

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| APPEAL DECISIONS - PLANNING | | | | | |
|---|------------------|-----------|--------------------------------|---|---|
| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
| <p>P0890.16 Youngs Farm St Marys Lane Upminster Essex <i>Retention of external alterations to existing barn including formation of rear dormer and continuation of use as residential accommodation.</i></p> | Hearing | Refuse | Delegated | <p>The principle of development is unacceptable as the enclosure and change of use of the land is development which is inappropriate and harmful to the Green Belt and contrary to guidance on development in the Green Belt set out in the National Planning Policy Framework. The modifications to the barn conflict with the agricultural nature of its design and the rural nature of the location contrary to Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.</p> | <p style="text-align: center;">Dismissed</p> <p>There was an appeal hearing into conjoined enforcement and planning appeals at this site. The appeals concerned the material change of use of a building originally constructed as a barn but with 2012 permission for mixed use agricultural barn / office / 2 bed residential unit for a site manager without any garden space to a single dwelling house. The Enforcement Notice appeal was submitted on ground (a) i.e. planning permission should be granted for what is alleged in the notice and this sought permission for the retention of the development in the form as developed. The planning appeal sought retrospective permission for the change of use but was materially different as alterations to the building were proposed.</p> <p>In assessing whether planning permission should be granted in both appeals, the Inspector considered that residential use clearly differs from an agricultural use. By introducing a domestic use into these surroundings it severely diminished the rural qualities of the site. It was concluded that the use of the barn with a domestic garden failed to preserve the openness of the Green Belt and conflicted with the purposes of including land in the Green Belt. Both the use and fencing enforced against and that in the revised plans was inappropriate development in the Green Belt which is harmful by definition.</p> <p>In regard to character and appearance in</p> |

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| | | | | | <p>terms of the enforcement appeal, the development as built and enforced against had a significant adverse effect on the character and appearance of the barn and its surroundings. The scheme in the planning appeal would not be similar from the 2012 permission with the appearance of the barn being maintained and the Inspector did not find this to be harmful. However that did not change there being a significant reduction in openness and other harm to the Green Belt arising from the solely residential use and enclosure of garden space.</p> <p>The Inspector considered the appellant's argument that there was a functional need for the family to live on site to support the farming business. It was noted that much of the evidence talked of intention, hope and ambition rather than firm evidence of a viable business. The Inspector was not persuaded that the farming activities on site necessitated a single dwelling for the family to live on site particularly in view of the scale of operations. Moreover the appellant failed to adequately explain why the needs could not be met by a worker/s living off-site.</p> <p>The appeal on ground (a) failed and the deemed planning application off the back of this as well as the planning appeal were dismissed.</p> |

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| <p>P1407.13 Land adj Wennington Hall Farm Rainham <i>Application for the winning and working of minerals, the erection of processing plant, workshop, site office, welfare unit, weighbridge and wheel cleaner and other ancillary buildings with restoration using pre-treated imported suitable inert materials to return the land to agricultural use</i></p> | <p>Hearing</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The London Borough of Havering has already made significant progress in terms of fulfilling the sand and gravel apportionment as required by policy 5.20 of the London Plan. Minerals can only be worked where they are found but it is considered that additional active sites in this locality would be detrimental to the environment and local community contrary to the principles of Policy DC42 of the Core Strategy and Development Control Policies Development Plan Document. The proposed development includes on-site processing and furthermore proposes an initial treatment of the infill material resulting in significant activity, plant and the exportation of recycled material. The processing plant and these activities themselves are inappropriate development in the Green Belt and would significantly harm the openness of the Green Belt and, for the duration of the development, undermine the purposes for which the land was designated. Very special circumstances that clearly outweigh the harm, by reason of inappropriateness and other harm, have not been demonstrated in this case. In this respect, the proposal is contrary to Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document. The proposed hours of working and levels of noise associated with plant and</p> | <p>Allowed with Conditions</p> <p>In assessing the proposal would result in harm to the Green Belt in terms of inappropriate development. This would result from the environmental bunds around the site, which would not preserve the openness of the Green Belt, and the processing of recycled aggregate on the site. Neither of these elements fell within the categories for development that are not inappropriate in the Green Belt as set out in the NPPF paragraph 90. This is harm to which substantial weight was attached. It was caveated though by noting that the harm related to two specific elements of the proposal which would be present for a period of some 9 years.</p> <p>The Inspector also found that the proposal would have a moderate adverse effect in terms of the living conditions of nearby residents in respect of noise and a limited adverse effect in terms of air quality, dust, mud and debris nuisance. This is harm to which the Inspector attached moderate and limited weight respectively.</p> <p>The Inspector assessed whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and, if so, whether this would amount to the very special circumstances required to justify the proposal. In examining the other considerations, the Inspector found that the proposal would benefit the supply of minerals to London and benefit the economy generally. Also the recycling element of the proposal would provide benefits in terms of</p> |

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| | | | | <p>machinery necessary to facilitate the development would be harmful to nearby amenity. The development at its closest point is approximately 40m from the nearest residential property and, even with the proposed mitigation and further controls imposed by condition, the duration of impact is considered unacceptable and contrary to Policies DC42, DC55, DC61 of the Core Strategy and Development Control Policies Development Plan Document, Policy W5 of the Joint Waste Development Plan, Policy 7.15 of London Plan and guidance within both the NPPF and Technical Guidance to the NPPF. The proposal, by reason of the high number of HGV movements proposed each working day, would result in congestion on the local road network, causing inconvenience to road users and pedestrians, contrary to Policy DC32 of the Core Strategy and Development Control Policies Development Plan Document. The proposal, by reason of the high number of HGV movements proposed each working day, would adversely impact on the amenity of nearby residents. The vehicle movements associated with the development would be detrimental to the local air quality conditions and give rise to unwarranted noise, dust, mud and debris nuisance. In this respect, the proposal is contrary to Policies DC42, DC52, DC55 of the Core Strategy and Development Control</p> | <p>reducing the need for mineral extraction and importation into London and reducing the need for mineral transportation. All of these are benefits which were considered to have wide ranging positive impacts to which the Inspector attached great weight.</p> <p>In balancing these matters, the Inspector considered that the other considerations clearly outweigh the totality of the harm identified. Looking at the case as a whole, it was considered that very special circumstances exist which justify the development.</p> <p>The appellant and relevant landowners submitted a Unilateral Undertaking to the Council. The undertaking includes provision for a highway contribution, a traffic management routing schedule and a local liaison group. The Council was content that all the relevant landowners are party to this undertaking. The Inspector was satisfied that the undertaking would be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development.</p> |

