

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1074.12 Land Adj to 61 Salisbury Road Romford <i>Three bedroom dwelling</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 the NPPF and Policy DC33 of the LDF Core Strategy Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document.</p>	<p>Dismissed</p> <p>The Inspector found that the number of off-street car parking spaces for the proposed new dwelling would be adequate in this residential location. The requirement for a planning obligation in the terms set out by the Council therefore met the tests of NPPF and the CIL regulations. One was not submitted and the proposed development would be contrary to Policy DC72. The harm identified in respect of this issue was sufficient reason to dismiss the appeal.</p>
<p>P1372.12 Land Adj to 13 Tempest Way Hornchurch <i>New two bedroom detached dwelling</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its projection beyond the building line of the properties in Finucane Gardens, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document.</p>	<p>Allowed with Conditions</p> <p>The Inspector found that a new dwelling would not appear out of character with its surroundings, appearing as a logical extension to the existing terrace. Furthermore it would not close down or intrude into the open aspect of this side of the junction. The Inspector in this appeal was not satisfied that an obligation was necessary and concluded that the contribution sought would not comply with Regulation 122 of the 2010 CIL Regulations.</p>
<p>P0400.13 24 Severn Drive Upminster <i>Side and rear single storey extension ,garage</i></p>	Written Reps	Approve With Conditions	Committee	<p>The proposal, by reason of noise and disturbance arising from the intensification of the use of the property and its curtilage, would result in unacceptable levels of noise and</p>	<p>Allowed with Conditions</p> <p>The Inspector found that the scheme would provide a reasonable degree of on-site parking and there was scope locally for other related parking or brief stopping to take place</p>

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<i>conversion ,external works including 2 No. dropped kerb width increases. Change of use from dwelling (C3) to a Daycare Nursery (D1) and canopy</i>				disturbance to the detriment of residential amenity, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD. The proposal, by reason of the extent of parking to the front and rear of the property, would adversely affect the character and appearance of the streetscene, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.	in a variety of local positions such that inconvenience or disturbance to neighbours would not be excessive. Limitations on the use of the building and garden would satisfactorily protect the amenity of local people. Moreover significant numbers of local properties had hard surfacing to the front and frontage parking would not be alien to the wider locality and the parking to the rear would look little more than a familiar domestic driveway.
P0576.13 8 & 10 Risebridge Road Romford <i>Instalation of metal gates on shared driveway</i>	Written Reps	Refuse	Delegated	The proposed gates would enclose the shared driveway and set an undesirable precedent, detrimental to the open and verdant character of the Gidea Park Conservation Area. The gates would neither preserve or enhance the character and appearance of the Gidea Park Conservation Area contrary to Policies CP17, CP18, DC61 and DC68 of the LDF Development Control Policies Development Plan Document.	Dismissed The site is in the Gidea Park Conservation Area and a defining characteristic of dwellings is shared common drives with an open entrance, and garages to the rear. This setting, has been largely retained since the estate was originally built. The erection of 2m high galvanised steel gates would enclose the shared driveway and would be the only pair of dwellings in the street with a shared driveway that would have gates enclosing it. The common feature of these properties as described above would be compromised by this proposal and would not preserve the character or appearance of the Gidea Park Conservation Area.
P0316.13 92 Station Road Gidea Park Romford <i>From beauty salon (A1) to fish & chip shop (A3-A5 mixed use) with extract ducting to rear</i>	Written Reps	Refuse	Delegated	The proposal would, by reason of the position and height of the ducting, be materially harmful to amenity of occupiers of the first floor residential dwelling in terms of visual impact and smell contrary to DC61 of the LDF Development Control Policies DPD. The proposal would, by reason of noise	Allowed with Conditions Noise and disturbance, arising from customers' use of their cars, was a concern. Given the proximity of the property to the railway station, bus stops, taxi activity and other late evening uses, it was considered that a reasonable level of activity, including car borne activity, already occurs close to the

