustainable Transport

4. The appeal site is located to the rear of two separate houses at 1 and 3 Glasgow Road (No.1 and No.3) that are located at the corner of Glasgow Road with North Street. The appeal site has been occupied by now substantially demolished outbuildings, including parking for at least 2 cars, with a separate rearmost

passageway accessed from North Street. The site currently comprises a single unified area of hard paving and gravel that opens on to the rear garden of No.3.

5. The proposal is for a single bedroom single storey dwelling with a front garden that would front onto North Street. The proposed dwelling would be the full width of the appeal site, fitting between the rear boundaries of the gardens of houses at No.1 and No.3 and the rear gardens of neighbouring houses on North Street. This follows recently refused proposals for two storey detached dwellings on the site, including those for which appeals were dismissed. The appeal submission seeks to overcome the reasons for these refusals and dismissals, which related to character and appearance and living conditions. Sustainable transport provision was not a reason given for refusal or dismissal in any of these cases.
6. The proposed dwelling would be located in an area with a PTAL rating of 3, indicating a moderate rather than good access to public transport. The Council's submission states that they have been seeking the development to be a 'Car Free' development, without off street parking and a legal agreement that would preclude future occupiers from being eligible for an on-street resident's parking permit. In their submission the Council has stated that the proposal is actually for the proposed front garden area to be used for an off street parking space. However, the submitted plans show a landscaped front garden without any provision for off street parking, and the proposal does not replace the existing off-street parking space provided by the appeal site.
7. The appellant has put forward arguments that the proposal, once built, has the ability to adapt to the transport needs of future users, including their adaptation to the uses of electric vehicles. I do not find that this amounts to a direct indication that the appellant is proposing that the front garden be used for off street parking. Rather this sets out an argument that the 'Car Free' requirement sought by the council would not allow the potential benefits of the proposal in meeting the needs for future occupiers to be released. The appellant has argued that as a single storey dwelling with immediate access to on street parking, the proposal would provide suitable facilities for a potential future occupiers with mobility or particular transport requirements.
8. There are currently double yellow lines directly in front of the appeal site, which is also close to a line of bollards across the street that close it to thorough traffic except bicycles. However, it is apparent from my site visit that there is a length of on-street parking for residents on North Street, only a few metres from the appeal site. This is positioned opposite the side boundary of No.1 and provides space for parking 3-4 cars in the Plaistow South residential parking zone that operates between 08:00-18:30 Monday to Saturday. This on-street parking was unoccupied at the mid-afternoon time of my visit and there was evident residents parking indicated and available in the wider area. As such, I do not find that the proposal as a single bedroom dwelling would intrinsically place undue pressure on local on street parking provision.
9. I am of the view that restricting the proposal to 'Car Free' would indeed significantly restrict the substantial potential public benefit of the proposal in this regard, especially in an area with only moderate access to public transport. Restricting the proposal as a car free development would restrict the benefits of the proposal in meeting the needs of potential occupiers including those that fall short of needing disabled

- parking as blue badge holders, such as older potential residents etc, for whom the proposal would provide particularly suitable accommodation.
10. I note that the proposal also includes for the provision of secured off-street parking for bicycles and therefore accommodates a choice of transport modes for any future occupiers. For the reasons given, I find that the choice of transport options, including the potential for car use is a significant benefit on the proposal and represents a development that would support sustainable transport outcomes in this instance.
 11. Policy T6 of the London Plan (2021) (the London Plan) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Policy T6.1 and Table 10.3 of the London Plan require that new dwellings with 1 bedroom in Inner London with a PTAL rating of 3 bedroom should provide a maximum of 0.25 parking spaces. As I find that the proposal does not include the provision for off street parking in an area with a PTAL rating of 3, it accords with the requirements of these policies.
 12. The Council have indicated that the removal of the existing dropped kerb located directly in front of the proposal would be required as part of the car free status for the development they are seeking. However, this is an extensive length of dropped kerb shared with an existing gated driveway access to the rear of No.1 and its removal would significantly impede the ability for vehicles to access this neighbouring driveway. Consequently, the removal of the existing dropped kerb would be detrimental to public safety in terms of vehicles crossing the footway to gain access to No.1. and the removal of the dropped kerb would, therefore, be unnecessary to make the development acceptable.

Character and Appearance

13. The Council's view that the proposal would create off street parking to the front of the appeal site is not supported by the material submitted during the application process. As set out above, I have considered the proposal based on the plans submitted by the appellant during the application process and prior to their commencement of this appeal. This does not include provision for off street parking in the front garden. Rather, the submitted plans demonstrate a garden with hard and soft landscaping. This would have a brick wall with a pedestrian access gate on the boundary between the appeal site and the footway on the North Street boundary.
14. I find that the proposed design, materials and soft landscaping would appear as a high quality landscaped feature within the context of North Street and would make a substantial positive contribution to the character and appearance of North Street and the local area.
15. For the reasons set out above, I find that the proposal would support sustainable transport outcomes and would not result in harm to the character and appearance of the local area. As such it would not be in conflict with Policies SP1, SP2, SP3 and INF2 of the London Borough of Newham Local Plan (2021), Policies D3, T1, T6 and T6.1 of the London Plan (2021) and Sections 9 and 12 and of the National Planning Policy Framework. Collectively these seek development that, amongst other matters, secures a more sustainable pattern of movement with easy access to walking, cycling

and public transport links, is of high quality design and that integrates and has coherence with its local context.