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| | | | | Policies Development Plan Document, Policy W5 of the Joint Waste Development Plan, Policies 7.14 and 7.15 of London Plan and guidance within both the NPPF and Technical Guidance to the NPPF. | |
| <p>P0008.16 127 Wennington Road Rainham <i>Proposed single storey rear extension to existing unit creating a one bedroom apartment (1b 1p) studio with associated amenity.</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 which is materially harmful to the amenity of future occupiers contrary to Policy DC61 of the LDF Development Control Policies DPD and the Residential Design SPD. The proposed development would, by reason of its relationship with the commercial property and poor outlook result in an unacceptable impact on the amenity of future occupiers due to the potential for noise and disturbance and poor overall living conditions, contrary to Policy DC61 of the LDF Development Control Policies DPD and the Residential Design SPD. 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 style="text-align: center;">Dismissed</p> <p>The Inspector found that the development would provide harmful living conditions for future occupiers in respect of outdoor amenity space and levels of noise and disturbance</p> |

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| <p>P0851.16 15 St Andrews Avenue Hornchurch <i>Change of use of annex to a self contained dwelling</i></p> | Written Reps | Approved with Agreement | Delegated | | <p>Dismissed The Inspector agreed with the conclusions of the Council on the issue of the failure to meet national internal space standards but not on the need for education infrastructure contributions.</p> |
| <p>T0085.16 4 Burges Close Hornchurch Essex uk <i>Conifer Roots damaging drive and boundary wall no TPO number known, permission required to remove tree</i></p> | Written Reps | Refuse | Delegated | <p>The Lawson Cypress tree that subject of this application, stands centrally to the rear garden of 4 Burges Close on the curtilage of the rear wall adjacent to drive to the single garage. It is identified as being part of group G3 on the plan of Havering's TPO 9/71 has been inspected by the Council's Arboricultural Officer who is of the opinion that.</p> <p>It is recommended that Lawson Cypress tree of group G3 on the plan of Havering's TPO 9/71 should be retained. The Lawson Cypress that is subject to this application is a healthy tree and the proposed works should not take place as this tree is an integral part of the tree canopy of Burges Close.</p> | <p>Dismissed The Inspector concluded that the TPO tree has a high amenity value and its removal is not justified based on the available evidence presented with this appeal.</p> |
| <p>P0489.16 25-29 Market Place Romford <i>Part change of use and conversion of ground, first and second floor retail floorspace; third floor extension; and elevational changes to accommodate an 85 bedroom hotel including restaurant</i></p> | Written Reps | Approved with Agreement | Committee | <p>The proposed development would, by reason of its height, result in a unsympathetic, visually intrusive addition to the building. The proposed design, appearance and materiality of the development would not preserve or enhance the special character of this part of Romford Conservation Area and accordingly it is considered that the development is contrary to policies CP17, CP18, DC61, DC67 and DC68 of the Core Strategy and Development</p> | <p>Allowed with Conditions On the first issue of whether the proposed development would preserve or enhance the character and appearance of the Romford Conservation Area, it was noted that the extended building would be higher than the neighbouring units to the west. The Inspector considered that given the variations in building heights in the immediate area, the proposal would not appear out of scale nor have an unacceptable dominant relationship with these properties. In its setting the appeal</p> |

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| | | | | <p>Control Policies Development Plan Document; and policies 7.4, 7.6 and 7.8 of the London Plan.</p> <p>The proposed development would, as a result of the lack of drop-off facility, result in vehicles parking and waiting on Market Link to the detriment of traffic flow and highway safety, contrary to policies DC32, DC33 and DC61 of the Core Strategy and Development Control Policies Development Plan Document; and policies 6.1, 6.3 and 6.13 of the London Plan.</p> <p>The proposed servicing arrangements would result in vehicles reversing from Market Link into Ducking Stool Court which would be hazardous to highway and pedestrian safety, contrary to policies DC32, DC36 and DC61 of the Core Strategy and Development Control Policies Development Plan Document; and policies 6.1 and 6.3 of the London Plan.</p> | <p>building could accommodate an additional storey without appearing excessively high or dominant and as such would not cause any material harm to the character of this part of the Conservation Area. The proposal would considerably improve the appearance of the building and would enhance the contribution that it makes to the townscape</p> <p>The Inspector considered that the lack of a drop off facility would not give rise to any highway or pedestrian safety concerns. Even if the current barrier arrangements regarding access to the Market Place on market days remained, given the relatively short distance to the proposed hotel entrance from the rest of Market Link as well as surrounding roads, it was unlikely that there would be any unacceptable accessibility problems.</p> <p>On the final issue, it was judged that there would be no material difference between the proposed serving arrangements and those that currently occur and have historically occurred. It was also unlikely to result in any significant increase in vehicular movements beyond those that previously occurred and there was no evidence to suggest that the proposed development would give rise to hazards to highway and pedestrian safety.</p> |
| <p>P0759.16 Three Horseshoe Farm Noak Hill Road ROMFORD <i>Demolition of all existing</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The site is within the area identified in the Core Strategy and Development Control Policies Development Plan Document and Proposals Map as Green Belt. The Development Plan Document, the London Plan and Government</p> | <p>Allowed with Conditions</p> <p>The site is in the Green Belt and the Inspector had to consider amongst other things whether the proposal would be inappropriate development in the Green Belt for the</p> |