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				and disturbance caused by customers entering and leaving the premises, vehicles parking and manoeuvring, particularly during the evening hours of operation and its location adjacent to an existing A5 use, be unacceptably detrimental to the amenities of occupiers of adjacent properties contrary to Policies DC55, DC61 and DC63 of the LDF Development Control Policies DPD.	site during the early and late evening. The Inspector found that conditions could be used to guard against nuisance being caused as a result of smells and noise that may arise directly from cooking, extraction and ventilation. It was concluded that the proposal would not harm the living conditions of neighbouring residents as a consequence of smells, noise, disturbance or visual intrusion.
<p>P0942.13 Istanbul Grill 6 Broadway Parade Hornchurch <i>Installation of front side timber decking and terrace</i></p>	Written Reps	Refuse	Delegated	The proposal, due to its permanent location on the public highway, would adversely impact on the proper function of the public highway, creating long term maintenance issues and resulting in obstruction of the public highway, contrary to Policy DC32 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Dismissed</p> <p>The proposed decking and terrace would occupy a larger area of the pavement than the existing outdoor seating area. The proposal would occupy a significant proportion of the pavement and would obstruct pedestrians resulting in particular difficulty for those people with mobility and visual impairments. It would also limit the ability of the Highway Authority to carry out essential maintenance to the pavement area and the highway generally.</p>
<p>P0312.13 52 Woodside Close Rainham <i>Retention of hardstanding to front of property and provision of full width vehicular crossover to 52-54 Woodside Close</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development entailing paving over of virtually the entire front garden and removal of the existing landscape features, would appear as a visually intrusive feature in the streetscene and thereby harmful to the appearance of the surrounding area, contrary to the Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed vehicular crossover, would access a front garden with insufficient depth</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed crossover would facilitate parking across the pavement on to a hardstanding area to the front of the appeal property. Several manoeuvres would be required to get into the space. The neighbouring flat has a number of windows serving habitable rooms close to the hardstanding area. Given the number of vehicle manoeuvres there would be noise from engines and other vehicular sounds that would be harmful to the living conditions of neighbouring occupiers by way of noise, disturbance and fumes.</p>

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				<p>to accommodate a vehicle to park perpendicular to the carriageway, contrary to the Residential Extensions and Alterations SPD.</p> <p>The proposal would, by reason of noise, disturbance and fumes associated with vehicles manoeuvring adjacent to the living room window of the neighbouring occupier, be seriously detrimental to the amenity enjoyed by that neighbouring occupier contrary to the Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	
<p>P0645.13 91A Front Lane Cranham</p> <p><i>Loft conversion with front rear and side dormers</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development, when seen in conjunction with the previously approved rear dormer, would give rise to a "busy" and top heavy appearance that would detract from the appearance of the subject property and be unduly intrusive within the rear garden environment. The proposal is therefore considered to be contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed side dormers would, by reason of their position and close proximity to neighbouring properties, cause overlooking and loss of privacy 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</p>	<p style="text-align: center;">Dismissed</p> <p>The Council's concerns related solely to the impact of the rear dormers. The lack of uniformity between the box dormer and the three individual dormer windows would result in an incoherent approach in design terms which would emphasise the cluttered nature of the proposal at roof level which would appear incongruous when set against the simple form of the existing building. This would be detrimental to the existing character of the building and the surrounding area.</p>

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				Control Policies DPD.	
<p>P0610.13 190 High Street Hornchurch <i>Variation of Condition 2 of P0470.08 to extend opening hours from 08.00 to 23.00 every day to 08.00 to 01.30 Sunday to Thursday and 08.00 to 02.30 Friday and Saturday</i></p>	Written Reps	Refuse	Delegated	The proposed extended hours, 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, would be Policies DC55 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.	<p style="text-align: center;">Dismissed</p> <p>The Inspector noted that the variety of opening hours in the surrounding area was not the result of inconsistent application by the Council of its planning policies. It is a matter in which the Council has either never had the opportunity to make a planning decision, or only had that opportunity many years ago at a time when the planning and factual context was very different. A substantial proportion of customers during the extended hours would be visiting after spending the evening in drinking establishments, particularly at weekends. The noise created by customers entering and leaving the premises during the extended hours would accordingly be significant and likely to be greater during those hours and would be likely to be intermittent in nature. The Inspector found that the proposal would be significantly detrimental to the living conditions of nearby residential occupiers.</p>
<p>P0650.13 230 Collier Row Lane Romford <i>Change of use from residential (C3) to day nursery school (D1), garage conversion and conservatory</i></p>	Written Reps	Refuse	Delegated	The development results in the loss of a residential unit and the creation of a community facility that would not be appropriately accessible by a range of transport modes, the proposals is therefore unacceptable in principle and contrary to Policy CP8 and DC1 of the LDF Core Strategy and Development Control Policies DPD. The development has an absence of	<p style="text-align: center;">Dismissed</p> <p>On the first reason for refusal, the site is close to a number of regular bus services and being in a predominantly residential area, it is accessible by walking and cycling. The use would make a positive contribution to the community and the Inspector found the reason for refusal to be entirely unjustified.</p> <p>The Inspector found that the lack of a drop off</p>

