

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>P1010.10</b>                      131-133 Abbs Cross Lane Hornchurch  <i>Proposed change of use of ground floor shop to fish &amp; chips restaurant (A3 &amp; A5 use)</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 Policies DC32 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal would, 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><b>Dismissed</b></p> <p>The Inspector identified the following issues                      [a] impact of noise and disturbance on living conditions at nearby dwellings                      [b] highway safety</p> <p>He noted that with the exception of the small parade of shops, [including the appeal site] the area was almost wholly residential. Abbs Court Road may be a busy road but residents could be expected to enjoy lower ambient noise levels during evenings.</p> <p>The Inspector concluded there was no evidence that on-street parking would harm highway safety. Potential nuisances from smell and litter could be controlled by Condition. However the proposed opening hours would be likely to attract customers in cars late into the evening, unlike the existing commercial premises. That was likely to create harmful levels of noise and disturbance in a predominantly residential area and was not acceptable</p>
<p><b>P1438.10</b>                      34 Curtis Road Hornchurch  <i>Single/two storey side and rear extensions, single storey front and rear extensions</i></p>	Written Reps	Refuse	Delegated	<p>The single storey rear conservatory by reason of its excessive depth and proximity to the boundary, would be an intrusive and unneighbourly development as well as having an adverse effect on the amenity of the non-attached neighbour at No.36 Curtis Road, contrary to the Supplementary Design Guidance (Residential Extensions and Alterations), Policies DC61 and DC69 of the LDF Core Strategy and Development Control</p>	<p><b>Dismissed</b></p> <p>The Inspector identified 2 main issues:                      [a] impact on adjoining residents                      [b] impact on character and appearance of the area</p> <p>On the first issue the Inspector noted that the single storey Conservatory would have a 3 metre high solid wall facing the property to the south. It would be visible through a gap in the hedge but it would not be unduly imposing, nor would it impact on sunlight to</p>

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				<p>Policies Development Plan Document.</p> <p>The proposed two storey side extension by reason of its scale, bulk and proximity to the boundary would infill the space at first floor level between the application dwelling and its neighbour giving rise to a terracing effect which is uncharacteristic and harmful to this part of Curtis Road and the surrounding area of Emerson Park. For this reason the extension is considered to be contrary to the aims and objectives of the Supplementary Design Guidance (Residential Extensions and Alterations), Policy DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>The proposed first floor rear extension, by reason of its excessive depth and position close to the boundary of the site would be an overbearing and unneighbourly development to the detriment of the amenity of the neighbouring occupiers at No.36 Curtis Avenue contrary to the aims of the Supplementary Design Guidance (Residential Extensions and Alterations) of the Havering Unitary Development Plan, Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies Plan Document.</p>	<p>the property. He concluded its impact would be acceptable. The first floor extension would project significantly beyond the rear building line and the resulting wall would be only 1 metre from the northern plot boundary. He reasoned that its height in proximity to the boundary would have an overbearing impact on the neighbouring dwelling and result in loss of sunlight to the garden and rear windows of that property. The proposal would be unacceptable.</p> <p>On the second issue, the Inspector recognised the special protection afforded to the Emerson Park Policy Area. He noted that a run of 4 houses, including the appeal site define the character of this section of Curtis Road. Two of the houses had been extended before adoption of current policies. The impact of those extensions in the streetscene was material to assessment of the appeal. He said that the existing extensions maintain a gap at first floor level between the dwellings at 30-32. The proposed extension would have eaves at 1st floor level and be set back by less than 1 metre from the main front elevation. It would be more dominant in the streetscene than either of the existing extensions and would neither maintain, or enhance the character and appearance of the area.</p> <p>An application for Costs by the Appellant was DISMISSED</p>

