

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| APPEAL DECISIONS - PLANNING | | | | | |
|--|------------------|-----------|--------------------------------|---|---|
| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
| <p>P1181.14 Land West of Benskins Lane Benskins Lane Noak Hill Romford <i>The use of land for the stationing of caravans for residential purposes for 3 no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use.</i></p> | Hearing | Refuse | Delegated | <p>The site lies within the area identified in the Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document as Metropolitan Green Belt. Policy DC45 of the Development Plan Document and government guidance in the National Planning Policy Framework set out what development is appropriate in Green Belts. Government guidance in Planning Policy for Traveller Sites states that traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Such development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. No very special circumstances have been demonstrated in this case sufficient to outweigh the demonstrable harm that the development would cause to the openness of the Green Belt and the rural character of the area. The development would, therefore be contrary to policy DC45 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework and the Planning Policy for Traveller Sites.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations</p> | <p style="text-align: center;">Temporary</p> <p>It was agreed that traveller sites are inappropriate development in the Green Belt, and should not be approved except in very special circumstances. Notwithstanding the limited harm identified, these considerations lead to the conclusion that very special circumstances did not exist sufficient to clearly outweigh the harm that would be caused by the grant of a permanent permission.</p> <p>In support of the appellant case, the Inspector stated that having regard to the policy situation, the agreed site supply situation and the situation of this family, very special circumstances did exist which clearly outweighed the harm in respect of a temporary permission. For these reasons it was concluded that the appeal should be allowed and a three-year temporary permission was granted.</p> |

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| | | | | Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P0907.14 Cranham Golf Course St. Marys Lane Upminster <i>Proposed Solar Park</i></p> | <p>Written Reps</p> | <p>Approve With Conditions</p> | <p>Committee</p> | <p>It is considered that the proposal would constitute inappropriate development in the Green Belt, and that very special circumstances have not been demonstrated in this case that would clearly outweigh the harm by reason of inappropriateness and other harm. The proposal is therefore contrary to the guidance contained in the National Planning Policy Framework. The proposal, by reason of the number of solar panels and their arrangement across the site, together with the scale and extent of associated structures and development, would be materially harmful to the open character of the Green Belt, and to the visual amenities of the surrounding area, contrary to Policy DC61 of the Development Control Policies Development Plan Document. The proposed solar panels, by reason of the scale of the development and the location of the site in relation to the nearby motorway, would create conditions that would present a distraction to users of the M25 and would therefore be significantly harmful to highway safety, contrary to Policy DC32 of the Development Control Policies Development Plan Document.</p> | <p>Allowed with Conditions</p> <p>The Inspector found that factors that counted against the scheme were the harm that the proposed development would cause to the Green Belt, by reason of its inappropriateness; substantial weight was attached to this, moreover the proposal would have an adverse impact on openness; and would conflict with one of the five purposes for designating Green Belt.</p> <p>In support of the scheme the Inspector attached substantial weight to the benefits associated with the proposed production of energy from a clean and renewable source, and considerable weight should attach to the ecological benefits that would be achieved by the development proposals. Finally on the highways issue, the Inspector agreed with the findings of the submitted Solar Photovoltaic Glint and Glare Study which were accepted by Council Officers. Furthermore the views of the Highway Agency were specifically requested: it raised no objection to the proposal.</p> <p>In summary the totality of the harm that would be caused by the proposed development was clearly outweighed by other considerations, such that the very special circumstances, necessary to justify a grant of planning permission for development in the Green Belt, existed in this case.</p> |

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| | | | | | <p>An application for a full award of costs was refused as the Council followed the correct decision-making procedure in this case, assessing the relevant Green Belt considerations. In this respect, and a full award of costs was not justified. However the third reason for refusal asserted that the proposed solar panels would create conditions that would present a distraction to users of the M25 and would therefore be significantly harmful to highway safety. The Inspector found it difficult to understand how the Committee Members reached that view given the advice of its Planning Officers, informed by the comprehensive Solar Photovoltaic Glint and Glare Study and the consultation response from the Highways Agency who did not object to the proposal on highway safety grounds, subject to the imposition of appropriate conditions. The reason for refusal was unsupported by any objective analysis and this constituted unreasonable behaviour on the part of the Council. Therefore an application for a partial award of costs was allowed</p> |
| <p>P0809.14 13 Burntwood Avenue Hornchurch <i>Demolition of the existing care home and the erection of 4 dwellings and an access road (outline application).</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The proposed development, by reason of the plot layout and the extent of built form introduced into the existing open garden layout, combined with the limited plot width of the frontage unit adjacent to the access road, would give rise to a development that is out of keeping with and harmful to the spacious character of the Emerson Park area and the wider streetscene, contrary to the provisions of the Emerson Park SPD and the</p> | <p>Allowed with Conditions On the first issue, the Inspector concluded the proposal would retain the spacious and well landscaped character and appearance of Emerson Park. In relation to the second issue concerning the use of the proposed driveway, it was found that it would not create an unreasonable level of noise or disturbance and the development would not harm the outlook, light, outlook or the privacy of the</p> |

