



Appeal Decision

Site visit made on 25 February 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 2 April 2025

Appeal Ref: APP/Z5060/D/24/3353903

36 Langley Gardens, Barking and Dagenham, Dagenham, Essex RM9 4RR

- 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 Simona-Rozalia & Anamaria Sorina Munteanu against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 24/01201/HSE.
 - The development is an outbuilding with proposed alteration of its external appearance.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the National Planning Policy Framework (the Framework) has been updated. I am satisfied there are no changes of any consequence for the main issue in this appeal.
3. Reference to “retention” in the description of the development on the application form is not an act of development and I have removed it from the description set out in the banner heading. On the basis of my site visit it appears that the development has been substantially completed and I have determined the appeal on that basis.

Main Issue

4. The main issue is the effect of the appeal development on the character and appearance of the area.

Reasons

5. Langley Gardens is a banjo-style cul-de-sac within, and characteristic of, the Becontree Estate. The residential character of the estate derives from a consistent pattern of road layouts and terraced, two-storey houses. Dwellings are separated from the highway or footway by modest gardens contained, predominantly, by low fences or hedges allowing the façades of terrace to be seen. The arrangement of buildings, gardens and roads remains largely unaltered preserving the appearance and character of the estate as built.
6. The appeal site is a corner plot within the cul-de-sac. As such, it has a larger front garden space extending to both the side and front elevations of the dwelling. The space is contained by a low yellow-brick wall with railings between brick piers. The garden space, except for the presence of the outbuilding, retains an open appearance consistent with the character of the cul-de-sac and wider area.

7. The outbuilding replaces a previous structure of similar proportions. As built, it is a prominent feature to the front of the appeal property. It stands forward of the established building line of the terraced properties and, due to its scale and siting, interrupts the open character of and views across the corner plot. As such, I find that the outbuilding is an incongruous feature that harms the character and appearance of the area.
8. The appellant argues that outbuildings are a perceptible and common element within the grain of urban, residential areas generally and the Becontree Estate specifically. However, based on the evidence before me and observations made during my visit, I find that outbuildings are not a prominent element of the streetscene. Where outbuildings are present and visible they are located to the side of rear of properties and therefore subordinate to the principal dwelling by nature of their form and function, and siting.
9. The outbuilding is constructed from yellow brick to match the garden boundary walls. The proposal includes rendering the outbuilding to match the host property. While this would result in a more complementary relationship between the outbuilding and host property it would not prevent the principal harm resulting from the siting of the outbuilding as described above.
10. The Council has identified the Becontree Estate as a non-designated heritage asset. Paragraph 216 of the Framework states that the effect of development on the significance of a non-designated heritage asset should be taken into account in determining an application. As such, I have included this matter in my balanced judgement.
11. Therefore, I conclude that the appeal development harms the character and appearance of the area. Hence, it would conflict with Policies SP2, DMD1, DMD4, DMD5 and SPP6 of the London Borough of Barking and Dagenham Local Plan, September 2024 (the Local Plan) and Policies D4 and HC1 of the London Plan, March 2021. Together, these seek to ensure, among other matters, that development relates and is sympathetic to its local context and avoids harm to local character and heritage significance.
12. I note that the Council's decision notice refers to Policy DMD6 of the Local Plan. However, this policy relates to advertisements and signage. This is not relevant to the main issue under consideration and therefore I have not taken it into account.

Other Matters

13. I note that the outbuilding replaces a previous, similar structure of lesser quality of design and materials. The appellant argues that this, therefore, results in an enhancement to the appearance of the property. However, given the status of the preceding structure, in regard to planning, is uncertain I can afford little weight to this argument.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR