



Appeal Decision

Site visit made on 28 April 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 13th of June 2025

Appeal Ref: APP/Z5060/W/25/3361092

32 Standfield Gardens, Barking and Dagenham, Dagenham RM10 8JS

- 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 Denis Peposhi against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 24/00943/FULL.
 - The development proposed is a 1 bed 1 person dwelling with associated external amenity, bicycle store and waste storage.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against the Council. This is the subject of a separate Decision.

Preliminary Matters

3. The London Borough of Barking and Dagenham Local Plan 2020-2034 (2024) (BDLP) was adopted by the Council on 18 September 2024. In refusing planning permission, the Council referred to policies which have now been superseded. Furthermore, a new version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. I have proceeded on this basis and referred to the current development plan and Framework at the time of writing.
4. The Council's officer report identifies Becontree Estate (the Estate) as a non-designated heritage asset which is disputed by the appellant. The supporting text to Policy SPP6 of the BDLP refers to the preparation of a Design Code that will help to preserve the Estate as a non-designated heritage asset. I note that there is no reference to its status as such within the policy itself. However, there are a number of processes through which non-designated heritage assets may be identified, including, but not exclusively, the local plan-making process. Local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications. The Council have done so in this case. A recent appeal decision (44 Rugby Gardens) did not consider the Estate as a non-designated heritage asset. However, the evidence that was before that Inspector and informed that approach was different to that before me.
5. While the Planning Practice Guidance (PPG) states that it can be helpful if local planning authorities keep a local list of non-designated heritage assets it is not a statutory requirement. Similarly, the PPG advises that information on non-

designated heritage assets should be accessible to the public and up-to-date information should be included on the local historic environment record. However, this is, again, not a statutory requirement.

6. The PPG is clear in recognising that non-designated heritage assets are not restricted to individual buildings or monuments and can include places and areas with a degree of heritage significance. The conception and development of the Estate during the early-20th century is well-documented and, indeed, referenced by the appellant. The extent of the Estate is known and clearly defined as an area with local heritage significance. The Council repeatedly and consistently referred to the Estate as a non-designated heritage asset in their decision-making, which is a matter of public record. As such, the evidence before me is that the Estate is a non-designated heritage asset and I will consider it as such for the purposes of this appeal.

Main Issues

7. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the site and the surrounding area;
 - whether it has been demonstrated that the proposed development is acceptable with regards to car parking provision; and,
 - whether a statutory Biodiversity Net Gain duty would be met.

Reasons

Character and Appearance

8. The appeal site is in an area that is characterised by short blocks of terraced houses organised around a hierarchical network of roads and cul-de-sacs with regular small areas of open space. Many cul-de-sacs are laid out in a distinctive manner referred to as 'banjo' cul-de-sacs. While there is consistency in the general form of these cul-de-sacs, each, with regard to the number of houses in each terrace, spaces between terraces and the organisation of open spaces, and vehicle or pedestrian access, responds to its specific context within the wider layout of the Estate. The distinctive homogeneous pattern of buildings and spaces is planned and, individually and collectively, makes a positive contribution to the character and appearance of the area.
9. Although different architectural styles and materials were originally used across the Estate, there is broad consistency and uniformity in the design, scale, massing and proportions of houses. While subsequent alterations to and individualisation of properties, and occasional infilling of spaces, has occurred, the overriding and enduring character of the Estate is one of harmonious uniformity as conceived and built. This planned uniformity of layout and scale of buildings across the Estate, among other things, contributes to its local heritage significance.
10. The appeal site is a corner plot at the entrance to a cul-de-sac comprised of broadly similar rows of houses with defined front and end building lines. Open space to both sides of the front of the cul-de-sac and between rows creates a sense of openness in a relatively densely developed area. The end-of-terrace gardens, including the appeal site, along with the open spaces beyond, serve to

separate the cul-de-sac from the terraced rows on Standfield Road. As such, the appeal site has an open, undeveloped appearance that positively contributes to the character and appearance of the area.

11. The lower roof line, stepped-in rear elevation, narrower end elevation and front porch of the proposed development would appear at odds with the consistency of the two-storey blocks of houses in the cul-de-sac. The proposed development would appear as a distinct dwelling of different scale and proportions added to the terrace row rather than a subservient extension to the host property. As such, the proposed development would have a harmful effect on the balanced appearance and homogeneity of the existing layout of the built environment. Moreover, the proposed development would occupy the side garden space of the appeal site. As such, its location would erode the open aspect and sense of separation between Standfield Gardens and Standfield Road, resulting in cramped appearance that would harm the existing spatial arrangement of the area.
12. The appellant references several other developments within the vicinity of the appeal site. The side extensions to 6 and 11 Standfield Gardens are in the other half of Standfield Gardens, on the opposite side of Standfield Road. These extensions to the terrace rows are at the head of the cul-de-sac and therefore have less visual prominence than the appeal site. Similarly, the rear and side extensions, respectively, to Nos 23 and 27, within the same cul-de-sac as the appeal site, are at the head of the street and are, again, less prominent than the appeal site. The example of 8 Neville Gardens is also at the head of a cul-de-sac, and one that is not pedestrianised. As such, these developments are not directly comparable to the layout and context of the appeal scheme.
13. With regard to the examples at 10 Standfield Road, approved under a previous development plan, 237 Grafton Road, 18 Stockdale Road, 189 Blackburne Road, 144 Marston Avenue and 18 Basedale Road, these developments extend the line of each respective terrace row along the road they front onto. While some of these examples are on corner plots adjacent to a cul-de-sac, none relate to properties within a cul-de-sac. As such, each development does not alter the balanced appearance and spatial arrangement of a cul-de-sac in the way described above. Moreover, in each example, the associated cul-de-sac remains visually and spatially distinct from the terrace rows facing the primary road from which the cul-de-sac extends.
14. Having regard to the examples at 68 Ivyhouse Road, 1 Romsey Road, 114 Arnold Road, 104 Canonsleigh Road, 16 Nicholas Road and 14 Rosedale Road I find that each is located on a corner plot at a road junction rather than relating to a cul-de-sac entrance. As such, they are not comparable to the layout and context of the appeal site. Similarly, the in-fill permission at 40 Hardie Road and corner plot development at 35 Clementhorpe Road do not relate to sites at the entrance to a cul-de-sac.
15. The example at 231 Wood Lane has been provided to support the front entrance porch to the proposed development. However, the porch in this example is to a property located on a wide, tree-lined street, adjacent to a large open green space and seen within the context of original buildings employing a greater variety of architectural styles and detailing. The example at 24 Lynnett Gardens is not identical to the appeal site as it is located at the entrance to a cul-de-sac that does not include open spaces. Consequently, in all the above examples the context of

these schemes are not sufficiently comparable to indicate that a different conclusion would be justified on this matter.

16. The appellant argues that the examples demonstrate the evolving character of the Estate and that the proposed development should be seen in this context. Moreover, that the proposed redevelopment within the Dagenham Heathway 'Transformation Area' would result in further change in character and appearance relevant to the appeal site. However, the character and appearance of the appeal site and wider area, even taking these changes into consideration, are derived from the survival and legibility of the original homogeneous and uniform planned layout of roads and buildings. This contributes to the local heritage significance of the Estate and is therefore material to this appeal.
17. The proposed development would fail to integrate with the existing character of the area and preserve the historic fabric of the Estate. As such, the proposed development would materially detract from the heritage significance of the non-designated heritage asset. Therefore, rather than providing justification for the development in question, if anything, the presence of other development in the area points to the need for such proposals to be carefully controlled if the character and appearance and heritage significance of the area is to be safeguarded.
18. The appellant sets out a fallback position established through a Certificate of Lawfulness of Proposed Use or Development. The appellant has provided me with plans that indicate the potential effect of the property being extended through a hip-to-gable roof extension to include a rear dormer window, 3 rooflights to the front roof plane and a Juliette balcony to the rear. I agree that there is a greater than theoretical possibility of this development being implemented if this appeal is dismissed. The fallback position as presented to me would have a harmful effect on the character and appearance of the host property and the surrounding area. However, the fallback would not be significantly more harmful than the proposed development and would, at the least, preserve the side garden space and visual separation between the cul-de-sac and Standfield Road. As such, it is my planning judgement that the potential fallback does not carry sufficient weight to justify the harm identified above.
19. Taking the above into account, I conclude that the proposed development would harm the character and appearance of the area. Accordingly, it would conflict with Policies SP2, DMD1 and DMD4 of the BDLP and policies D4 and HC1 of The London Plan – The Spatial Development Strategy for Greater London, March 2021 (the London Plan). 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.

Car Parking

20. The plans submitted with the application show parking for a single vehicle within the application site. Subsequent to the application being made and the appeal being submitted the applicant has secured permission for a dropped-kerb crossover to regularise that vehicular access. However, the application form states that no additional off-street parking will result from the proposed development. I have therefore determined this matter on the basis that the proposed development includes provision of off-street parking for the exclusive use of the occupants of the host property and a one-bedroom dwelling with no allocated off-street parking.

21. Policy T6.1 of the London Plan requires that maximum parking standards are not exceeded. Therefore, the proposal does not conflict with that policy. Policy DMT2 of the BDLP requires car-free development to be the starting point for all proposals where they are well-connected to facilities by public transport, walking and cycling. The BDLP and London Plan do not set out minimum levels of parking for such development and each case should be considered on its merits. The appeal site is located within an area with a moderate to high Public Transport Accessibility Level (PTAL) rating and is only a short distance from Dagenham Heathway underground station and bus stops on Heathway and Reede Road. As such, future occupants of the proposed development would have good access to public transport and would not be entirely reliant on a private motor-vehicle. As such, I attach weight in favour of this matter.
22. However, as Standfield Gardens is a pedestrianised cul-de-sac, vehicle parking is only available on Standfield Road, which is subject to a Controlled Parking Zone (CPZ). This indicates that Standfield Road experiences parking pressures. The proposed development includes off-street parking provision for the host dwelling and, as such, for the proposed dwelling to be effective as car-free development, a mechanism is required to ensure that future occupants of the proposed dwelling would not be eligible for a residents' parking permit. In the absence of such a mechanism to secure car-free development, even if future occupants pursued the option to use sustainable modes of transport, there is sufficient likelihood that they would also opt to secure a parking permit within the CPZ and park on local roads. This would increase pressure for parking in an area already subject to parking pressures. There is no substantive evidence before me, such as an on-street parking survey, to indicate otherwise and I noted at my site visit that on-street parking is very limited.
23. The appellant refers to several other decisions including those relating to 168 Alibon Road, 18 Basedale Road and 1 Acre Road. However, each of these examples differ relative to the context of the development in respect of matters such as the availability of on-street parking, the nature of development and their PTAL rating. In the circumstances at 1 Acre Road, for example, consideration was given to the majority of houses on Acre Road benefitting from off-street parking, whereas houses on Standfield Gardens rely on on-street parking.
24. While I recognise the apparent similarities between this appeal and the example of 168 Alibon Road, and that consistency in decision-making is important, each proposal must be considered having regard to the circumstances specific to each site and the accompanying evidence. In this case, there is insufficient evidence that the proposal would not cause additional parking pressure in an area that the presence of the CPZ indicates is already under parking stress.
25. Therefore, the evidence before me does not show how the proposed development would be acceptable without car parking provision. The proposed development would not conflict with Policy T6.1 of the London Plan. However, it would conflict with Policy DMT2 of the BDLP without a mechanism to secure the development as car-free in order to promote sustainable transport use.

Biodiversity Net Gain

26. The garden of the appeal site is bounded by a hedge to the front and side. However, the application form states that there are no hedges on the development

site. Furthermore, the site plan accompanying the application shows a hedge to the front boundary of the appeal site and that the side boundary hedge would be removed. A Biodiversity Net Gain (BNG) exemption statement was submitted with the application claiming de minimis exemption under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 (the Act). However, the plans before me do not support this claim given the proposed development would impact a linear habitat of more than 5m length.

27. As such, the information accompanying the application does not provide an adequate basis for determining whether the proposed development meets the statutory BNG requirements of the Act.

Planning Balance

28. The latest Housing Delivery Test indicates that the Council's delivery of housing was substantially below the housing requirement over the previous 3 years. Therefore, paragraph 11d) of The Framework is engaged. This confirms that in such circumstances, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
29. The Framework seeks to boost the housing supply and highlights the important contribution small and medium sized sites can make, while supporting development which makes efficient use of land. The contribution of small sites is also supported by Policy H2 of the London Plan. The proposed development for a single house in an existing residential area would make a small contribution to addressing the housing supply shortfall in an area subject to under-delivery for several years. There would also be small, short-term economic advantages from the construction of the proposed development. Furthermore, there would be modest benefit from the occupation of the house and associated contribution to the local economy. As such, given the scale of the proposed development I afford only modest weight to the combined benefits.
30. In contrast, the proposed development would result in enduring harm to the character and appearance of the area and the significance of a non-designated heritage asset. It would also fail to promote sustainable modes of transport over the use of private motor-vehicles, which would also result in increased pressure on on-street parking. Based on the evidence provided, the proposed development would also fail to meet the requirements for Biodiversity Net Gain exemption.
31. The Framework identifies good design as a principal aspect of sustainable development. It requires development to be sympathetic to local character, maintain a strong sense of place and consider the effects on heritage significance. It also seeks to ensure development proposals prioritise modes of sustainable transport. Therefore, I attach considerable weight to the harmful effects that would be generated by this proposal.
32. Notwithstanding the support for new housing in the Framework, development should be appropriately designed, respond to and integrate with its surroundings and preserve heritage significance as appropriate. Therefore, while the contribution to housing supply, considered cumulatively and incrementally, and the economy would result in modest benefits, the harm to the character and appearance, and heritage significance of the area, and in respect of sustainable transport use, would be considerably greater.

33. The harms I have identified significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It follows that the proposal does not, therefore, benefit from the presumption in favour of sustainable development.

Conclusion

34. The proposed development 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