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| <p><i>stabling, storage and residential buildings on site and construction of 4 x 4 bed and 1 x 3 bed dwellings, landscaping and associated works</i></p> | | | | <p>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 height and bulk of the proposed dwellings, compared with the existing buildings on site, would result in development of alien appearance in the locality that would have a materially adverse impact on the character and appearance of the Green Belt and the Havering Ridge Special Landscape Area. As a consequence the proposal would be contrary to the guidance in the National Planning Policy Framework, Policies DC45 and DC69 of the Havering Core Strategy and Development Control Policies Development Plan Document and Policy 7.16 of the London Plan. In the absence of a legal agreement to secure contributions towards the demand for school places arising from</p> | <p>purposes of the National Planning Policy Framework (the Framework) as well as the effect of the proposal on the openness of the Green Belt.</p> <p>There are existing buildings on the site which vary in footprint, scale and their condition and some of these benefited from a certificate of lawful use as dwellings. A previous appeal decision which was dismissed established that the appeal site could be considered to be previously developed land.</p> <p>The Inspector noted that height of the new buildings would be greater than the existing buildings. However the height and bulk of the scheme would not lead to a substantial increase in physical presence; especially when considered in combination with the reduction in built footprint, floor space and volume when compared to the existing situation. The Inspector concluded that the proposal would not be inappropriate development as it would benefit from one of the exceptions listed in paragraph 89 of the Framework which allows the redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.</p> <p>The Inspector noted that there was no reference to any specific panoramic views or skylines that would be adversely affected by the scheme and judged the proposal would</p> |

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| | | | | 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. | not harm the character and appearance of the Havering Ridge area A unilateral undertaking was provided as part of the appeal process which would deliver the obligation referred to in the decision notice. Finally an application for costs against the Council was refused. |
| <p>P1167.16 25 Squirrels Heath Road Romford <i>Conversion and extension existing house to create 4no. self-contained flats.</i></p> | Written Reps | Non-Determination | Delegated | N/A | <p style="text-align: center;">Dismissed</p> <p>The Council stated that had it been in a position to determine the application it would have refused planning permission for four reasons which the main issues below reflect. These included: The effect of the proposed development on the character and appearance of the surrounding area; the effect of the proposed development on the living conditions of future occupiers and the occupants of neighbouring dwellings with particular regard to overlooking and privacy; The effect of the proposed development on the living conditions of future occupiers and the occupants of No 27 Squirrels Heath Road with particular regard to noise and disturbance and whether a financial contribution to the provision of education facilities is necessary. The Inspector agreed with the Council on all matters apart from the <u>potential for overlooking and loss of privacy.</u></p> |
| <p>P1571.15 30 Parsonage Road Rainham <i>Demolition of existing garage and construction of detached dwelling with</i></p> | Written Reps | Refuse | Delegated | The dwelling would, by reason of its height, bulk, mass, siting, proportions and proximity to the boundaries of the site, give rise to a cramped appearance, which would appear incongruous and out of character in the open and | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council on all issues apart from the need for an education infrastructure contribution.</p> |

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| <p><i>off street car parking, private amenity and private road.</i></p> | | | | <p>spacious rear garden environment contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The dwelling would, by reason of its height, bulk and mass, siting and proximity to the boundaries of the site, appear a dominant, overbearing, unneighbourly and visually intrusive feature in the rear garden environment harmful to the amenity of adjacent occupiers, including No. 32 Parsonage Road and No. 3 Westview Close contrary to Policy DC61 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.'s 28 and 30 Parsonage Road, 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.</p> | |

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| <p>P0339.16 R/O 13 & 15 Parsonage Road Rainham <i>Demolition of existing garage and construction of single storey dwelling with private amenity and off street car parking.</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of its scale, bulk and mass and proximity to the site boundaries, appear as a dominant and overbearing feature harmful to the visual amenity of adjacent 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 its siting and uncharacteristic design appear as a visually incongruous feature within the Davies Close streetscene, to the detriment of its established character and appearance, 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 style="text-align: center;">Dismissed</p> <p>The Inspector concluded that the overall design and appearance of the dwelling would appear at odds with the prevailing style and as a result appear incongruous. It would have a harmful effect on the living conditions of existing occupiers with particular regard to outlook. The Inspector did not consider the matter of education contributions due to the findings on the other issues.</p> |
| <p>P1043.16 260 Crown Public house London Road Romford <i>Erection of a party tent within the existing beer garden together with the erecting of an additional</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of its height, design and relationship to the existing public house, appear out of character and harmful to the appearance of the streetscene 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 findings of the Council in relation to the effect of the proposal on the character and appearance of the area; its effect on the living conditions of occupiers of adjacent properties in respect of noise and disturbance</p> |

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| <i>toilet block to the public house.</i> | | | | <p>The proposal would by the nature of its design, by reason of noise and disturbance caused by customers entering and leaving the premises, vehicles parking and manoeuvring, particularly during the evening hours of operation, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of insufficient on-site parking provision, result in unacceptable demand on existing car parking provision, potentially resulting in overspill onto the adjoining roads to the detriment of highway safety and residential amenity, contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> | |
| <p>P0585.16 210 Mawney Road ROMFORD <i>Demolition of existing semi detached houses and construction of a two storey detached 3 bedroom detached House and a two storey apartment building to provide 4 two bedroom flats and 4 one bedroom flats.</i></p> | Written Reps | Refuse | Delegated | <p>The proposal results in the loss of two houses and provides a housing mix with a preponderance of smaller units at the expense of larger dwellings contrary to Policy DC2 (Housing Mix and Density) of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed apartment building is proposed to be located in an area which is typified by two storey houses and would, because of its design and bulk, be out of place in both the street and garden scene and would be contrary to Policy DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies DPD.</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector concluded that the proposed flatted block would appear to be uncharacteristically high and bulky in this setting and would consequently be a conspicuous and intrusive addition to the area. Resultantly it would have a harmful effect on the character and appearance of the area. The Inspector agreed with the Council on the issue of housing mix but not on the matter of refuse storage and collections.</p> |