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| | | | | <p>provisions of Policies DC69 and DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the location of the access road in close proximity to the boundary with no.11 Burntwood Avenue, would give rise to levels of noise and disturbance from vehicular activity that would be detrimental to the amenity of adjoining occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p>occupants of nearby properties. On the final reason, the appellant submitted an Obligation and the requirement for a contribution towards infrastructure would be necessary, directly related to the development and fairly and reasonably related in scale and kind to the development</p> <p>An application for a partial award of costs was made in relation to the first and second reasons for refusal. It was made on the grounds that the Council had failed to fully justify their reasons for refusal; failed to determine the application in a consistent manner; and the Committee determining the application failed to follow the advice of the officers. The Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated and the application was refused.</p> |
| <p>P1363.14 30 Elms Close Hornchurch <i>Retention of outbuilding</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The outbuilding, by reason of its design, external materials and position close to the boundaries of the site, is considered to be an unneighbourly development which creates a dominant and visually intrusive feature in the rear garden environment, that is harmful to the amenity of adjacent occupiers, contrary to the Residential Extensions and Alteration SPD and Policy DC61 of the LDF Development Control Policies Plan Document.</p> | <p style="text-align: center;">Allowed</p> <p>The Inspector was satisfied that the appeal building did not cause unacceptable harm to the character and appearance of the area. Furthermore it did not result in unacceptable harm to the outlook or living conditions of neighbouring occupiers</p> |

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| <p>P1010.14 Dovetail House 60 Station Road Upminster <i>The proposal is for demolition of existing building and construction of new mixed use building with retail use on the ground floor with a cycle store and two bin stores and residential units on the upper floors.</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The proposed residential section of the development in Howard Road would, by reason of its height and scale appear as an unacceptably dominant and visually intrusive feature in the Howard Road streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on the first reason for refusal. As the conclusions on the main issue represented a compelling reason for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason)</p> |
| <p>P0251.14 Hare Lodge Upper Brentwood Road Romford <i>Construction of a two storey dwelling.</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The attempt to integrate a pitched roof onto a modernist architecturally themed building creates a weak, discordant design which would be incongruous to the setting of Hare Hall Lodge and be materially harmful to the character of the Gidea Park Special Character Area contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p style="text-align: center;">Dismissed</p> <p>On the first issue, the Inspector concluded that the inclusion of modernist architectural detailing to the windows and doors would not be particularly jarring against the hipped roof. The simple elevational treatment of light coloured render would not detract from the arts and crafts design of Hare Lodge and the proposed development would be subservient in scale and form to Hare Lodge. Therefore the proposal would not harm the character and appearance of Hare Lodge or the GPSCA.</p> <p>The Inspector agreed with the Council on the second reason for refusal. No unilateral undertaking was submitted in respect of the</p> |

