

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1742.14 Land at Oak Farm Maylands Fields Romford <i>Change of use of land to burial grounds including removal of existing agricultural buildings and erection of two pavilion buildings for associated usage, hard and soft landscaping, new access to A12 and internal roads and paths, parking, and workshop area for storage of associated equipment, tools and materials.</i></p>	Local Inquiry	Refuse	Committee	<p>The proposed material change of use and building operations would constitute inappropriate Green Belt development, and in the absence of very special circumstances that clearly outweigh the harm to the Green Belt, by reason of inappropriateness and other harm, the proposal is considered to be contrary to the guidance contained in the National Planning Policy Framework.</p> <p>The proposed structures, burial areas, hardstandings, and car park would result in significant harm to the rural appearance of the site and to the visual amenities of the Green Belt. The proposal is therefore considered to be contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD, and the guidance contained in the National Planning Policy Framework.</p> <p>Insufficient information has been submitted to demonstrate that the proposal could not be provided in closer proximity to those communities that it would serve, and it is therefore considered to be contrary to Policy 7.23 of the London Plan.</p> <p>The submitted flood risk assessment fails to demonstrate that the proposed development would not result in a net loss of floodplain storage and that acceptable surface water drainage arrangements could be achieved. The proposal is therefore contrary to the guidance contained in the National Planning Policy Framework.</p>	<p>Allowed with Conditions</p> <p>The planning appeal was recovered for decision by the Secretary of State. A recovered appeal is one where instead of an inspector making the decision writes a report that will make a recommendation on how the appeal should be determined. This will then be passed to the secretary of state to make the decision, taking into account the inspector's recommendation.</p> <p>In this instance, the Inspector recommended that the appeal be allowed and planning permission granted subject to conditions. The Secretary of State agreed with the Inspector's conclusions and agreed with the recommendation</p> <p>The main parties agreed that the proposed development would be inappropriate in the Green Belt. As inappropriate development is by definition harmful to the Green Belt the appeal scheme cannot be approved except in very special circumstances. It was noted that Green Belt policy in the NPPF indicates that a change of use of land to use as a cemetery is considered inappropriate development.</p> <p>Inappropriate development in the Green Belt is harmful by definition and should not be approved except in very special circumstances. Substantial weight was attached to this definitional harm to the Green Belt, however there would not be any harm to visual amenity and that the character and appearance of the local area would also</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					<p>be preserved. It was found that the proposed development would not result in unacceptable adverse impacts on living conditions of adjoining occupiers.</p> <p>In regard to traffic, the Secretary of State agreed with the Inspector's conclusions in that the proposal would have no significant impact on the adjacent highway network, nor would it result in any demonstrable increase in delays on the motorways or materially affect any resulting re-routing of traffic which might occur on the adjacent network. Finally the proposed access way would not constitute a risk to highway safety</p> <p>Turning to whether very special circumstances existed, it was recognised that there is a need in London for additional burial facilities for Muslims and considerable weight was attached to this need. In terms of the benefits of the proposed development, moderate weight was given to the improved access for the public and improvements to the site's ecology and landscape features. Moderate weight was attached to the lack of suitable alternative sites. It was considered that the weight of these considerations in favour of the proposal was sufficient to clearly outweigh the harm to the Green Belt and any other harm so that very special circumstances exist to justify the proposal.</p> <p>The Secretary of State concluded that the appeal should be allowed and planning permission granted subject to conditions.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0460.16 14 Rainham Road Rainham <i>Retention of Car Wash Reception cabin and erection of canopy (8mx5m) for the purposes of drying, valeting and polishing cars. Additional Car Wash Area for vans.</i></p>	Written Reps	Refuse	Delegated	The proposed additional car wash area for vans would, by reason of vehicle washing operations taking place in the open air with no specific protection measures, involving larger vehicles and more staff, result in an unacceptable increase in noise and disturbance causing significant harm, detrimental to the amenities of adjacent occupiers and contrary to Policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Dismissed</p> <p>The Inspector found that the noise and disturbance that would be generated by the additional open wash area, whether it were to be used for vans or cars, would have a significant adverse effect on the living conditions of nearby residential occupiers. The noise and disturbance would arise from vehicles, customers, staff and from the washing itself, particularly if powered equipment such as pressure washers were used.</p>
<p>E0016.15 20 Wilfred Avenue Rainham <i>Certificate of lawfulness for existing front garden walls in accordance with TOWN AND COUNTRY PLANNING (General Permitted Development)(England) ORDER 2015 - Part 2, Minor Operations as limited by section A.1(b).</i></p>	Written Reps	Refuse	Delegated	The walls create an obstruction to the view of persons using a highway used by vehicular traffic, so as to be likely to cause danger to such persons and therefore by virtue of Article 3(6) of the Town and Country Planning (General Permitted Development)(England)Order 2015, the permission granted by Schedule 2 of the Order does not apply. Planning permission is therefore required for the walls. The walls, at the point adjacent to the highway, exceed 1 metre in height. The development does not comply with Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015. Planning permission is therefore required for the walls.	<p style="text-align: center;">Dismissed</p> <p>The construction of the walls would create an obstruction to the view of persons using the highway used by vehicular traffic so as to be likely to cause danger to such persons. The construction of the walls is therefore not permitted development pursuant to Article 3(6) of the GPDO. The refusal to grant a certificate of lawful use or development in respect of the erection of front garden walls was well-founded.</p>
<p>P0604.16 66 Harold Court Road Romford <i>The demolition of an existing house and</i></p>	Written Reps	Refuse	Delegated	The site is within the area identified in the Core Strategy and Development Control Policies Development Plan Document and Proposals Map as Metropolitan Green Belt. The	<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council; the proposal would be inappropriate development in the Green Belt; it would result in a loss of openness and</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>outbuildings and the construction of a replacement dwelling.</i>				Development Plan Document, the London Plan and Government Guidance in the National Planning Policy Framework all seek to protect the Green Belt from inappropriate development that would have a material impact on its openness. The proposed development is considered to be inappropriate development that would have a materially harmful impact on the openness of the Green Belt. Such development should only be permitted where it is clearly demonstrated that there are 'very special circumstances' sufficient to outweigh the harm that would be caused to the Green Belt and any other harm that would arise. No 'very special circumstances' have been demonstrated in this case that are sufficient to outweigh this harm. The increase in the bulk of the buildings on site compared with the existing would also have a materially adverse impact on the character and appearance of the Green Belt. As a consequence the proposal would be contrary to the guidance in the National Planning Policy Framework and Policies DC45 and DC69 of the Core Strategy and Development Control Policies Development Plan Document.	would be more visually prominent than the extant buildings
P1854.15 48 Montgomery Crescent Romford <i>Erection of 1no. two-bedroom house to the</i>	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	Dismissed The appeal proposal would appear awkward and cramped, as well as being obtrusive, highly dominant and prominent in the street scene. The Inspector considered that the