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<p><b>M0006.10</b> land to r/o 158 Hornchurch Road Hornchurch <i>The installation of a twin user 12.5m metre monopole with antennas located within a glass reinforced plastic shroud at the top, with 1No. ground based equipment cabinet and ancillary development therto.</i></p>	Written Reps	Refuse	Delegated	The proposed telecommunications mast and equipment cabinet would, by reason of its proximity to residential properties and height appear as unacceptably dominant and visually intrusive within the garden scene and street scene harmful to the character and appearance of the surrounding area contrary to Policy DC61 and DC64 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;"><b>Allowed with Conditions</b></p> <p>The Inspector considered 2 main issues [a] effect on character and appearance of the area [b] impact on living conditions of nearby residents</p> <p>The Inspector observed that the mast would be screened from views on the south side of Hornchurch Road, by the buildings on the north side of the road. Only the top of it would be visible in distance views from the east and west. It would however be visible from adjacent dwellings and their gardens and from nearby flats. He concluded that the mast was a slim structure that would not unacceptably detract from the character and appearance of the area or the outlook of residents.</p> <p>Issues of health risk had also been raised. The Inspector recognised residents' fears. He commented that PPG8 indicates that the planning system is not in place to determine health safeguards. The equipment would comply with ICNIRP guidelines and PPG8 advises that it should not be necessary to consider further the health aspects of the proposal. There was nothing before him to indicate actual risk to health and no other information was available to outweigh the PPG8 advice</p>
<p><b>P0211.10</b> 3 Kingston Road Romford <i>Demolition of existing</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its height combined with the prominent location and open aspect of the site, appear dominant, visually	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector considered the main issues to be [a] impact of the extension on character and</p>

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<p><i>bungalow and erection of 6 x 1 bedroom flats</i></p>				<p>intrusive and overbearing in the streetscene, when viewed from the corner of Kingston Road and Junction Road contrary to Policy DC61 of the Local Development Framework Development Plan Document.</p> <p>The proposal by reason of its poor standard of layout would not provide convenient and direct access to amenity space for the occupants of the first and second floor flats detrimental to the amenity of future occupiers of the development and contrary to the requirements of the Design for Living Supplementary Planning Document and Policy DC4 of the LDF Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision and the loss of one on street car parking bay, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy DC33 of the LDF Development Control Policies DPD.</p> <p>The car parking spaces would, by reason of noise and disturbance from</p>	<p>amenity of the area; [b] impact on living conditions of future occupiers [c] parking provision.</p> <p>The Inspector said the 3-storey pitched roof building would be unduly dominant in the street-scene and would sit uncomfortably beside 2-storey housing and the open area to the east and west respectively. He added that the building would appear out of balance with the scale of the appeal site. He concluded that impact on the character and appearance of the area would be unacceptable.</p> <p>On living conditions he commented that the design of development needs to ensure that access to amenity space is convenient to ensure a realistic prospect of use. In this case access from the upper floor flats was tortuous and unlikely to be well-used. He also noted the 2 off-street parking spaces were directly in front of the living rooms in the ground floor flats. That close proximity was likely to cause noise and disturbance to the occupiers of those properties. The arrangements would be unacceptable</p> <p>On parking provision the Inspector observed that there is a heavy local demand for on-street parking. He noted [Policy DC2] that new flats may be acceptable, without off-street parking provision where parking can be controlled. He commented that no such measures had been put forward and concluded that the development was likely to</p>

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				vehicle movement and headlights have an adverse impact on the amenity and outlook of the future occupiers of the ground floor flats contrary to Policy DC61 of the Local Development Framework Development Plan Document and the Supplementary Design Guidance on Residential Amenity Space.	lead to further pressure for on-street parking, causing inconvenience to residents and to the detriment of highway safety and the free flow of traffic.
<p><b>A0053.10</b> 370 Brentwood Road Romford <i>Retention of one non-illuminated projecting sign</i></p>	Written Reps	Refuse	Delegated	The projecting sign, by reason of its location above fascia level, appears an excessively prominent and incongruous feature in the street scene, harmful to the appearance of the surrounding area contrary to Policy DC65 of the LDF Development Control Policies Development Plan Document.	<p style="text-align: center;"><b>Allowed with Conditions</b></p> <p>The Inspector identified the main issue as [a] impact on character and appearance of the area</p> <p>The Inspector observed that the sign was similar to signs on either side. It was located above the fascia but so were the 2 adjoining signs [one pre-dates current policy; the other is subject of enforcement investigation]. There were a number of similar signs further along Brentwood Road. He said that, although above fascia level the sign did not appear incongruous or excessively prominent in the street scene. He concluded the sign did not cause material harm to visual amenity and was acceptable</p>
<p><b>P1616.10</b> 9, 9a &amp; 11 Chase Cross Road Romford <i>Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3no. 2-bed and 2no. 1-bed units. New projecting</i></p>	Written Reps	Refuse	Committee	The proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector identified that the appeal raised a single issue [a] Impact of the proposal on living conditions at 9A Chase Cross Road</p> <p>The Inspector observed a 1st floor bedroom window about 1.8 metres away from the existing workshop within the development</p>