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| | | | | | required contribution and the Inspector found that the absence of a planning obligation meant that the development would not make adequate provision for infrastructure, contrary to LDF Policy. In summary the absence of harm on the first issue did not outweigh the harm found with regard to infrastructure provision. |
| <p>P1484.14 5 Crossways Gidea Park Romford <i>Change front drive to sweeping drive in/drive out style</i></p> | Written Reps | Refuse | Delegated | The proposals would significantly reduce the amount of soft landscaping in the front garden and by reason of the carriage style driveway, result in a form of development which detracts from the setting of the property. The proposals would neither preserve or enhance the special character and appearance of the Gidea Park Conservation Area, contrary to the National Planning Policy Framework and Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD. | <p>Allowed with Conditions</p> <p>The Inspector found that subject to an appropriate hard and soft landscaping scheme, the proposal would make a valuable contribution to the verdant setting of the host dwelling and the street scene which would potentially make a far greater contribution than the existing arrangement. It would both preserve and enhance the sylvan character and appearance of the GPCA and would not harm its significance</p> |
| <p>P1405.14 84 Dorking Road land r/o Harold Hill <i>Residential development comprising 2No. 1 bed maisonettes & 2 three bed houses in two storey buildings including roof accommodation and associated parking, amenity, cycle & refuse storage.</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of the restricted plot size, height and positioning of the buildings close to the boundaries and first floor overlooking windows, appear dominant and result in a cramped over-development of the site to the detriment to the character of the surrounding area and the amenity of adjoining residential occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>The proposed development would, by reason of the design of the frontage</p> | <p>Dismissed</p> <p>The Inspector agreed with the Council regarding the first two reasons for refusal. On the third reason the Inspector found that there would be no adverse impact on the living conditions of neighbours. As the conclusions on two of the main issues represented a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason).</p> |

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| | | | | <p>building, in particular the uncharacteristic roof dormers and undercroft entrance, appear as a visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the location of the amenity space for the flats, does not provide for sufficiently private and usable amenity space, thereby harmful to the privacy and amenity of the future occupiers of the flats, contrary to the provisions of the Residential Design SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of Policy DC72 of the LDF Core Strategy and Development Control Policies DPD and the Havering Planning Obligations Supplementary Planning Document.</p> | |

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| <p>P1679.14 34 Reed Pond Walk Romford <i>Installation of solar panels to the rear roof slope.</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The information provided does not demonstrate that the solar panels would be a good match for the existing roof materials and would not be visible from the street. It is considered that the proposal would not preserve or enhance the character or appearance of the Gidea Park Conservation Area and would be contrary to policies DC61(Urban Design) and DC68 (Conservation Areas) of the Havering Core Strategy and Development Control Policies Development Plan Document.</p> | <p>Dismissed The Inspector agreed that the proposed solar panels would seriously detract from the character and appearance of the property, the setting of the adjacent listed buildings and the rear garden environment. It would therefore fail to preserve the character or appearance of the GPCA as a whole and the harm that would be caused to the significance of the GPCA would not be outweighed by any public benefits</p> |
| <p>P1357.14 15 Burntwood Avenue Hornchurch <i>Demolition of house and erection of 2 two storey detached dwellings with accomodation in roof space.</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would by reason of the limited plot frontage width for 15 and 15a Burntwood Avenue, appear incongruous and unduly cramped in the streetscene and harmful to the open and spacious character of the surrounding area in Sector 6 of Emerson Park contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD and the Emerson Park Policy Area SPD. The first floor balcony on the rear facade of No. 15 Burntwood Avenue would, by reason of its excessive depth, siting and proximity to the western boundary of the site, prejudice the development potential of St Mary's Convent, 13 Burntwood Road and result in undue overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent and future occupiers, particularly No.'s 13 and 15a Burntwood Avenue contrary to Policy DC61 of the LDF Core Strategy and</p> | <p>Dismissed The Inspector agreed with the Council on the first two reasons and it was not necessary to consider the issue of the contribution requested by the Council (the final reason).</p> |

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| | | | | <p>Development Control Policies DPD. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | |
| <p>P0958.14 42 Frederick Road Rainham <i>Erect Detached Bungalow, Lay Out Parking and Amenity Areas, Form Private Drive and Alter Accesses onto Frederick Road</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would, by reason of its position in the rear garden of the host property result in a cramped form of development that would be uncharacteristic of the area. As a result it would be materially harmful to the character and appearance of the area contrary to Policies CP17, DC3 and DC61 of Core Strategy and Development Control Policies Development Plan Document and the guidance in the Residential Design SPD and the National Planning Policy Framework.</p> <p>The proposed development would, by reason of its position and close proximity to the rear gardens of neighbouring properties cause a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on the first two reasons for refusal. As the conclusions on two of the main issues represented compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason)</p> |