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				<p>drop off points for parents, which results in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity, thereby increasing congestion in the area and harming road safety contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD. The development, by reason of the increased number of children allowed on site and number of children allowed outside, results in unacceptable levels of noise and disturbance to the detriment of residential amenity and contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.</p>	<p>facility and lack of parking raised concerns with regard to road safety and it would restrict the free flow of traffic at certain times. The site has two neighbouring dwellings in close proximity and the proposed numbers of children would create greater or more persistent levels of noise. The intensity of the use would result in unacceptable disturbance to the living conditions of neighbouring residents with regard to noise. The matters in favour of the proposal did not outweigh the concerns.</p> <p>An application for an award of costs was allowed as the Council's first refusal reason was found to be without substance. The inclusion of this reason represented unreasonable behaviour by the Council and resulting in the appellant having to spend time addressing this concern.</p>
<p>P0205.13 Unit 4 Detection House Brooklands Approach Romford <i>Change of Use from offices B1 to D1</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The use, by reason of insufficient on site parking, is likely to result in a material increase in on street parking causing likely traffic flow problems contrary to Policies DC26, DC32, DC33 and DC61 of the Development Control Policies Development Plan Document.</p>	<p>Dismissed</p> <p>The proposal would attract around 65-100 visitors for Sunday services. It is acknowledged that there are nearby bus services in North Street. The nearby Matalan car park was cited as a potential parking area for visitors with an informal arrangement between the parties however no formal evidence was submitted to support this over a long term period. Only two spaces were provided on-site and a number of spaces identified by the appellant were outside of the site and therefore not in their control, with no evident agreement to their use in connection with the proposed use. The proposal</p>

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					therefore failed to demonstrate adequate on-site parking provision for the proposed use.
<p>A0030.13 95 North Street Romford <i>One internally illuminated fascia and one internally illuminated hanging sign</i></p>	Written Reps	Refuse	Delegated	The fascia sign, by reason of its scale, proportion and design, appears visually intrusive in the street scene, giving rise to harm to visual amenity, contrary to Policies DC61 and DC65 of Local Development Framework Core Strategy and Development Control Policies DPD and the Shopfront Design SPD.	<p>Allowed with Conditions</p> <p>The appeal site is a detached single storey building which is part of a parade of commercial properties, and has its shop front has a modern finish in green. The Inspector found that the advert has been designed to match this finish and it results in the frontage having a unified appearance. The new signs therefore would not have an adverse impact on the amenity of the area or on public safety.</p>
<p>P0308.13 9 Kenilworth Avenue Romford <i>The erection of two 2 bed detached chalet bungalows with two parking spaces per dwelling.</i></p>	Written Reps	Refuse	Delegated	<p>The proposal would, by reason of its scale, bulk, massing and layout, result in an unsatisfactory relationship between the proposed and the existing adjoining dwellings, which would be out of character with the overall form and layout of the surrounding rear garden environment, which would be detrimental to the residential amenities of the area and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its position and proximity to neighbouring properties cause overlooking and loss of privacy 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 development would, by</p>	<p>Dismissed</p> <p>The proposed dwellings would have a limited set-back from the road, their coverage of most of the width of the site and the lack of space between the houses would result in them appearing cramped within their plots. They would not respect or complement the landscape setting of this area of rear gardens. The proposed dwellings would result in a loss of privacy and outlook for the donor dwellings and neighbouring properties and appear would overbearing in the rear garden environment.</p>