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<i>bay window to existing first floor residential unit at 9A Chase Cross Road.</i>				Policies DPD and the Residential Design SPD.	site. The proposed block of flats would be about 4.8 metres away from the window but the new building would be taller and wider than the workshop. Outlook from the window would be towards a blank 2-storey wall. He concluded that the new building would be overbearing and worsen the outlook and living conditions at 9A unacceptably.
<p><b>P1621.10</b>            120 Daventry Road            Romford  <i>2-storey residential dwelling on the land adjacent No. 120 Daventry Road with associated parking spaces and boundary wall to front and side of application site. Minor alterations to No. 120 Daventry Road.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed new dwelling would, by reason of its size, bulk and siting, appear as an obtrusive, dominant and visually intrusive feature in the Daventry Road streetscene, adversely affecting the open and spacious appearance of the junction with Hailsham Gardens, contrary to Policies DC3 and DC61 of the Development Control Policies Development Plan Document.</p> <p>The new dwelling would, by reason of its narrow width, form and layout, appear out of character with the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the Local Development Framework Development Plan Document.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector considered the main issues to be            [a] impact on character and appearance of the surrounding area;            [b] impact on living conditions of future occupiers;            [c] parking provision in the surrounding area.</p> <p>The Inspector noted the housing estate enjoyed a good standard of consistency derived from the formality of houses facing the roads. The new development would breach the building line and seriously upset the balance of the terrace and be unduly imposing in views along Daventry Road. The intrusive positioning would cause significant harm to the established character of the area.</p> <p>With regard to living conditions the Inspector noted the very small size of the proposed garden and its tapering dimensions, and concluded it would be inadequate for reasonable provision of amenity space for future occupiers of the dwelling,</p> <p>On parking provision he noted that a considerable demand for on-street parking</p>

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				<p>The layout and width of the amenity space for the new dwelling would result in an unacceptably cramped layout and poor quality of amenity space provision 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 Supplementary Planning Document.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision for the donor property and the new dwelling, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy DC33 of the LDF Development Control Policies DPD.</p>	<p>already exists. He considered the development was likely to increase pressure for parking in the area causing inconvenience to existing residents and to the detriment of highway safety</p>
<p><b>P1684.10</b> 76 Deyncourt Gardens Upminster <i>2 Storey side extension, single/part 2 storey extension to rear</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed two storey rear extension would, by reason of its roof design, excessive width, height and position close to the boundaries of the site, be an intrusive and unneighbourly development in the rear garden environment as well as having an adverse effect on the amenities of adjacent occupiers contrary to the Draft</p>	<p><b>Allowed with Conditions</b></p> <p>The Inspector noted the Borough Council did not object to proposed single storey extensions to front and rear of the dwelling. With regard to the proposed 2-storey side and rear extension he considered the main issues to be [a] impact on character and appearance of</p>

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				Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p>the area [b] impact on neighbours' living conditions</p> <p>With regard to the first issue the Inspector commented on the decidedly mixed appearance of the area due to the many rear extensions that have been carried out. He acknowledged that the proposal was sizeable, and the gable roof over the side extension would add to its scale. However its design detailing would de-construct its form so that it would not appear unduly bulky or prominent, or have an intrusive visual impact in the rear garden environment. He concluded the development would not conflict with Policy</p> <p>With regard to impact on living conditions the Inspector accepted that some loss of daylight and sunlight is likely, given the orientation and positioning of the 2 dwellings but it would not be significant. The development would be near to the mutual boundary, but other properties in the street are similarly positioned. He therefore concluded that the extension would not be unacceptably over-bearing.</p>
<p><b>P1299.10</b> Manor Works R/O 67 Manor Road Romford <i>Change of use from offices into residential, three storey side extension and erection of a second storey, the conversion of the existing</i></p>	Written Reps	Refuse	Delegated	The proposed side extension and second floor would, by reason of their 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.	<p><b>Allowed with Conditions</b></p> <p>The Inspector identified 3 issues in the appeal [a] impact of the height and mass of the side extension, and the second floor on the street-scene [b] impact of second floor extension on neighbouring amenity from overlooking and loss of privacy [c] Adequacy of amenity space and whether</p>