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>side of existing property</i>				of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.	absence of a legal agreement relating to a financial contribution towards education provision, should not weigh against the development.
<p>P0385.16 12 MacLennan Avenue Rainham <i>Conversion of existing outbuilding including side extension and new mono pitched roof to create a 1 bedroom dwelling with private amenity and off street car parking.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development by reason of its prominent rear garden location and excessive height, bulk, scale and positioning close to the boundaries of the site, would appear as an incongruous and unacceptably dominant, overbearing and visually intrusive feature harmful to the amenity of neighbouring occupiers and as a result of poor quality outdoor amenity space and layout would be detrimental to the amenity of future occupiers, thus is contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and Residential Design SPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council in regard to its impact on the character and appearance of the area but not on the living conditions of the occupiers of neighbouring properties and those of future occupiers and found that a financial contribution to education infrastructure should not be sought for a 1 bed unit</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.	
<p>P0527.16 6 Wood View Mews ROMFORD <i>External Alteration and use of garage as home office pursuant to conditions 5 and 8 of planning permission P1746.07</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of the resultant inadequate on site car parking provision, cause an unacceptable overspill onto the adjoining road to the detriment of highway safety and residential amenity and contrary to the aims and objectives of Policies DC32 and DC33 of the LDF Development Control Policies Development Plan Document	<p style="text-align: center;">Allowed with Conditions</p> The Inspector found that the level of availability of on plot parking for other dwellings indicated that there was unlikely to be significant pressure on the road for additional parking. It was concluded that the proposal would not have a harmful effect on highway safety.
<p>P0684.16 Station Chambers Oak Road ROMFORD <i>Mansard style roof extension incorporating 4no. one bedroom flats</i></p>	Written Reps	Refuse	Delegated	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, DC32 and DC33 of the Core Strategy and Development Control Policies Development Plan Document. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of policies DC29 and DC72 of the Core Strategy and Development Control Policies Development Plan Document and policy 8.2 of the London Plan.	<p style="text-align: center;">Dismissed</p> The Inspector concluded that the proposal would cause harm to highway safety due to insufficient parking provision. On the issue of a financial contribution to education facilities within the area, the Inspector found that this would not be necessary and, thus, the absence of a provision in this respect would not be a reason to find against the scheme

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1835.15 177 and 179 Mawney Road Romford <i>Erection of 2no. semi-detached houses within the rear gardens of 177 and 179 Mawney Road.</i></p>	<p>Written Repts</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its prominent rear garden location, height, bulk and mass, appear as an incongruous and unacceptably dominant, overbearing and visually intrusive feature in the rear garden setting which would be harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its prominent rear garden location, height, bulk, mass and position close to the boundaries of the site appear as a dominant, overbearing, unneighbourly and visually intrusive feature in the rear garden environment harmful to the amenity of adjacent occupiers and the access road with no buffer would result in noise and disturbance to existing occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>Dismissed</p> <p>The Inspector found for the Council in regard of the effect of the proposal on the character and appearance of the area. On the issue of the impact on the living conditions of the occupiers of adjacent properties; and whether the proposal makes adequate provision towards education in the area arising from the development, the Inspector found for the appellant but this did not overcome the findings on the first issue.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0943.16 280 Main Road Gidea Park Romford 2 detached four bedroom houses with detached garages- sub division of garden</p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its height, scale, bulk, mass and siting, appear incongruous and out of character in the open and spacious rear garden environment and fail to relate to neighbouring development in the surrounding area, harmful to the character and appearance of the Gidea Park Special Character Area and contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD. The access road would, by reason of its position, length and proximity to neighbouring properties, result in noise and disturbance harmful to the amenity of adjacent occupiers, including No. 282 Main Road, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed dwellings would, by reason of their height, scale, bulk, mass and siting, be an intrusive, dominant and unneighbourly development and result in a loss of amenity as well as undue overlooking and loss of privacy to No. 282 Main Road, including its rear garden, which would have 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. The proposed development would, by reason of the removal of the trees protected by Tree Preservation Orders</p>	<p>Dismissed</p> <p>The Inspector found for the Council in regard to the protected trees and whether the proposal makes appropriate provision for infrastructure, with particular regard to school places. Whilst there would not be harm to living conditions of existing occupiers with regard to outlook and privacy, the use of the new access would give rise to unacceptable levels of noise and disturbance to existing occupiers compared with the existing arrangement.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>TPO 2-03 and TPO 19-71, be materially harmful to the character and amenity of the surrounding area, contrary to Policy DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Protection of Trees during Development Supplementary Planning Document. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p>M0015.16 Wingleye Lane(Base Station) land r/o 1a Woodhall Crescent Hornchurch <i>Replacement of 12m phase 1 monopole with 15m Slimline Alpha monopole with 1No additional equipment cabinet</i></p>	<p>Written Reps</p>	<p>Refuse Prior Approval</p>	<p>Delegated</p>	<p>The proposed development would, by reason of the increased height and prominent siting of the replacement mast, result in a visually obtrusive and overbearing feature which would lack sufficient screening so as to mitigate its visual impact. In addition the increase in the footprint of the base station as a result of the additional cabinet, would result in a cluttered visual aesthetic detrimental to the existing street-scene. The proposal is therefore contrary to Policies DC61 and DC64 of the LDF Core Strategy and Development Plan Policies Development Plan Document.</p>	<p>Allowed with Conditions The Inspector concluded that in relative terms the mast would only be slightly taller than the existing monopole, its appearance and colour would be similar to other surrounding street furniture and existing mature trees would provide significant screening. The equipment cabinet would be also be small in scale, designed for purpose and appropriately coloured</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0093.16 131 Shepherds Hill Romford <i>Erection of 1no. four-bedroom detached house to the rear of 131 Shepherds Hill.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The site is within the area identified in the Core Strategy and Development Control Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belts) states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No very special circumstances to warrant a departure from this policy have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Development Control Policies Development Plan Document Policy. The proposed development, by reason of the bulk and size of the proposed dwelling, would result in a visually intrusive form of development, which is detrimental to the open character of the Green Belt at this point. The proposal is therefore contrary to Policies DC45 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document, as well as the provisions of the National Planning Policy Framework. In the absence of a legal agreement to secure contributions towards the</p>	<p>Dismissed The Inspector found for the appellants on all of the green belt matters however on the supply of and demand for education provision, no legal agreement was submitted and it was concluded that the proposal would have an unacceptable effect on the demand for and provision of school places in the locality.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.	
<p>P0343.16 131 Brentwood Road Romford <i>Erection of part single/part two storey side extension and two storey rear extension to provide an additional residential unit and additional floor space for the existing accommodation.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of the inadequate provision of amenity space, 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 DC3 and Policy DC61 of the Core Strategy.</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 Policy DC33 of the Core Strategy.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>Dismissed</p> <p>The proposal would be acceptable in terms of parking provision. However, this consideration was outweighed by the lack of a contribution towards local education infrastructure in the area and the inadequacy of the living conditions which would be provided.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0017.16 36 Collier Row Lane Romford <i>Demolition of the existing garages and erection of 5no. two storey-houses on land to the rear of 36, 38 & 40 Collier Row Lane.</i></p>	<p>Written Repls</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its prominent rear garden location, height, bulk and mass, and proximity to neighbouring garden boundaries appear as an unacceptably dominant and visually intrusive feature in the rear garden setting which would be harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its layout and servicing arrangements and the amount of hardstanding, comprise an uncharacteristically enclosed and cramped form of development to the detriment of future residential amenity which would undermine the spacious appearance of the surrounding rear garden environment contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed access road and turning area would, by reason of its excessive length, scale and relationship with the adjoining residential rear gardens, result in noise and disturbance caused by cars using the access road, including manoeuvring within the site, and thereby be unacceptably detrimental to the amenities of occupiers of adjacent properties and future occupiers of the proposed development, contrary to Policy DC61 and DC55 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Dismissed The proposal would, in a small way, increase housing supply however the Inspector was not convinced that there is any overriding housing need which would overcome the adverse effects on highway safety. Although the appellant was willing to submit a legal agreement but one not submitted and it was concluded that the scheme would have an unacceptable effect on the demand for and provision of school places in the locality.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>The proposed development would, by reason of the narrow single carriageway access would result in vehicles stopping on Collier Row Lane to gain access into the site to the detriment of highway and pedestrian safety, contrary to Policies DC2, DC32 and DC33 of the Local Development Framework Development Control Document.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p>P0584.16 92-94 North Street Romford <i>Alteration of the roof to a mansard construction to create residential dwellings with new staircase, bin store and cycle store.</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed development would, by reason of its additional height, bulk and mass, appear as an incongruous and unacceptably dominant and visually intrusive feature in the street scene. The development would therefore be incongruous with the surrounding pattern of development and harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of the inadequate provision of usable amenity space, give rise to a poor quality living environment and result in a cramped over-development of</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector found for the Council in regard to the effect of the proposed development on the character and appearance of the area; the effect on the living conditions of future occupiers of the building in respect of outdoor amenity space; and given no legal agreement was provided the development would fail to make adequate provision towards education in the borough</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>the site to the detriment of the amenity of future occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.</p> <p>The proposed development would, by reason of the absence of on site car parking provision for future residents and resultant impact on existing on-street parking bays, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p>P0532.16 50 Eastern Avenue East ROMFORD <i>Creation of drop kerb for vehicle crossing</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposal, by reason of the inability to both leave and enter the highway in forward gear, would prejudice pedestrian safety and the safety and free flow of traffic on the A12, contrary to Policies DC32 of the LDF Core Strategy and Development Control Policies Submission Development Plan Document.</p>	<p>Allowed with Conditions The Inspector concluded that the proposal would not materially harm pedestrian safety or the safety and free flow of traffic on the A12.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1652.15 2 Brooklands Road Romford <i>Erection of an apartment building to provide 10no. 2 bedroom flats and associated vehicular access, drainage works and landscaping, following the demolition of all existing buildings</i></p>	Written Repts	Approved with Agreement	Committee	<p>The proposed development would, by reason of its height, bulk, design, scale and position create an intrusive and overbearing development out of character with the locality and harmful to the amenity of neighbouring properties' outlook, privacy and rear garden enjoyment, contrary to the provisions of Policies DC61 of the Development Control Policies DPD. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>Dismissed The Inspector found the outlook for properties in Brooklands Rd would be obstructed by a significant and imposing building. It would result in substantial harm to outlook for these properties. The building would not be harmful to the character and appearance of the area. The appellant submitted a legal agreement and the Inspector supported the Council stance on this matter.</p>
<p>P0644.16 15 Fairholme Avenue ROMFORD <i>Proposed conservatory at rear of the property with part rear extension</i></p>	Written Repts	Approve With Conditions	Committee	<p>The proposed rear conservatory would, by reason of its depth of penetration into the rear garden seen in relationship to the impact of the existing large annex outbuilding, would overdevelop the site with built form harmful to its open rear garden character which would be out of keeping with the surroundings contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Allowed with Conditions The Inspector found that the proposed conservatory would not harm the character and appearance of the rear garden and its surroundings. It would not impact adversely on neighbouring properties in regards loss of privacy; overshadowing or appearing overbearing and would give rise to a material level of harm in these respects.</p>
<p>P1073.16 36 Mawney Road land r/o Romford <i>Demolition of existing rear storage building and</i></p>	Written Repts	Refuse	Delegated	<p>The proposed development would, by reason of its siting and uncharacteristic design, appear as an incongruous feature in the street scene and represent a departure from the</p>	<p>Dismissed The Inspector found that the proposal would have a detrimental effect on the character and appearance of the area. It would be acceptable in terms of its effect on the living</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><i>construction of two bedroom chalet bungalow, with private amenity space and vehicle access from Olive Street.</i></p>				<p>established pattern of development, to the detriment of the character and appearance of the surrounding area contrary, to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.</p> <p>The proposed development would, by reason of its size, scale, design, position and proximity to neighbouring properties be an intrusive and overbearing development, which would have a serious and adverse effect on the living conditions of adjacent occupiers, including potential for loss of privacy, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>conditions of the occupiers of neighbouring properties with particular reference to outlook and privacy but not acceptable in terms of its effect on the living conditions for the future occupiers with reference to outlook. The Inspector agreed that a contribution towards education would be necessary, directly related to the development and reasonably related in scale and kind.</p>
<p>P1041.16 218 Lodge Lane Romford <i>Single / two storey front and rear extensions.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed two storey front extension would, by reason of its excessive depth, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to the</p>	<p>Part Allowed/Part refused</p> <p>The appeal is dismissed in respect of the front extensions as they would be a discordant element and visually intrusive in the street scene. In respect of the rear extensions; the proposal was allowed as its design would be subordinate to and reflect</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	the form of the main roof and would not be out of keeping with the character and appearance of the host dwelling.
<p>P0565.16 7 Camborne Way ROMFORD <i>Ground and first floor rear extensions</i></p>	Written Reps	Approve With Conditions	Committee	The proposed development would, by reason of its height and position close to the boundaries of the site, be an intrusive, overbearing and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> <p>The Inspector found that the proposal would not have an adverse or significant impact on the living conditions of present and future occupants of neighbouring properties in terms of loss of light and overlooking.</p>
<p>P1535.15 The Forge Chequers Road Noak Hill Romford <i>Replacement garage with a home office and gym</i></p>	Written Reps	Refuse	Delegated	The site is within the area identified in the Havering Unitary Development Plan as Metropolitan Green Belt. The Unitary Development Plan and Government Guidance as set out in the NPPF is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that the new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No special circumstances have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the LDF Core Strategy and Development Control Policies DPD and the provisions of the NPPF. The proposal, by reason of the bulk,	<p style="text-align: center;">Dismissed</p> <p>The proposal would be inappropriate development in the Green Belt and would result in new 2 storey building similar in scale to a new dwelling which would reduce the openness of the Green Belt. Finally the proposal would appear out of keeping with the character and appearance of the property and adversely affect the character and appearance of the area.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				mass and height of the proposed building, its proximity to the house, combined with its proximity to the boundaries of the site and the consequent closing down of space between the existing dwelling and the site boundary, would have a materially adverse impact on the character and openness of the Metropolitan Green Belt, contrary to the provisions of the NPPF and Policy DC45 of the LDF Core Strategy and Development Control Policies DPD	
<p>P0522.16 25 Forth Road UPMINSTER <i>Proposed two storey side extension and part single storey, part two storey rear extension</i></p>	Written Reps	Refuse	Delegated	The proposed side extension would, by reason of its height bulk and massing in close proximity to the site boundary, be intrusive and overbearing, harmful to the amenity of the adjacent property No.23 Forth Road. The proposal would therefore be contrary to the provisions of policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.	<p>Allowed with Conditions The Inspector found that the proposal would not unacceptably restrict sunlight or daylight to the neighbour. Secondly, given that the appeal property is at a lower level than the neighbour's house, the proposal would not be unacceptably overbearing.</p>
<p>P1347.16 13 Risebridge Road Gidea Park Romford <i>Single and two storey rear extension and insertion of window in flank wall</i></p>	Written Reps	Refuse	Delegated	The proposed extension, by virtue of its excessive height and scale, would visually overwhelm the characterful rear elevation resulting in significant harm to its intrinsic architectural quality and would fail to preserve or enhance the character and appearance of the Gidea Park Conservation Area, contrary to Policies DC61 and DC68 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.	<p>Allowed with Conditions The Inspector concluded that the proposal would have a neutral impact on the CA, thus preserving its character or appearance. Moreover the privacy, light and general amenities of the neighbouring dwelling would not be materially compromised by the proposals.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>A0048.16 Public telephone adjacent to 20A North Street Romford <i>Internally illuminated digital panel as integral part of telephone kiosk</i></p>	Written Reps	Refuse	Delegated	The signage sought would appear visually intrusive and incompatible with the Conservation Area setting and would neither preserve or enhance the character of the Conservation Area, thus be is contrary to Policies DC65 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.	<p>Allowed with Conditions The proposed advertising panel would not result in harm, either individually or cumulatively, to visual amenity nor would it be harmful to the character and appearance of the Romford Conservation Area as well as the setting of the Golden Lion public house Grade II listed building.</p>
<p>P0498.16 185 Corbets Tey Road Upminster <i>Two storey side extension and ground floor rear extension to include x4no roof lights</i></p>	Written Reps	Refuse	Delegated	The proposed two storey side extension would, by reason of its height and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p>Dismissed The Inspector agreed with the findings of the Council in regard to the material harm to living conditions of neighbours with respect to loss of light and outlook.</p>

TOTAL PLANNING =

26

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

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/77/15/ 7 Boundary Road Romford Without planning permission , the material change of use from a single family dwellinghouse (class C3) to a hotel/hostel (class C1)	Written Reps				<p style="text-align: center;">Dismissed</p> The Inspector found that the development reduces the councils stock of housing Secondly the use of the property as a hotel adversely affects the living conditions of neighbouring occupiers, having regard to noise and disturbance and that the proposal and finally it fails to make sufficient provision for off-street parking and cycle spaces. The time for compliance was acceptable given the harm caused by the use to neighbours.

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/507/15/ 38 Derby Avenue Upminster The erection of a single storey rear extension that extends 6.1m beyond the original wall of the house</p>	<p>Written Repls</p>				<p style="text-align: center;">Part Allowed/Part refused</p> <p>The appellant had prior approval application for 6m deep rear extension approved but it was alleged that the extension had not been built in accordance with the approved plans for the prior approval scheme. The appellant appealed on grounds (a), (c) & (f).</p> <p>On the appeal on ground (a): planning permission should be granted for what is alleged in the notice, the appeal was dismissed. On the appeal on ground (c) the appeal on this ground is that the matters alleged in the notice do not constitute a breach of planning control. The burden of proof is firmly on the appellants to demonstrate that the single storey rear extension attacked by the notice constitutes permitted development, as claimed. The appeal was dismissed because the proposal had not been built in accordance with the submitted plans.</p> <p>On an appeal on ground (f), this is basically that the steps required by the notice to be taken are excessive. The appellants considered it excessive for the notice to require a removal or reduction in depth of the extension to 3m when the Council's SPD provides for a single storey extension of 4m. The Inspector considered that a reduction of the extension back to what was granted under the prior approval application in 2015 was an alternative and accordingly the notice was varied to allow the appellants the third option of reducing the extension to accord</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/507/15/ 38 Derby Avenue Upminster</p>	<p>Written Reps</p>				<p>Part Allowed/Part refused with the scheme as approved originally. The appeals succeed in part on ground (f) and the enforcement notice is upheld as corrected and varied in the terms set out in the Formal Decision.</p> <p>A costs application was allowed in part as the Council made an error when measuring the extension. The Inspector considered that the consequences of an inaccurate measurement were not minor when it makes the difference between whether or not the depth was within permitted development tolerances. By exercising greater care in the precision of the measurement would have ensured the accuracy of the notice. In turn, it would have avoided the need for the appellants to pursue arguments over the precise depth of the extension.</p>

TOTAL ENF = **2**

LIST OF APPEAL DECISIONS MADE BETWEEN 02-DEC-16 AND 24-FEB-17

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<u>Summary Info:</u>					
Total Planning =		26			
Total Enf =		2			
Appeals Decided =		29			
Appeals Withdrawn or Invalid =		1			
Total =		28			
	Dismissed		Allowed		
Hearings	0	0.00%	0	0.00%	
Inquiries	0	0.00%	1	3.57%	
Written Reps	17	60.71%	10	35.71%	