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				<p>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 LDF Core Strategy and Development Control Policies DPD</p> <p>The proposed development would be unacceptable as vehicular access cannot be provided from the site to a public highway because it has not been demonstrated that there is sufficient land within the applicant's ownership or control to facilitate vehicular access from the site to a public highway and is therefore contrary to Policy DC62 of the LDF Core Strategy and Development Control Policies DPD</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P0945.13 Three Horseshoes Farm Noak Hill Road Romford <i>Demolition of existing stabling, storage and residential properties on site and construction of 5 dwellings, landscaping and associated works</i></p>	<p>Written Reps</p>		<p>NON DETERMINATION</p>		<p>Dismissed</p> <p>The scheme would result in 5 structures which would be taller than any building which presently exists on the site. The gable ended dwellings would be clustered together with relatively small spacing between them. The combination of height and bulk would be harmful to openness and would be a retrograde step from the current situation. There would be greater impact on the</p>

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					<p>openness of the Green Belt in this locality and would represent inappropriate development.</p> <p>The existing arrangement of buildings is fairly low key, and of a nature which reflects what one would expect to see in a rural area. The proposal would effectively create a mini-housing estate and this alien development would be intrusively harmful to the character and appearance of this Green Belt locality. The benefits of the proposal are that the homes themselves would aid housing supply and offer a good environment for living. However these did not outweigh the harm identified previously.</p> <p>An application for an award of costs against the Council was refused as unreasonable behaviour resulting in unnecessary expense had not been demonstrated</p>
<p>P1080.13 50a Station Road Upminster <i>Second floor rear extension & converting existing maisonette into 2 No 1 bedroom flats</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its poor design fail to integrate with the existing building and would appear as a visually intrusive feature and be harmful to the appearance of the surrounding area contrary to the Residential Design Supporting Planning Guidance and Policy DC61 of the Core Strategy and Development Control Policies Submission Development Plan Document.</p> <p>The proposed development of the extension and external staircase would, by reason of their depth, position and proximity to the attached and adjacent buildings, be an unneighbourly</p>	<p style="text-align: center;">Dismissed</p> <p>The appeal site would be located within area to the rear of shop units. The proposal is a large box shaped structure that would pay little regard to the traditional design and form of the existing two storey rear projection and would clearly unbalance a shared gable feature with a neighbouring flat. Whilst the original regular design and appearance of the rear of the terrace has been eroded, the Inspector considered that it would fail to preserve the visual amenities of the area</p>

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				development, appear visually intrusive in the rear garden environment and harmful to the amenity of adjacent occupiers and surrounding area, contrary to Policy DC61 of the Core Strategy and Development Control Policies Submission Development Plan Document.	
A0023.13 164 Rush Green Road Romford <i>Retention of Non-Illuminated sign</i>	Written Reps	Refuse	Delegated	The non-illuminated sign, by reason of its siting, width and orange lettering combined with the prominent corner location, appears incongruous, dominant, visually intrusive and detracts from the appearance of the building harmful to the character and appearance of the streetscene contrary to Policies DC61 and DC65 of the Local Development Framework Development Plan Document and the Shopfront Design SPD.	<p style="text-align: center;">Allowed with Conditions</p> The Inspector found that the advertisement is non-illuminated and sits neatly above the first floor windows and is flush with the property. It was considered to be a discrete addition to the property and does not appear dominant or visually intrusive
P1049.13 10 Acer Avenue Rainham <i>Proposed 3 bedroom end of terrace dwelling with car parking off street and private amenity</i>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its design in relation to the remainder of the terrace, the roof form and prominent siting of the dwelling fully forward of the existing building line to Fargus Avenue, be unacceptably dominant and visually intrusive at this junction, adversely impacting on the visual amenity and character of the streetscene, contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD, the SPD on Residential Design and, as relevant, SPD on Residential Extensions and Alterations.	<p style="text-align: center;">Dismissed</p> The proposed dwelling would be sited on a corner and would stand forward of the extended building line of the terrace in Fagus Avenue. It would not appear cramped nor appear too prominent. The Inspector found that the proposal would sit acceptably in its visual context without harming the character and appearance of its surroundings. On the second issue, the requirement for a planning obligation met the tests of NPPF and the 2010 CIL regulations. One was not submitted and the proposed development would be contrary to Policy DC72. The harm identified in respect of this issue was sufficient reason to dismiss the appeal.