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<p><i>office building to provide 3 No. 2 bedroom apartments, with associated amenity space, car parking, access, landscaping and refuse storage</i></p>				<p>The proposed second floor would, by reason of its position and windows facing onto 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 Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate provision of amenity space, result in a cramped over-development of the site to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD and Residential Design Supplementary Planning Document.</p>	<p>development would be overly cramped and out of character with the surrounding area</p> <p>On issue [a] the Inspector observed that the building to be replaced was "tired" and out of place in its surroundings. It had always overlooked neighbouring properties from its first floor level. The immediate area was 2-storey development but the wider area comprised both 2 and 3 storey development with hipped roofs that added to overall height and mass. The appeal building would be significantly smaller in scale than buildings to the east and south. The additional floor would give a modern feel to the development and he saw nothing in policy to rule out such a contemporary approach.</p> <p>On [b] the Inspector observed that there had always been a degree of overlooking of the end of the adjoining garden. Windows in the new 2nd floor would overlook the same area but not the area of garden immediately to the rear of the adjoining dwelling where a higher degree of privacy could be expected. He concluded that some overlooking is a norm in urban areas and that tinted window glass would suffice to safeguard amenity of the neighbouring property</p> <p>On [c] The Inspector concluded that adequate useable amenity space was available within the site to meet the needs of occupiers. The development would also make beneficial use of a commercial building in a residential area and freshen its appearance without harm to the traditional character of the area</p>

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<p><b>P1320.10</b>                      13 Woodstock Avenue                      Romford  <i>Conversion of existing dwelling into two separate units.                      Conversion of garage into habitable space.                      (New door and window to front)</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed creation of a separate dwelling to the side of an existing semi-detached pair would appear materially out of character with the prevalent spacious local character, as well as having a cramped and overdeveloped appearance in the streetscene, harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2 and DC33 of the LDF Development Control Policies Development Plan Document.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector identified 2 main issues                      [a] impact on character and appearance of the surrounding street-scene                      [b] impact on highway safety, particularly on-street car parking</p> <p>On the first issue, the Inspector noted the uniform original design of houses in the street [many of which had subsequently been altered], and the spacious character of the street. The external changes proposed to the dwelling, by themselves were minor and would have not adversely impact on the appearance of the area. He was however concerned that, if approved, it would be difficult to resist subdivision of other properties. The cumulative effect would be to fundamentally and unacceptably harm the low density character of the street. The development was therefore contrary to Policy DC61.</p> <p>On issue [b] he observed that provision of 1 off-street parking space per dwelling was consistent with policy DC2 and DC33. There was a risk the development might give rise to additional on-street parking. Woodstock Avenue was not a through road and any such increase would not impact on highway safety. But he was concerned about the potential cumulative impact of on-street parking from further similar development. It would result in unacceptable harm to the character and appearance of the area.</p>