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| | | | | The refuse store would not be serviceable, it does not comply with the requirements of Policy DC36 (Servicing) of the Core Strategy and Development Control Policies Development Plan Document. | |
| <p>P0941.16 13 Meadway Gidea Park Romoford Essex <i>Pitched roof over garage and porch, external alterations and two storey side extension and rendering the dwelling.</i></p> | Written Reps | Refuse | Delegated | <p>The two storey side extension would, by reason of its width, siting and position close to the boundary of the site, be harmful to the open and spacious character of the streetscene and would neither preserve or enhance the character and appearance of the Gidea Park Conservation Area contrary to Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD. The front gable with timber fascia would appear as an unrelated addition and rendering the dwelling would appear incongruous, dominant and visually intrusive and neither preserve or enhance the existing dwelling, the character, appearance and setting of the neighbouring 1911 Exhibition properties in Meadway and the Gidea Park Conservation Area contrary to Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its width, height, siting and position close to the south western boundary of the site, be unneighbourly, provide a "wall of development" which would give rise to an uncomfortable</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered that the proposal would appreciably change the appearance of the house and increase its prominence in the street scene, to become a far more dominant element. The harm to the Gidea Park Conservation Area) would not be outweighed by any public benefits. Secondly it was concluded that the development would be harmful to the living conditions of adjoining occupiers.</p> |

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| | | | | <p>overbearing effect and sense of enclosure and be harmful to the amenity, including loss of light and outlook to the kitchen and bedroom windows of No. 11 Meadway contrary to Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.</p> | |
| <p>P1008.16 1-1A Grange Road ROMFORD <i>Proposed ground floor side & rear extension and basement extension</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed rear extension would, by reason of its excessive depth, height and position close to the boundaries of the site, result in a development that is unacceptably dominant and visually intrusive when viewed in the rear garden environment and from the wider streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p>Dismissed The proposal would project significantly beyond the rear elevation and infill the small gap to the side of the property. It would also be of a significant height, sitting just below the first floor of the building and resultantly it would cause considerable harm to the character and appearance of the area.</p> |
| <p>P0922.16 25 Nelmes Way HORNCHURCH <i>Alterations to the front wall design (Revision to planning permission P0916.13)</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed boundary wall, railings and gates would, by reason of the positioning and close proximity to the front boundary of the site, fail to provide the required visibility splays of 2.1 metres by 2.1 metres on either side of the two proposed access gates, which would be detrimental to pedestrian safety contrary to Policies DC32 and DC61 of the LDF Core Strategy and Development Control Policies Plan Document.</p> | <p>Allowed with Conditions The Inspector considered that there would be adequate inter-visibility between drivers of vehicles and pedestrians as a consequence of the design of the front boundary treatment. Consequently, the proposal would not unacceptably compromise pedestrian safety or have any adverse effect on the functioning of the road hierarchy.</p> |
| <p>P0545.16 78 - 80 Straight Road Romford <i>Proposed erection of an apartment block</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The proposed development would, by reason of its proximity to the boundaries of the site, design and extent of site coverage and hard surfacing, represent an excessively dense, cramped</p> | <p>Dismissed The Inspector found the parking provision to be acceptable and there would be no harm to highway safety, however there would be significant harm to the character and</p> |

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| <i>comprising 19 no. units plus car parking, landscaping and associated development</i> | | | | <p>development of the site, which would be out of character with the locality and contrary to Policy DC2 and DC61 of the Development Control Policies DPD. The proposed development would, by reason of its design, height and proximity to neighbouring properties, result in an overbearing relationship to neighbouring development, having an adverse impact upon residential amenity contrary to Policy DC61 of the Development Control Policies DPD. 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 DC2 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 and Policy 8.2 of the London Plan.</p> | <p>appearance of the area and harm to the living conditions of neighbouring occupiers, in terms of outlook. A unilateral undertaking was submitted and this addressed those reasons for refusal.</p> |
| <p>P1493.16 92-94 North Street Romford <i>Alteration of the roof to a mansard construction to create residential dwellings with new</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</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</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council in relation to the effect of the development on the character and appearance of the area and the effect on the living conditions of future occupiers of the site with respect to outdoor amenity space. In regard to</p> |