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| | | | | Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P1118.14 Rear of 26 St Lawrence Road Upminster <i>Removal of existing garage used for storage to construct a One bedroom chalet-style bungalow including amenity space.</i></p> | Written Reps | Refuse | Delegated | <p>The proposed bungalow would by reason of its density and layout result in over-development of the site. The density proposed for the site is beyond the limits as set out in local and regional planning policy, giving rise to an unacceptably cramped appearance and overdevelopment of the site harmful to the character and appearance of the surrounding area, visually intrusive and out of character contrary to Policies DC2 and DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its layout, density and positioning within the site, result in a poor outlook and living environment for future resident's due to the overlooked amenity space and proximity of adjacent properties and their vehicle access/storage routes contrary to the Residential Design Supporting Planning Document and Policy DC61 of the Local Development Framework Development Control Document.</p> <p>In failing to deliver a high quality of design and layout through the deficiencies described in reasons 2-3 above, the proposal fails to justify such high density of development and would result in an overdevelopment of the site, contrary to Policies DC2 and DC61 of the LDF Development Control Policies</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council regarding reasons for refusal 1 to 4. As the conclusions on the main issues represented a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason).</p> |

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| | | | | <p>Development Plan Document. The proposal fails to make adequate provision for refuse collection contrary to Policy DC36 of the Core Strategy and Development Control Policies Development Plan Document. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | |
| <p>P0122.15 168-168C Main Road Romford CHANGE OF USE OF RETAIL SHOP TO RESTAURANT (A3 USE) AND JOINT USE WITH 168C MAIN ROAD.</p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposal is contrary to Policy DC16 (Core and Fringe Frontages in District and Local Centres) of the Core Strategy and Development Control Policies Development Plan Document as it would result in the grouping of 3 adjacent non-retail units and would increase the percentage of non-retail units in the parade and the Core Area of which it is a part, to an unacceptable level. This would be to the detriment of the vitality and viability of both the parade of shops and the Gidea Park Major Local Centre.</p> | <p>Dismissed The Inspector agreed with the Council on the sole reason for refusal and concluded that the proposed development would have an adverse effect on the vitality and viability of the Gidea Park Major Local Centre.</p> |
| <p>P0063.15 7 Ingrebourne Gardens Upminster Construction of single storey rear and two storey side & rear extension with new entrance porch and canopy roof</p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would, by reason of its very close proximity along the flank boundary, close the characteristic gap and appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and</p> | <p>Dismissed The Inspector agreed with the Council's conclusions on the effect of the development on the character and appearance of the surrounding area.</p> |

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| | | | | Development Control Policies DPD. | |
| <p>P0021.15 43 Gordon Avenue Hornchurch <i>Loft conversion with rear and side extensions</i></p> | Written Reps | Approve With Conditions | Committee | The rear extension as built, by reason of its design and bulk, in particular the additional height and the additional depth of the rear soffit compared to that granted planning permission under ref. P1140.14, would appear as an intrusive and unneighbourly development harmful to the rear garden environment and to the amenities of neighbouring properties contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. | <p>Allowed with Conditions</p> <p>The Inspector concluded that the rear extension element of the scheme did not represent an intrusive or dominant development. It would not cause material harm to the living conditions of the neighbouring properties and they would continue to receive adequate levels of sunlight and daylight. The Council raised no objection to the single storey side extension or loft conversion on the submitted plans</p> |
| <p>P1617.14 The Lodge 67 Corbets Tey Road Upminster <i>Erection of 6No 1 bedroom flats.</i></p> | Written Reps | Approved with Agreement | Committee | <p>The proposal, by reason of the scale and mass of the building and proximity to site boundaries is considered to give rise to a cramped, overdevelopment of the site, detrimental to local character and amenity and contrary to the provisions of Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal represents an overdevelopment of the site, resulting in a cramped site layout and inadequate provision of amenity space for the future occupiers of the proposed development, detrimental to residential amenity and contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD and the provisions of the Residential Design SPD.</p> <p>The propoosal would, by reason of the</p> | <p>Dismissed</p> <p>The Inspector agreed with the Council on the first reason for refusal (character and appearance) but not on the second and third reasons (amenity space and parking). As the conclusions on the first main issue represents a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason).</p> <p>The appellant made an application for a full award of costs against the Council. The Inspector found that unreasonable behaviour resulting in wasted expense was demonstrated solely in relation to car parking provision and for this reason a partial award of costs was justified.</p> |