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<p><b>P1446.10</b> 65 Gubbins Lane Harold Wood Romford <i>Redevelopment of commercial workshop/body shop for residential use, erection of 24 apartments (Demolition of existing builders yard)</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2, DC33 and DC61 of the LDF Development Control Policies Development Plan Document.</p> <p>The proposal represents an overdevelopment of the site which is unable to provide an acceptable level of off-street parking without resulting in deficient amenity space provision. To provide adequate amenity space the resultant shortfall in parking would give rise to unacceptable overspill onto the public highway to the detriment of highway safety. The development is therefore contrary to Policies DC33 and DC61 of the LDF Development Control Policies DPD.</p> <p>In the absence of a Section 106 Legal Agreement, the applicant fails to demonstrate how the impact of the development on Education provision will be provided for. In this respect, the proposal would be contrary to Policies DC29 and DC72 of the LDF.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector noted that a previous proposal to develop the site with 27 apartments had been dismissed at Appeal by reason of excessive scale and massing and inadequate amenity space. Access and servicing arrangements were also unsatisfactory. The current proposal [20 flats and 4 maisonettes] differed in terms of design and siting of buildings, and was accompanied by a Unilateral Undertaking re the following: all housing to be "affordable housing"; car club contribution; restriction on residents' parking permits, and a variety of highway works.</p> <p>The Inspector identified 3 main issues [a] Adequacy of provision for vehicle parking [b] Adequacy of provision for amenity open space [c] whether in the absence of further contributions or obligations, the development would have unacceptable impacts on education services oR transport infrastructure</p> <p>On the 1st issue, the Inspector observed that the scheme would provide 9 parking spaces [2 reserved for mobility impaired persons; one space for car club use and one for visitors]. The Council calculated a requirement for 24-36 spaces, based on current planning policy. He noted that the site was near to a railway station, bus stops and had local facilities nearby. But the area was also an outer suburban location, and a third of the units would be 3-bed family dwellings. He considered that journey patterns would be quite widely dispersed and some occupiers</p>

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					<p>may still choose to own a car for shopping/visiting/leisure purposes.</p> <p>He had been told that there was parking capacity within 5 minutes walk of the site but thought it likely that, for some the arrangement would be a last resort, and parking would occur in unsuitable locations [e.g. on footways; turning areas; reserved parking spaces] causing obstructions and inconvenience to residents.</p> <p>The Inspector concluded that Polcy DC2 allows different levels of parking provision to reduce reliance on the car but that taking account of everything provision in this case would be well below the lowest applicable range. Inadequate parking provision would cause serious harm to highway safety and cause inconvenience to users of the development.</p> <p>On the 2nd issue the Inspector observed that 4 of the flats were 3-bed units with balconies of about 10 sq. m. each. None was provided with an acceptable amenity space to serve the needs of families, especially those with young children. The absence of other amenity space within the layout compounded the shortcomings of the scheme and was not acceptable</p> <p>On the 3rd issue, the Inspector said that the Council case for financial contributions towards education and highways provisions failed to satisfy the relevant legal and policy tests and were unreasonable and unjustified.</p>

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					In view of his conclusions on the 1st and 2nd issues he dismissed the appeal
<p><b>P1322.10</b>            90 Rainham Road            Rainham  <i>Retrospective permission for first floor smoking shelter to existing rear flat roof.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The development would, by reason of noise and disturbance caused by customers using the smoking shelter, particularly during the evening hours of operation, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.</p> <p>The development would, by reason of its height and bulk on the boundary, appear as an unacceptably dominant and visually intrusive feature on the existing building harmful to the appearance of the surrounding area contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector identified 2 main issues            [a] impact on character and appearance of the appeal site and surrounding area            [b] impact on neighbouring amenity by virtue of outlook and noise</p> <p>On issue [a] the Inspector noted the location was in a shopping/commercial centre at the busy Rainham Road/Southend Road junction. He observed that the structure had grey panelled walls and a perspex roof and was located on top of a flat roof at the rear of the first floor restaurant. He said that the existing building was at odds with its setting, and its impact in views from Southend Road was exacerbated by other discordant and unsightly features at the rear of the premises. He said the fact that the rear of the building exhibited little of merit that did not justify introduction of an additional utilitarian structure. He concluded that the shelter was harmful to the character and appearance of the premises and its surroundings.</p> <p>He observed that the shelter was visible from dwellings to the west. Due to height bulk and proximity it is unsightly and unacceptably erodes outlook from those properties to the detriment of residential amenity. He also considered that the shelter would concentrate people in one area and smoking-related activity, especially during the evening when</p>