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| <i>staircase, bin store and cycle store.</i> | | | | <p>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 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. 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. 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>education contributions, a signed obligation was provided by the appellant which addressed that issue.</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|---------------------|------------------------------|--------------------------------|--|--|
| <p>A0053.16 Waterloo Road junction of Exchange Street (land at) Romford <i>A 48 sheet internally illuminated digital LED advertising display.</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed sign would, by reason of its illumination, frequently changing imagery and siting in relation to Waterloo Road being part of the pan London Strategic Road Network, result in a risk of motorist distraction, creating an unacceptable increase in tasking for drivers, resulting in adverse highway safety issues, contrary to Policies DC32 and DC65 of the LDF Development Control Policies DPD.</p> | <p>Allowed with Conditions The Inspector considered that drivers approaching the junction from Exchange Street would travel along a relatively straight section of road and would be able to see the proposed advertisement before the traffic signals. Therefore it would not cause an unacceptable distraction to drivers.</p> |
| <p>Y0248.16 112 Wennington Road Rainham <i>Single storey rear extension with an overall depth of 7.5mtre, a maximum height of 2.6mtre, and an eaves height of 2.4metre.</i></p> | <p>Written Reps</p> | <p>Refuse Prior Approval</p> | <p>Delegated</p> | <p>The Council consider that the impact of the proposed development would unacceptably harm the amenity of No. 114 Wennington Road, Rainham by reason of loss of light and overbearing effect on this property. This written notice indicates that the proposed development would not comply with condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101). It is important to note that this written notice does not indicate whether or not the proposed development would comply with any of the other limitations of conditions of Schedule 2 Part 1 Class A. The applicant has the right to an appeal against this notice to the Planning Inspectorate. see details below.</p> | <p>Allowed The Inspector did not consider that the proposed development would adversely impact on the living conditions of the occupants of the neighbours in regard to loss of outlook and loss of light.</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|-----------|--------------------------------|--|---|
| <p>P0319.16 236 Main Road Romford <i>Change of use of the ground floor of the premises from financial and professional services (use class A2) to a micropub (use class A4)</i></p> | Written Reps | Refuse | Delegated | <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 and to the detriment of residential amenity through additional vehicular movement and on-street parking, contrary to Policies DC32, DC33 and DC61 of the LDF Core Strategy and Development Control Framework DPD.</p> <p>The proposed development would, by reason of its location in close proximity to residential properties be likely to give rise to a significant adverse impacts from noise and general disturbance, including pedestrian and vehicle activity associated with the development, to the material detriment of the amenity of local residents contrary to Policy DC61 of the LDF Core Strategy and Development Control Framework DPD.</p> | <p>Allowed with Conditions</p> <p>The Inspector found that the proposal would not have an unacceptable impact on highway safety. The appellant has submitted a Noise Impact Assessment in support of the proposal and the Inspector noted the proximity of the site to a neighbouring restaurant and Main Road and concluded in light of the evidence that it would not adversely impact on the living conditions of nearby residents, in regard to noise and disturbance.</p> <p>An application for costs against the Council was allowed in part as the conclusions reached in relation to living conditions were unsupported by any objective analysis, and thus it failed to substantiate the second reason for refusal.</p> |
| <p>P1677.15 24 Maybank Avenue Hornchurch <i>Two bedroom attached dwelling. Part single, part first floor extension to 24 Maybank Avenue (as approved P0062.15)</i></p> | Written Reps | Refuse | Delegated | <p>The proposal, by reason of the scale, bulk and mass of the development and the uncharacteristically narrow plot width at this junction would result in a cramped form of development on the site, out of character with the locality and materially harmful to amenity, 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</p> | <p>Dismissed</p> <p>The Inspector agreed with the Council in respect of both reasons for refusal</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|------------------|-----------|--------------------------------|--|---|
| | | | | the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan. | |
| <p>P1687.15 2 Ingrebourne Gardens Upminster <i>Erection of 1No. detached dwelling and alterations to existing vehicular access</i></p> | Written Reps | Refuse | Committee | <p>The proposed development would by reason its height, bulk, mass and proximity to the boundaries of the site, give rise to a cramped and overdeveloped visual appearance, which would be in contrast to the surrounding pattern of development thus harmful to the character and appearance of the Hall Lane Special Character Area and 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 style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions in regard for the need for an education infrastructure contribution but found the development would not harm the character and appearance of the surrounding area and was acceptable in all other respects.</p> |
| <p>P1587.16 21A Frederick Road Rainham Essex <i>Change of Use of outbuilding to be used for business purposes to run a beauty room</i></p> | Written Reps | Refuse | Delegated | <p>The proposed business use 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 of the LDF Core Strategy.</p> <p>The proposed business use would result in unacceptable impact on the amenity</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed that the business use of the site would harm the living conditions of occupiers of neighbouring residential properties. On the second issue, there was limited evidence to suggest that the increase in vehicle movements and on-street parking would lead to a harmful effect on highway safety.</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
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| | | | | of adjoining occupiers in a residential area as a result of increased activity and parking of vehicles contrary to Policy DC61 of the LDF Core Strategy. | |
| <p>P1343.16 40 Lodge Lane Collier Row <i>Loft conversion to include front and rear dormers, single storey rear extension to include roof lanterns, removal of existing conservatory, and internal alterations.</i></p> | Written Reps | Refuse | Delegated | The proposed pitched roof front dormer window by reason of its pitched roof design, position bulk an unbalancing effect of the pair of semi detached properties, would appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area contrary to Residential Extensions and Alterations Supplementary Planning Document, Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | The Inspector issued a split decision and dismissed the appeal in relation to the loft conversion and front and rear dormer extension. The scale, height and width of the double pitched front dormer would appear over-dominant on the front roof slope and would have an adverse impact on the character and appearance of the street scene. The single storey rear extension was however acceptable. |
| <p>P1264.16 6 Balgores Square Gidea Park <i>Two storey side and part rear extensions, roof extension and front facade alterations</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its design, height, bulk, mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area and failing to preserve or enhance the special character of this part of the Conservation Area contrary to Policies DC68 and DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed dormer would, by reason of its design, position and detailing appear out of character with the host dwelling and materially harmful to the visual amenity of the surrounding area and the special character of the Gidea Park Conservation Area, contrary to Policies DC61 and DC68 of the LDF | <p style="text-align: center;">Dismissed</p> The Inspector agreed that the proposal would harm the character and appearance of the host property which is a prominently-sited dwelling. As a result of that harm, the scheme would fail to preserve or enhance the character or appearance of Gidea Park Conservation Area. |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
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| | | | | Core Strategy and Development Control Policies DPD. | |
| <p>P0875.16 49 Straight Road ROMFORD <i>Demolition of existing dwelling and outbuildings, with proposed new build building compromising 7 self contained mixed apartments with associated parking and amenity</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of insufficient and impractical on-site 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>The proposed development would, by reason of its lack of landscaping to the front, appear as an 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 Development Control Policies DPD and Residential Quality SPD.</p> <p>The proposed development would, by reason of the inadequate provision of amenity space o the first floor units, result in poor living conditions to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and Residential Quality 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</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council on all four of the reasons for refusal.</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
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| | | | | 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>P1597.16 9 Victor Gardens Hornchurch <i>Single storey side extension</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of its bulk, mass and proximity to neighbouring properties, give rise to an intrusive and unneighbourly development, 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.</p> <p>The proposed extension would, by reason of its excessive width, be out of scale and character with the existing dwelling, as well as closing down the openness of this site, resulting in development that is visually intrusive in the streetscene and harmful to local character, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p style="text-align: center;">Dismissed</p> <p>The main issues in this appeal were the implications of the proposal for (1) the character and appearance of the area and (2) the living conditions of occupiers of No 11 Victor Gardens, by virtue of the potential for intrusive, overbearing effects. Although the Inspector judged that the proposal would harmonise with the host dwelling and wider setting, the proposal would be unacceptably harmful to the amenities of occupiers of the neighbouring property as a result of its oppressive, overbearing effects</p> |
| <p>P1304.16 2 Harbour Way Hornchurch Essex <i>Sub division of existing property to form seperate two bedroom house with rear first floor extension and raising roof to existing garage for a garage conversion.</i></p> | Written Reps | Refuse | Delegated | <p>The amenity space for the proposed dwelling is of poor quality, given its small size, limited depth, triangular shape and its siting adjacent to the flank wall of the existing single storey rear extension and would be overshadowed for most of the day harmful to the amenity of future occupiers and contrary to Policy DC61 of Local Development Framework Core Strategy and Development Control Policies Development Plan Document</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council on all issues aside from the reasoning in relation to parking provision and impacts on highway safety.</p> |