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<p>P1191.13 Rainham Social Club 30 Upminster Road South Rainham <i>Conversion of Rainham Social Club into 1) part pub/part bed & breakfast & 2) addition of second (loft) floor for additional bedrooms for bed and breakfast</i></p>	<p>Written Reps</p>		<p>NON DETERMINATION</p>		<p>Dismissed The introduction of a hotel use in this location is generally supported by London Plan and LDF policies with the caveat requiring a proposal to comply with criteria set out in the policies. These criteria include matters such as the scale of the proposed use and whether the site is well served by public transport. The Inspector found that the site would be adequately served by public transport. However given the limited number of parking spaces, which would be in an off-site location and also not in the appellant's ownership. When combined with a lack of evidence to demonstrate that the spaces would be available throughout the lifetime of the hotel use, it was concluded that the proposed car parking arrangements would not be satisfactorily. The site is intended to be serviced to the front of the site with two visits per day expected. No information was provided on the size of vehicles and the likelihood is that delivery vehicles would obstruct the footway, which would inconvenience and reduce safety for pedestrians in particular.</p>
<p>P1302.13 36 Heath Park Road Romford <i>Single storey rear extension and blocking up of front small window and replacement of door</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed rear roof canopy would, by reason of its excessive depth, 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>	<p>Dismissed The proposal has a total depth of around 6m beyond the original rear wall of the dwelling. It immediately adjoins the boundary with neighbouring dwelling which has a conservatory to the rear. The canopy feature is taller than the conservatory and the combination of its height and depth results in a visually intrusive and overbearing impact upon the outlook from the rear of the</p>

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					neighbouring dwelling and some loss of light to this space.
<p>P1024.13 2 Berther Road Hornchurch <i>First floor rear extension and rear dormer to provide three additional flats and retrospective change of use of part of the ground floor from A1 to A3 use</i></p>	Written Repls	Refuse	Delegated	<p>The proposed change of use and increase from 1 residential unit to 4, due to the lack of adequate on site parking provision, would result in overspill car parking in an already busy location, adversely affecting the free and safe flow of traffic, to the detriment of highway safety, contrary to Policies DC4 and DC33 of the Development Control Policies Development Plan Document. The proposed rear extension 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 Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposal would result in development which would be overly bulky and out of character with the building to which it would be attached and have insufficient parking for the number of units proposed such that it would represent an overdevelopment of the application site contrary to Policy DC4 and DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed extensions would be large in relation to the subject building and would cover a significant part of its rear and roof slope. They would dominate the rear of the original building and appear incongruous and intrusive and would fail to fit comfortably within the street scene. The proposed car parking provision would be significantly below that likely to be demanded and would result in an increase in on-street car parking.</p>