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					the restaurant was likely to be busiest, but traffic noise had died down was likely to result in unacceptable noise disturbance to residents.
<p><b>P0216.11</b>            23 Tudor Gardens            Romford  <i>Half hipped roof, two pitched roof dormers at front and boxed dormer at rear, pitched roof to front porch</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its position, height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the street scene, out of character and harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.</p> <p>The proposal would, by reason of its bulk, mass and particular relationship to the neighbouring property No 21 Tudor Gardens overbear and dominate the outlook of this neighbour as well as giving rise to unacceptable light loss. The proposal is therefore considered to be unneighbourly and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and guidance set out in the Residential Extensions and Alterations SPD.</p> <p>The proposed rear dormer window by reason of its excessive overall size and bulk is considered to be incapable of being satisfactorily accommodated within the extended roof slope of this property and is obtrusive in appearance when viewed within the rear garden</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector identified the main issues as [a] impact of the extension the character and appearance of the surrounding residential area            [b] impact on living conditions of adjoining occupiers.</p> <p>The appeal property is a bungalow with a fully hipped roof, adjoining other similar bungalows to the west. Tudor Gardens is a residential cul-de-sac with variety in the scale and detailed design of properties.</p> <p>The proposals would see a significant change to the form and appearance of the bungalow, through raising of the side elevations to form half-hipped roofs. As a consequence the massing of the roof would increase substantially. Together with the dormer windows in the altered roof, the changes would upset the current balance in the street scene. The Inspector considered that the development would appear unduly dominant and intrusive, and harmful to the character and appearance of the area</p> <p>On the second issue, the adjoining bungalow is set back from the front elevation of No. 23. A bedroom window would look out towards the increased height of the new side elevation. The increased height and depth of</p>

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				environment. The development is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and guidance set out in the Residential Extensions and Alterations SPD.	<p>the building would be overbearing and harmful to neighbouring amenity. The changes would also significantly affect the amount of light that reaches the neighbour's windows.</p> <p>The Inspector concluded that the extension would be harmful to the living conditions of adjoining occupiers.</p>
<p><b>M0017.10</b>            127 Abbs Cross Lane            Hornchurch  <i>Installation of a dual-user 'flagpole' on the building, supporting six antennas within a glass reinforced plastic shroud, equipment cabinets and development ancillary thereto</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed telecommunications mast and ancillary equipment cabinets would, by reason of its height, and forward location, 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 style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector accepted that technical analysis had identified a need for a mast of this height in the area, and that other possible locations had been explored and rejected.</p> <p>Notwithstanding that, there was a heavy footfall and movement of vehicular traffic past the site.</p> <p>The building itself occupied a prominent corner position that exhibited a significant degree of openness. The mast would be erected at its foremost corner. The premises were not of the type where a flagpole would normally be found and the mast, rather than being assimilated into its setting would draw driver and pedestrian attention over long distance views against the skyline.</p> <p>The Inspector was not persuaded that other possible sites had been properly investigated. He also observed that even if the appeal building was the only location available justification for the Mast to be sited where its visual impact would be greatest had not been satisfactorily explained.</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					He concluded that the Mast would detract unacceptably from the character and appearance of the building and area, where no over-riding need has been demonstrated
<p><b>P0241.11</b> 36 Priory Road Romford <i>To erect a tiled canopy to front of property</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its excessive depth, bulk and mass, unbalance the appearance of this semi-detached pair of dwellings and appear as an unacceptably dominant and visually intrusive feature in the street scene, harmful to the appearance of the surrounding area and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed canopy extension would, by reason of its excessive depth and position close to the boundaries of the site, be an intrusive and unneighbourly development, contrary to Supplementary Design Guidance and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p><b>Allowed with Conditions</b></p> <p>The Inspector identified 2 main issues [a] impact on the character and appearance of the property its neighbour and the street-scene by virtue of mass and depth of the extension [b] impact on outlook and amenity of the adjoining dwelling</p> <p>On the first issue he observed similar basic design of nearby properties. The extension would infill a recess in front of the dwelling; it would be built in materials to match the house; and it would project less than 1 metre beyond the main building line for the dwelling. The Inspector also noted a similar scale of extension to an adjoining property. He concluded that mass and depth of the extension would cause no harm to the character or appearance of the area.</p> <p>On the second issue the Inspector noted that the extension would abut the boundary with the neighbour, but was separated from the main entrance by the width of a garage and a small window. Impact on the neighbour's amenity would be marginal and insufficient to justify refusal of permission</p>
<p><b>P1659.10</b> 93 Shepherds Hill Romford <i>Demolish single storey</i></p>	Written Reps	Refuse	Delegated	The site is within the area identified in the Local Development Framework as Metropolitan Green Belt. The Local Development Framework and	<p><b>Dismissed</b></p> <p>The Inspector identified 3 main issues [a] whether the development accords with Green Belt policy</p>