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| | | | | <p>and the Design for Living Residential Design Supplementary Planning Document.</p> <p>The proposed car parking spaces for the donor and proposed dwellings, would by reason of their insufficient depth, result in vehicles overhanging the footway to the detriment of pedestrian comfort and safety contrary to Policies DC33 and DC34 of the Local Development Framework of the Local Development Framework and the guidance contained in the National Planning Policy Framework.</p> <p>The creation and access of the north eastern car parking space for the donor property would require the removal of a large street tree contrary to Policy DC60 the Local Development Framework and Policy 2 of the Havering Tree Strategy. 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>P1531.16 12 Willow Parade (land adj) Moor Lane Cranham <i>Proposed two storey side extension incorporating a new ground floor shop</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would, by reason of its height, bulk and mass and forward position of the properties along Chipperfield Close, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the</p> | <p>Allowed with Conditions</p> <p>The Inspector considered that the proposal would not harm the character and appearance of the area or give rise to harmful effects as a result of not making a contribution towards the provision of</p> |

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| <i>unit and a new first floor bedsit.</i> | | | | 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. | education facilities. |
| <p>P1380.16 60 Halesworth Road Harold Hill <i>Two Bedroom link attached house</i></p> | Written Reps | Refuse | Delegated | <p>The proposed development would, by reason of its design and relationship to the existing dwelling and terrace, be out of character with the surrounding area and harmful to the appearance of the streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its height, bulk, mass and position, result in unacceptable impacts on the amenity space of an adjoining dwelling, to the detriment of occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development fails to meet Nationally Prescribed Space Standards for new residential accommodation resulting in an unsatisfactory quality of accommodation which is materially harmful to the amenity of future occupiers contrary to Policy DC61 of the</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered the proposal to be unacceptable in regards to the effect of the proposed development on the character and appearance of the area, internal living space and the provision of education infrastructure. The findings in regards to effects on the living conditions of neighbours and highway safety did not outweigh these conclusions.</p> |

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| | | | | <p>LDF Core Strategy and Development Control Policies DPD, Policy 3.5 of the London Plan and the London Plan Housing Supplementary Planning Guidance Note.</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 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>P1870.15 330 Abbs Cross Lane (adj) Hornchurch <i>To build 3 detached houses, landscaping of site to form new vehicle access, parking and amenity space.</i></p> | <p>Written Reps</p> | <p>Approved with Agreement</p> | <p>Committee</p> | <p>The proposed development by reason of its access arrangement, the proximity of the access to the road bridge and the limited visibility for drivers in relation to oncoming traffic, together with the nature of local traffic conditions on Abbs Cross Lane, would adversely affect highway safety in the vicinity of the site entrance contrary to the provisions of Policy DC32 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</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered that the appeal proposal would give rise to significant harm to highway safety in Abbs Cross Lane due to the inadequate sight stopping distance from the site access. The Inspector also agreed with the conclusions in regard to the need for education infrastructure contributions.</p> |

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| | | | | 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>P1698.16 3 Squirrels Heath Avenue Romford <i>Proposed first floor rear extensions over previously added ground floor extensions.</i> <i>Removal of rear window and double doors, installation of bi-fold style glazed timber doors into enlarged opening.</i></p> | Written Reps | Refuse | Delegated | The proposal would by reason of its unsympathetic design and massing and detailing would be harmful to the intrinsic character of the host premises and would therefore neither preserve nor enhance the special character of this part of the Conservation Area. The development sought is therefore contrary to Policies DC61 and DC68 of the Core Strategy and Development Control Policies Development Plan Document, the Heritage SPD and the guidance in the NPPF. | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered that the proposals would fail to respect the original form and appearance of the property, a 1911 exhibition house which is of heritage significance. Resultantly it would harm the character and appearance of the property, moreover it would fail to preserve or enhance the character or appearance of Gidea Park Conservation Area.</p> |
| <p>P1267.16 16 Ashleigh Gardens Upminster <i>Front dormers, roof extension and dormers to rear - internal alterations and new garage roof.</i></p> | Written Reps | Refuse | Delegated | The proposed rear and front extensions would, by reason of their excessive depth and height, as well as the gabling of the roof and the size of the front dormer windows, result in a visually intrusive form of development, that unbalances the pair of dwellings, as well as being out of character within the streetscene and rear garden environment, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations Supplementary Planning Document. The proposed extensions, by reason of their scale, bulk, mass and proximity to | <p style="text-align: center;">Dismissed</p> <p>The Inspector concluded that the proposal overall would be an incongruous form of development that would appear wholly out of keeping with the prevailing pattern of development in the area. Whilst there would not be harm to living conditions in respect of outlook, it would result in a harmful loss of privacy to neighbours.</p> |

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| | | | | the boundaries of the site, would be intrusive and overbearing in relation to neighbouring property, as well as resulting in unacceptable loss of privacy by reason of the proposed upper floor rear dormer windows, materially harmful to neighbouring amenity and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P1511.16 292 Elm Park Avenue HORNCHURCH <i>Proposed conversion of existing dwelling into 1 x 2 bed flat and 1 x 1 bed flat with dual entrance. Single storey rear extension at 4.0m</i></p> | Written Reps | Refuse | Delegated | <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 Development Control Policies DPD.</p> <p>The proposed development fails to meet Nationally Prescribed Space Standards for new residential accommodation resulting in an unsatisfactory quality of accommodation which is materially harmful to the amenity of future occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, Policy 3.5 of the London Plan and the London Plan Housing Supplementary Planning Guidance Note.</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</p> | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council on the issues of internal space standards and education infrastructure contributions but not on parking provision and impacts on highway safety.</p> |