Other Matters

16. Third parties have raised their concerns in a number of areas; I shall address these in turn. There is nothing in the material submitted to indicate that the access passageway that forms part of the appeal site is a common alleyway but rather is a private access to the rear of No.3. The proposal is a single storey dwelling and given the position of windows and boundary fences, the design, height and scale of the proposal, and distances involved, the proposal would not result in any loss of privacy by overlooking, appear unsightly, overbearing or result in any significant additional sense of enclosure to neighbouring dwellings. The daylight and sunlight study submitted by the appeal also shows, for the same reasons, that the proposal would not result in any significant loss of daylight or sunlight to either the rooms or gardens of neighbouring dwellings. The proposal is for a single bedroom dwelling and would not intrinsically result in noise nuisance to neighbouring properties, and any noise nuisance would be subject to the usual noise controls operated by the Council under separate legislation.
17. I am satisfied from the material submitted that the proposal would not result in any significant harm to the living conditions of its potential occupiers or neighbours by additional fire or flood risk and satisfactorily meets all requirements in these regards. The proposed rear garden would provide for a suitable amenity space for a single bedroom dwelling. Through a separate process Building Control requirements will need to be met with regards to structural matters, and the structural Construction management and processes can be controlled through the application of a suitable condition on a permission.

Conditions

18. I have had regard to the suggested conditions from the council, and the comments on these from the appellant should I be minded to allow the appeal. However, I note that the appellant has stated separately that they are prepared to accept any conditions that I think are necessary to make the development acceptable.
19. Along with the standard condition relating to the timing of implementation, I have attached a condition to ensure design quality that requires compliance with the approved plans. To ensure the protection of neighbouring residents from noise nuisance I have attached a condition that requires that the heat pump complies with required standards. To protect the environment and the living conditions of neighbouring residents, I have attached a condition with regard to the control of dust, emissions and noise from demolition and construction. In the interests of sustainable transport choices, I have attached a condition requiring submission and approval of secure cycle parking facilities. In the interests of environmental quality and sustainable waste management, I have attached a condition requiring the submission and approval of details of waste and recycling facilities.
20. Given the scale of the proposal the requirements of the demolition construction logistic plan and importation of soils and infill materials set out by the Council are excessive, and I have limited these to those that reflect the nature, scale and location

of the proposal that are necessary to protect the safety of the public highway and the environment accordingly.

21. I have not included the Council's suggested condition with regard to a legal agreement that would secure 'Car Free' status or the removal of the existing dropped kerb, as I find, for the reasons given above, that these are not required to make an otherwise unacceptable development acceptable. Given the limited scale of the proposal and that design and materials are included on the approved drawings and documents, I have not included further landscaping, boundary or materials conditions. I find that there are no exceptional reasons to attach the suggested condition limiting any potential permitted development rights.

Conclusion

22. The appeal is allowed.

Victor Callister

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans 11K, 06P, 07N, 08M, 09L, 10M, 12E, Design & Access Statement Dated: 12.03.2025 Daylight and Sunlight Report (Neighbouring Properties) Dated: 17.02.2025, Materials Statement (Undated) Brick Materials Statement (undated) and Velux Rooflights Specifications (undated)
- 3) The heat pump installed as part of the development hereby permitted shall comply with the standards set out in the Microgeneration Certification Scheme (planning standards) MC20.
- 4) The demolition and construction of the development hereby permitted shall be undertaken in accordance with the Greater London Authority 'Control of Dust and Emissions from Construction and Demolition' Supplementary Planning Guidance (the SPG). Before work commences on site, the site must be registered under the NRMM Regulations, which are explained in the SPG. Hours of work on site shall be 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturday and at no time on Sundays or Public Holidays. Best practice, as defined in BS 5228 'Code of practice for noise and vibration control on

construction and open sites', shall be used for the control of noise. No burning shall be carried out on site.

- 5) No demolition or construction works shall commence unless and until Demolition and Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Logistics Plan shall include details of the likely volume of demolition and construction trips, site access and exit arrangements including wheel washing facilities and sweep paths where required, proposed temporary access and parking suspensions and any temporary access and parking solutions required and methods for protection of adjacent highway infrastructure.
- 6) Prior to occupation of the development hereby permitted full details of the secure, accessible and weatherproof cycle storage facilities for a minimum of 2 spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking provisions shall be installed prior to first occupation of the development and shall thereafter be made permanently available for its designated use.
- 7) Prior to occupation of the development hereby permitted full details of the waste management (recycling and refuse) arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the layout and dimensions of the bin storage facilities, number and type of bins they are designed to accommodate and servicing arrangements. The approved facilities shall be installed and made available for use prior to first occupation of the development and retained thereafter.

End of Schedule