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<p>P0787.13 27 Spenser Crescent Upminster <i>Rear canopy, decking and steps</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed boundary fencing would, by reason of its excessive depth, height, orientation and relationship with No.29 Spenser Crescent, be an intrusive and unneighbourly development which will overshadow, overbear and dominate the outlook and harm the amenity of this neighbour. The development is therefore contrary to the Residential Extension and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p>Dismissed The canopy and raised fencing would together extend some 7m to the rear of the existing house, at a substantial height. The combination of height and length would create an overbearing feature that would loom over the garden terracing of the neighbour, unacceptably harming living conditions due to the impact on outlook from that property.</p>
<p>P0611.13 225 Rush Green Road Romford <i>Change of Use from Residential to Nursery School with breakfast/ afterschool club with two-storey side extension and single-/two-storey rear extension.</i></p>	<p>Written Reps</p>	<p>Approve With Conditions</p>	<p>Committee</p>	<p>The proposal results in the loss of a residential unit and the creation of a community facility that would not be appropriately accessible by a range of transport modes and would have an unacceptable impact on residential character, amenity and highway conditions. The proposal is therefore unacceptable in principle and contrary to Policies CP8, DC1 and DC26 of the LDF Core Strategy and Development Control Policies DPD. The proposal has inadequate parking and drop off facilities, which would be likely to result in unacceptable overspill onto the adjoining roads, to the detriment of highway safety and residential amenity, contrary to Policies DC32 and DC33 of the LDF Core Strategy and Development Control Policies DPD. The proposed side extension, by reason of mass and bulk through its excessive</p>	<p>Dismissed The provision of a nursery would contribute to providing for the significant shortfall of places in the borough but it would result in the unacceptable loss of family housing. The proposal would significantly enlarge the dwelling with single and two-storey extensions to the side and rear that would give rise to a cluttered and cumbersome appearance. The use as a nursery would be likely to result in a cumulative increase in traffic movements that could cause unacceptable additional congestion in the surrounding area. The drop-off area within the proposal would be inadequate to serve the movements likely to be generated by the nursery. Furthermore the proposed nursery use would be harmful to the living conditions of the occupiers of neighbouring dwellings because of an unacceptable increase in noise and disturbance as a result of the intensification of use of the site.</p>

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				<p>depth and height and position on a corner plot, would be an overbearing development in the streetscene, to the detriment of its character and appearance, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the nature of the use and numbers of children and staff on site, would result in an overintensive use of land creating unacceptable levels of noise and disturbance to the detriment of residential amenity within the locality and to the occupiers of the adjoining semi-detached property, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.</p>	
<p>P1208.13 29 Roslyn Gardens Gidea Park Romford <i>2 Storey side extension.</i></p>	<p>Written Repls</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed two storey side extension fails to satisfactorily reflect the roof design of the main house and would by reason of its height, bulk and mass, unbalance the appearance of this semi-detached property and appear as an unacceptably dominant and visually intrusive feature in the streetscene. The development is therefore contrary to the Residential Extension and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p style="text-align: center;">Dismissed</p> <p>The appeal proposal includes an extension over the garage, with a further single storey section to the side having a full pitched roof and a high parapet wall on the end gable. The building as now extended is a collection of conflicting roof slopes, angles, forms and features. Looked on as a whole, the effect is chaotic and unacceptably harms the character and appearance of both the building and the local area.</p>
<p>P1292.13 39 Rossllyn Avenue Harold Wood <i>Retrospective planning</i></p>	<p>Written Repls</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The outbuilding, by reason of its design, overall height, bulk, mass and position close to the boundaries of the site, is considered to be an obtrusive and</p>	<p style="text-align: center;">Allowed with Conditions</p> <p>The proposed garage would be single width and double length and replace an old smaller one which had a flat roof. The Inspector</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>permission for a replacement garage in rear garden area</i>				unsatisfactory form of development which is visually intrusive and harmful to the appearance and character of the surrounding area. The development is therefore considered contrary to the Supplementary Design Guidance (Residential Extensions and Alterations) and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	considered that having a double length garage of the scale proposed in a rear garden would not have an unacceptably adverse impact upon visual and residential amenity and would not appear as a visually obtrusive feature from the street.
P1381.13 1 Ruskin Avenue Upminster <i>Single storey side extension with raised decking steps and landing, rear dormer window and roof lights</i>	Written Reps	Refuse	Delegated	The proposed rear dormer window would, by reason of its scale, bulk, mass and cumulative impact of the existing and proposed dormer windows, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment and street scene, harmful to the appearance of the surrounding area, contrary to the London Borough of Havering Supplementary Planning Document for Residential Extensions and Alterations and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	Allowed with Conditions The Inspector concluded that the design of the extension was appear as a subordinate addition to the house. The proposed dormer to the property would be appropriately scaled to the roof slope and set sufficient distance from the ridgeline, eaves and sides of the dwelling. On the second matter, it was concluded that it would not detrimentally affect the living conditions of neighbouring properties.
P1287.13 43 Sunningdale Road Rainham <i>Side and rear dormer roof extensions</i>	Written Reps	Refuse	Delegated	The proposed development would, by reason of the design, position, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the street scene and rear garden environment harmful to the appearance of the surrounding area, contrary to the London Borough of Havering Supplementary Planning Documentfor Residential Extensions and Alterations and DC61 of the LDF Core Strategy and	Dismissed The siting of the dormers would result in all four elevations of the property being altered and enlarged. Due to the scale and design the development would significantly increase the bulk of the roof of the bungalow. The dormers would make up a greater proportion of the height of the building and would result in the building appearing top heavy appearing as incongruous and out of scale additions.

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Development Control Policies Development Plan Document. The proposed dormer window adjacent to No.45 Sunningdale Road would, by reason of its position and proximity to neighbouring property, cause loss of privacy due to overlooking which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to the London Borough of Havering Supplementary Planning Document for Residential Extensions and Alterations and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	
<p>P1350.13 96 Ravenscourt Drive Hornchurch <i>Front and rear dormers, including new tiled pitch roof over existing porch and a new flat roof single storey rear extension</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, appear as an unacceptably dominant and visually intrusive feature in the street and rear garden scene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Dismissed The proposed rear dormer would cover most of the rear roof slope, from just below the roof ridge and just above the eaves. Due to its overall size and scale, it would appear overly prominent and the light coloured render on the rear and sides of the rear dormer would exacerbate its visual impact. The proposal would therefore result in material harm to the character and appearance of the dwelling and surrounding area.</p>

TOTAL PLANNING = 27

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

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/460/11/HP 76 Lower Bedfords Road Collier Row Romford	Written Reps				<p style="text-align: center;">Dismissed</p> The breach of planning control as alleged in the notice is the unauthorised conversion of the existing bungalow to a chalet bungalow with front dormers and Juliet balcony to the front, which includes extensions to the original rear roof and linked extension at first floor level over the existing single-storey extension; this development has not been constructed in accordance with approved planning application P1030.09, nor does it resemble the refused application P0527.09. The extensions increased the volume of the bungalow by some 70% which is in excess of the normal maximum allowed of 50%. They therefore constitute unacceptable inappropriate development in the Green Belt. The rear dormer appears as a two-storey flat roof box, poorly related to the rear roof slope of the original gable-ended bungalow, which has been largely obliterated by this addition. It has resulted in an incongruous element in the street scene. The Inspector found that very special circumstances did not exist to justify the development in planning terms.

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/476/11/PT 39 Collier Row Lane Romford</p>	<p>Written Reps</p>				<p style="text-align: center;">Dismissed</p> <p>The breach of planning control as alleged in the notice is without planning permission the construction of an unauthorised single storey building in the rear garden of 39 Collier Row Lane, and the unauthorised use of the building as a mixed martial arts studio and gymnasium. The absence of any spaces combined with the low availability of on street spaces and existing parking restrictions in nearby roads, and the additional traffic generated by the unauthorised use is detrimental to both highway safety and residential amenity.</p> <p>The use of the building generates noise from the activities within, both from the participants and the accompanying amplified music, the comings and goings on foot and by vehicle, and people congregating in or close to the site. Persons leaving the studio/gym or congregating nearby would also be able directly overlook a neighbouring residential garden.</p> <p>The Inspector concluded that the proposal failed to provide adequate parking facilities which adversely affects highway safety, and also harms the living conditions of neighbouring residents by way of increased noise and disturbance, overlooking and loss of privacy. The appeal was dismissed and the enforcement notice is upheld with correction.</p>

TOTAL ENF =

2

LIST OF APPEAL DECISIONS MADE BETWEEN 16-FEB-14 AND 06-JUN-14

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
Summary Info:					
Total Planning =		27			
Total Enf =		2			
Appeals Decided =		30			
Appeals Withdrawn or Invalid =		1			
Total =		29			
	Dismissed		Allowed		
Hearings	0	0.00%	0	0.00%	
Inquiries	0	0.00%	0	0.00%	
Written Reps	22	75.86%	7	24.14%	