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| | | | | <p>inadequate on site parking provision for occupiers of the development and visitors, be likely to create conditions adversely affecting the functioning of the site and thereby detrimental to the amenity of occupiers of the site, as well as the potential for unacceptable overspill on adjoining roads, contrary to Policies DC61 and DC32 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | |
| <p>P0098.15 1 Ethelburga Road Romford <i>Conversion of a 9 bedroom care home into a House of Multiple Occupancy consisting of 9 bedsits sharing a kitchen. Also a new central dropped kerb to front of property</i></p> | <p>Written Reps</p> | <p>Approve With Conditions</p> | <p>Committee</p> | <p>The intensity of the use proposed would, by reason of noise and disturbance caused by comings and goings and the use of the rear garden, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policies DC55 and DC61 of the LDF Development Control Policies Development Plan Document.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p>Allowed with Conditions</p> <p>The Inspector found that with a restriction on occupancy numbers, the proposed HMO would not cause harm to the living conditions of surrounding neighbouring properties. In regard to the proposal having a similar number of occupants to the existing lawful use, it was found that the appeal property would provide adequate outdoor facilities for future occupants. Finally the site is in a highly sustainable location within a very short walking distance to Harold Wood Railway Station. The proposal included 5 off road car parking spaces to the front of the property and this level of provision meets the requirements of Council parking standards</p> |

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| | | | | The proposed development would, by reason of the inadequate provision of amenity space for the intensity of use proposed, result in a poor standard of accommodation to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document. | |
| <p>P0213.15 2 Clairvale Hornchurch <i>Double storey side extension, Single storey rear extension with front alterations and internal modifications</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its height, scale, bulk and mass, close to the boundaries of the site, amount to an unsatisfactory form of development which would appear obtrusive and uncharacteristic of the surrounding area as well as being unacceptably dominant and visually intrusive within the streetscene and rear garden area. In all, the development is considered harmful to the appearance of the surrounding area and is contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Emerson Park SPD. | <p>Allowed with Conditions The Inspector found that that the proposed extension would not appear cramped in regard to its surroundings and therefore it was not out of character within the area. Furthermore it would maintain the spacious character and appearance of Emerson Park Policy Area</p> |
| <p>P0147.15 1 North Weald Close Hornchurch <i>Single and double storey side extensions Internal alterations and new front entrance location</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its excessive width, lack of subservience and crown roof form over the single storey side extension, visually unbalance the appearance of this semi-detached house and appear as an unacceptable development which would be dominant and visually intrusive in the street scene, harmful to the appearance of the surrounding area contrary to the Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core | <p>Allowed with Conditions The Inspector was satisfied that the appeal proposal was subservient to the host property and would upset the limited symmetry of the pair of semi-detached houses. The proposal therefore did not cause unacceptable harm to the character and appearance to the host property nor to the surrounding area</p> |

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|--|------------------|-----------|--------------------------------|--|---|
| | | | | Strategy and Development Control Policies DPD. | |
| <p>P0302.15 1 Broadway Gidea Park Romford <i>Front porch, new front bay window and formation of canopy roofs to front and rear elevations and alterations to existing windows</i></p> | Written Reps | Refuse | Delegated | The proposed changes to the front elevation of this attractive house would neither preserve or enhance the character and appearance of the property itself or the Gidea Park Conservation Area, contrary to Policies CP17, CP18, DC61 and DC68 of the LDF Development Control Policies Development Plan Document. | <p style="text-align: center;">Dismissed</p> <p>Split decision: The appeal was dismissed insofar as it relates to the formation of canopy roofs to form a porch and over bay windows to the front and minor front window alterations. The appeal was allowed insofar as it relates to the rear canopy and minor rear window alterations and the Council stated that they had no objection to this element of the proposal.</p> |
| <p>P0402.15 150 Collier Row Road Romford <i>Erection of outbuilding to rear garden</i></p> | Written Reps | Refuse | Delegated | The proposed outbuilding would, by reason of its size, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment, harmful to the appearance of the surrounding area, contrary to the Supplementary Planning Document for Residential Extensions and Alterations and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed completely with the Council's reason for refusal and dismissed the appeal.</p> |
| <p>P1564.14 19 Blyth Walk Upminster <i>Erection of 2 storey dwelling with private amenity and off street car parking with new crossover.</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area. The proposed plot sizes and car parking layout would be out of character with the pattern of development in the surrounding area. | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on the first reason for refusal. As the conclusions on the main issue represented a compelling reason for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason).</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|---------------------|---------------|--------------------------------|---|---|
| | | | | <p>On this basis, the proposal would be contrary to Policy 7.4 of the London Plan 2011; Policy CP17, DC3, and DC61 of the LDF Core Strategy and Development Control Policies DPD; and the Residential Design SPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p> | |
| <p>P0578.15 5 Winchester Avenue Upminster <i>Hip to gable roof with rear facing dormer window, single/two storey side extension and single storey front porch extension</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development by reason of its general design and gable roof form will visually unbalance the appearance of this semi-detached pair of properties. The proposals will therefore appear as an unacceptably dominant and visually intrusive form of development, causing harm to the streetscene, contrary to the Residential Extensions and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>The proposed rear dormer window would, by reason of its excessive width and bulk together with its intrusive rendered appearance, appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area, contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council's reasoning for refusing the application and dismissed the appeal.</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|------------------|-----------|--------------------------------|--|--|
| | | | | Core Strategy and Development Control Policies Plan Document. | |
| <p>P1243.14 1 Albert Road Romford <i>Demolition of existing building and construction of 6 new dwellings with off street car parking, landscaping and private amenity.</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of the inadequate provision of amenity space for the semi-detached dwelling to the south of the site, result in a cramped over-development of the site to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 and the Design for Living Supplementary Planning Document.</p> <p>The semi-detached dwellings would, due to their siting and proximity to the north eastern boundary, appear unacceptably cramped and be out of scale and character with the local pattern of development harmful to the character and appearance of the surrounding area and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The semi-detached dwellings would, by reason of their height, gabled roof, scale, bulk, mass, siting and proximity to boundaries of the site, be an unneighbourly development and appear overbearing, dominant and visually intrusive in the rear garden environment and would also result in undue overlooking and loss of privacy to neighbouring occupiers, particularly No.'s 124 -132 Victoria Road contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on the first three reasons and it was therefore not necessary to consider the issue of the contribution requested by the Council; (the final reason).</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|-------------------------|------------------|-----------|--------------------------------|--|-----------------------------------|
| | | | | In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD. | |

TOTAL PLANNING = **24**

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|-----------|--------------------------------|--------------------|---|
| APPEAL DECISIONS - ENFORCEMENT | | | | | |
| Description and Address | Appeal Procedure | | | Reason for Refusal | Inspector's Decision and Comments |
| ENF/10/14/ Yard 3 Clockhouse Lane Collier Row Romford | Hearing | | | | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on grounds (a), (f) and (g) appealed by the appellant. The enforcement notice was corrected in several respects and subject to these changes the appeal was dismissed and the enforcement notice is upheld, and planning permission is refused on the planning application deemed to have been made under ground (a)</p> |
| ENF/481/09/UP Leprechaun New Holding Gerpins Lane Upminster | Written Reps | | | | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the reasoning of the Council for serving the notice in regard to grounds (a) & (d) appealed by the appellant. The appeal was dismissed and the enforcement notice was upheld, and planning permission was refused on the application deemed to have been made on ground (a).</p> <p>The appellant has applied for leave to challenge the Inspector's conclusions at the High Court. The Council await the outcome of the permission for leave hearing.</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|------------------|-----------|--------------------------------|--------------------|---|
| ENF/335/11/HY 30 Elms Close Hornchurch | Written Reps | | | | <p style="text-align: center;">Dismissed</p> The Inspector found that the requirements of the notice were not excessive to remedy the breach of planning control as alleged. The appeal on ground (f) failed and the enforcement notice was upheld. It is noted that the requirements to remove or carry out alterations to the outbuilding as set out in the notice will be overridden by the grant of permission under planning appeal of P1363.14 |
| ENF/332/13/BL Detection House Brooklands Approach Romford | Written Reps | | | | <p style="text-align: center;">Dismissed</p> The appeal was made on grounds (a), (f) and (g) by the appellant. The enforcement notice was corrected and varied in several respects. Subject to these changes the appeal was dismissed and the enforcement notice was upheld and planning permission was refused on the application deemed to have been made on ground (a). |

TOTAL ENF = **4**

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--------------------------------|------------------|-----------|--------------------------------|--------------------|-----------------------------------|
| Summary Info: | | | | | |
| Total Planning = | | | 24 | | |
| Total Enf = | | | 4 | | |
| Appeals Decided = | | | 32 | | |
| Appeals Withdrawn or Invalid = | | | 4 | | |
| Total = | | | 28 | | |
| | Dismissed | | Allowed | | |
| Hearings | 1 | 3.57% | 1 | 3.57% | |
| Inquiries | 0 | 0.00% | 0 | 0.00% | |
| Written Reps | 18 | 64.29% | 8 | 28.57% | |