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| | | | | Policies DPD and Policy 8.2 of the London Plan. | |
| <p>P1175.16 22A Berther Road HORNCHURCH <i>Part demolition of an existing dwelling and construction of a new two storey dwelling with loft conversion consisting of six bedrooms</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its resultant scale, bulk and mass, and close proximity to site boundaries, close down the characteristic spacing between dwellings located on the southern side of Berther Road which would be harmful to the open and spacious character of the streetscene and the visual amenities of Emerson Park Policy Area, contrary to the Emerson Park Supplementary Planning Document (SPD) and policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | <p style="text-align: center;">Dismissed</p> The Inspector agreed with the Council that the proposed dwelling would result in an adverse effect on the character and appearance of the street and Emerson Park area |
| <p>P1467.16 28 Squirrels Heath Lane ROMFORD <i>Two storey detached house</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its siting, lack of active frontage and proximity to the boundaries of the site, appear as an incongruous and unacceptably cramped over-development of the site, to the detriment of local character and the streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its height, scale, bulk, mass, siting, combined with its position close to the boundaries of the site, give rise to a cramped appearance and appear a dominant, overbearing, unneighbourly and visually intrusive feature in the rear | <p style="text-align: center;">Dismissed</p> The Inspector agreed with the conclusions of the Council in regard to the effect of the proposed development on the character and appearance of the area as well as the effect on the living conditions of the neighbouring dwelling in Westmoreland Avenue with particular regard to outlook and overbearing effects. The Inspector concluded that the absence of a planning obligation meant that the proposal would fail to make provision for education infrastructure necessary to allow the development to proceed conflicted with the Development Plan. |

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| | | | | garden environment harmful to the amenity of adjacent occupiers contrary to Policy DC61 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>P0366.16 39 Links Avenue Romford <i>Demolition of existing garage and outbuildings and construction of double storey side and rear extension, garage with first floor accommodation, internal alterations, new roof with accommodation and external works (As previously approved). Variation of hipped garage roof to hipped roof overhang with supporting brackets.</i></p> | Written Reps | Refuse | Delegated | The proposed alteration to the garage roof, would by reason of its height, bulk and mass, poorly relate to the existing dwelling and appear as an unacceptably dominant and visually intrusive feature in the street scene. The development is therefore harmful to the appearance of this part of the Gidea Park Special Character Area and is thus contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD. | <p style="text-align: center;">Allowed with Conditions</p> <p>The Inspector considered that the design was not as visually intrusive as the Council suggested and judged that proposal would not adversely impact on the character and appearance of the host dwelling or the Gidea Park Special Character Area</p> |
| <p>P1585.16 117 Stanley Road Hornchurch <i>Loft conversion and roof alterations to include rear dormer and two front</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 contrary to | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed that the proposal would harm the character and appearance of the area but no unacceptable overshadowing or loss of sunlight and daylight would result from it.</p> |

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| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|------------------|-------------------------|--------------------------------|--|--|
| <i>dormers</i> | | | | Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed roof extension would, by reason of its excessive 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 Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P1502.16 10 Herbert Road HORNCHURCH <i>Construction of new boundary wall to the front and side of the site. Bricks to match house.</i></p> | Written Reps | Refuse | Delegated | The proposed development would, by reason of its location, height, bulk and position close to the boundary of the site, result in an overbearing and visually intrusive development in this setting which would be harmful to the character and appearance of the streetscene, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document, and the Emerson Park Policy Area Supplementary Planning Document . | <p style="text-align: center;">Dismissed</p> The Inspector agreed with the Council in regard to matters of character and appearance but not on highway safety. |
| <p>P1706.16 41 Parkland Avenue UPMINSTER <i>Rear ground floor extension, rebuild ground floor side garage and convert to habitable space, with first floor side extension over and new porch.</i></p> | Written Reps | Approve With Conditions | Committee | The proposed development would, by reason of its excessive bulk, size and proximity to the boundary, disrupt the symmetry of the pair creating a terracing effect harmful to the appearance of the streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its overbearing and excessive enclosure effect on neighbouring properties (Nos.39 and 43) resulting from the size and position of the | <p style="text-align: center;">Dismissed</p> The Inspector agreed with the findings of the Council about the harm to character and appearance of the pair of dwellings and the street scene as well as to residents' living conditions at no. 39. |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|--------------------------|--------------------------------|--|--|
| | | | | extension; the single storey element in respect of No.39 and both single/two storey elements in respect of No.43, be contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P0955.16 104 Links Avenue ROMFORD <i>First floor side extension and change of garage to habitable room</i></p> | Written Reps | Refuse | Delegated | The proposed first floor side/rear extension, by reason of its height and width, would fail to appear subservient to the property and would neither enhance or retain the architectural style of the house. The proposal would appear as an unsympathetic and visually intrusive form of development, causing unacceptable harm to the visual amenities of Gidea Park Special Character Area, contrary to policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alterations Supplementary Planning Document. | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered the proposal to be an unsympathetic form of development which would cause significant harm the character and appearance of the local area.</p> |
| <p>J0007.16 113 Upminster Road South Rainham Essex <i>Prior Approval application for the conversion of rear offices into 2 residential studios units.</i></p> | Written Reps | Refuse Prior Approval | Delegated | Prior Approval is refused as there is no parking provision for the two residential units. The proposal would therefore result in increased parking congestion in surrounding streets, contrary to Policies DC32 and DC33 of the Local Development Framework and the guidance contained in the National Planning Policy Framework. | <p style="text-align: center;">Allowed with Conditions</p> <p>The Inspector did not consider that the absence of parking spaces would result in the proposal having an unacceptable effect upon highway safety as the proposed development would be unlikely to have a significantly greater effect upon parking in the area than the permitted office use during office hours.</p> |
| <p>P1414.16 240 Rainham Road RAINHAM <i>Two storey front</i></p> | Written Reps | Refuse | Delegated | The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of internal space. | <p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the conclusions of the Council on the issues of internal space standards but not on education infrastructure</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|-----------|--------------------------------|--|---|
| <p><i>extension, single storey rear extension and conversion of the property into two dwellings.</i></p> | | | | <p>As a result, the development represents an overdevelopment of the site, which would be detrimental to future residential amenity, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, Policy 3.5 of the London Plan (as amended) and the DCLG Technical Housing Standards. The proposed development would, by reason of the inadequate on site car parking provision, result in an acceptable overspill onto the highway to the detriment of highway safety and residential amenity, contrary to Policies DC32, DC33 and DC61 of the Local Development Framework and guidance contained in the National Planning Policy Framework.</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>contributions and parking provision and potential impacts on highway safety.</p> |

TOTAL PLANNING = 43

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-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 |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|------------------|-----------|--------------------------------|--------------------|---|
| <p>ENF/472/15/ Youngs Farm St Mary's Lane Upminster</p> | <p>Hearing</p> | | | | <p style="text-align: center;">Dismissed</p> <p>There was an appeal hearing into conjoined enforcement and planning appeals at this site. The appeals concerned the material change of use of a building originally constructed as a barn but with 2012 permission for mixed use agricultural barn / office / 2 bed residential unit for a site manager without any garden space to a single dwelling house. The Enforcement Notice appeal was submitted on ground (a) i.e. planning permission should be granted for what is alleged in the notice and this sought permission for the retention of the development in the form as developed. The planning appeal sought retrospective permission for the change of use but was materially different as alterations to the building were proposed.</p> <p>In assessing whether planning permission should be granted in both appeals, the Inspector considered that residential use clearly differs from an agricultural use. By introducing a domestic use into these surroundings it severely diminished the rural qualities of the site. It was concluded that the use of the barn with a domestic garden failed to preserve the openness of the Green Belt and conflicted with the purposes of including land in the Green Belt. Both the use and fencing enforced against and that in the revised plans was inappropriate development in the Green Belt which is harmful by definition.</p> <p>In regard to character and appearance in</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|-----------|--------------------------------|--------------------|---|
| <p>ENF/472/15/ Youngs Farm St Mary's Lane Upminster</p> | <p>Hearing</p> | | | | <p style="text-align: center;">Dismissed</p> <p>terms of the enforcement appeal, the development as built and enforced against had a significant adverse effect on the character and appearance of the barn and its surroundings. The scheme in the planning appeal would not be similar from the 2012 permission with the appearance of the barn being maintained and the Inspector did not find this to be harmful. However that did not change there being a significant reduction in openness and other harm to the Green Belt arising from the solely residential use and enclosure of garden space.</p> <p>The Inspector considered the appellant's argument that there was a functional need for the family to live on site to support the farming business. It was noted that much of the evidence talked of intention, hope and ambition rather than firm evidence of a viable business. The Inspector was not persuaded that the farming activities on site necessitated a single dwelling for the family to live on site particularly in view of the scale of operations. Moreover the appellant failed to adequately explain why the needs could not be met by a worker/s living off-site.</p> <p>The appeal on ground (a) failed and the deemed planning application off the back of this as well as the planning appeal were dismissed.</p> <p>On the enforcement appeal, on the ground (f) appeal the Inspector considered that the requirements to cease the residential use and</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|---------------------|-----------|--------------------------------|--------------------|--|
| <p>ENF/472/15/ Youngs Farm St Mary's Lane Upminster</p> | <p>Hearing</p> | | | | <p>Dismissed to remove the structures amounting to operational development were not excessive and the appeal failed on that ground. On the ground (g) appeal, in assessing the circumstances of the case, the Inspector was satisfied that a 6 month compliance period would be reasonable and proportionate and the appeal on ground (g) succeeded.</p> |
| <p>ENF/518/14/ Unit 9 Stafford Industrial Estate Hillman Close Hornchurch</p> | <p>Written Reps</p> | | | | <p>Dismissed The appeal was dismissed and the enforcement notice is upheld as varied. The appellant appealed on ground (c) and to succeed on this ground it needs to be clearly shown that there has not been a contravention of planning control. This may be because there is already a permission in place; that permission is not required or that, whatever has been done, constitutes permitted development.</p> <p>The Inspector concluded that planning permission was required for the operational development as carried out; there was no express permission in place and the development was not permitted under any part of the GPDO. The appeal failed on this ground. On the ground (g) appeal seeking an extended time to comply with the requirements of the notice, the Inspector considered it reasonable to extend the compliance period to 3 months.</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|---|---------------------|-----------|--------------------------------|--------------------|---|
| <p>ENF/94/14/ 29 Roslyn Gardens Gidea Park Romford</p> | <p>Written Reps</p> | | | | <p>Dismissed The appeal was dismissed however the Inspector considered it was appropriate that the notice be varied to give the appellant the option of either demolishing the unauthorised extension or making alterations to accord with the terms of the new planning permission P0257.17</p> |
| <p>ENF/409/16 1 Beaumont Close Romford</p> | <p>Written Reps</p> | | | | <p>Dismissed The Inspector found that as a matter of fact that at the relevant date the property was in use as a sui generis HMO as alleged in the notice and that such use constitutes a breach of planning control. The appellant sought planning permission for the development however no arguments were advanced to justify that position. The Council's considered that the use is contrary to the development plan and set out its case. Given that the appellant did not submit a statement of case the Inspector found that were no considerations to warrant a decision other than in accordance with the development plan. In the absence of any justification from the appellant for a longer period to comply with the notice this ground of appeal also failed. The Inspector found for the Council on all of the four grounds appealed by the appellant and an application for costs submitted by the Council against the appellant was allowed.</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-17

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|-------------------------------------|------------------|-----------|--------------------------------|--------------------|--|
| ENF/458/14/ 35A New Road Rainham | Written Repts | | | | <p style="text-align: center;">Dismissed</p> <p>The appellant appealed on ground (g) only requesting that the period of compliance with the notice be extended to 6 months in order to allow more time to seek out alternative premises The Inspector noted that 5 months had elapsed since the appeal was submitted, with enforcement action suspended and saw no good reason to justify extending the compliance period further. One month was sufficient time to comply with the notice.</p> |

TOTAL ENF = **5**

LIST OF APPEAL DECISIONS MADE BETWEEN 25-FEB-17 AND 31-MAY-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 = | | 43 | | | |
| Total Enf = | | 5 | | | |
| Appeals Decided = | | 49 | | | |
| Appeals Withdrawn or Invalid = | | 1 | | | |
| Total = | | 48 | | | |
| | Dismissed | | Allowed | | |
| Hearings | 2 | 4.17% | 1 | 2.08% | |
| Inquiries | 0 | 0.00% | 0 | 0.00% | |
| Written Reps | 35 | 72.92% | 10 | 20.83% | |