**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><i>rear extension and garage. Two storey rear extension, Juliet balcony, bay windows, external alterations, conservatory, garage and car port.</i></p>				<p>Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that the new building will only be permitted outside the existing built up areas in the most exceptional circumstances. The proposed development would, increase the volume of the original dwelling house by approximately 81% and would result in disproportionate additions over and above the size of the original building, which by virtue of excessive bulk and depth and position close to the boundaries of the site materially harm the character and openness of the Green Belt. No very special circumstances have been submitted in this case to justify such inappropriate development or the harm arising to the character and openness of the Green Belt at this point. The proposal is therefore contrary to Policy DC45 of the LDF Development Control Policies Development Plan Document, and PPG2 (Green Belts).</p>	<p>[b] impact on character and appearance of the property and its surroundings [c] impact on living conditions at 95 Shepherds Hill</p> <p>The Inspector observed that the site forms part of an established built up frontage that does not have the open character of the countryside. It was nevertheless in the Green Belt and the issue fell to be determined on Green Belt policy unless outweighed by other material considerations. He noted that Policy DC45 limits extensions or additions to not more than 50% of the original dwelling. The increase in the dwelling [excluding the garage] would be 81% and the garage would be about 3 times the size of the original garage. In terms of policy aims, the extensions and additions would be harmful to the Green Belt. The fact that the property was a small house on a large plot, and the accommodation was said to be needed for family reasons were not special circumstances.</p> <p>On character and appearance the Inspector noted the 2-storey rear extension would be built flush with the gable walls with a mainly flat roof creating a box-like appearance to an otherwise pleasant small cottage. He concluded the extension would be intrusive and unsightly, and harm the character and appearance of the dwelling.</p> <p>With regard to impact on the adjoining property the Inspector noted a "Juliet Balcony". There was no facility for standing</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>The two storey rear extension would, by reason of its roof form, excessive depth, scale, bulk and mass, appear dominant, overbearing and visually intrusive in the rear garden environment to the detriment of residential amenity contrary to the Draft Residential Extensions and Alterations SPD and Policy DC61 of the Local Development Framework Development Plan Document.</p> <p>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 Local Development Framework Development Plan Document.</p> <p>The garage and car port would cumulatively, by reason of their excessive depth, scale and position close to the boundaries of the site, appear as a continuous development of substantial massing and bulk, which would be overbearing, dominant, visually intrusive and oppressive in the rear garden environment harmful to the amenity of adjacent occupiers contrary to Policy DC61 of the Local Development Framework Development Plan Document.</p>	<p>outside and the degree of overlooking would be no different to what would occur from a conventional window. The garage / carport was at lower level, designed with low eaves and pitched roofs running away from the boundary. He concluded that impact on privacy and outlook from the adjoining property was acceptable</p> <p>Green Belt and Design policies provided compelling reasons for dismissing the appeal</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>P0053.11</b>            98 Crow Lane Romford  <i>Increase in roof height with new roof over dwelling. Single/two storey rear extension and single storey rear conservatory with part conversion of garage</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its excessive height, scale, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the street and rear garden scene, harmful to the character and appearance of the surrounding area, 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>The single storey rear extension and conservatory would, by reason of its excessive depth and extensive flat roof area, be an intrusive and unneighbourly development, which would be most oppressive and give rise to an undue sense of enclosure in the rear garden environment to the detriment of residential amenity contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector decided the main issues were:            [a] impact on adjoining occupiers            [b] impact on streetscene</p> <p>On the first issue the Inspector noted that existing ground floor extensions already projected some 6.6 metres beyond the rear building line. The ground floor re-development would extend by a further 4 metres, across the full width of the site. He observed the proposal would result in a large area of mainly flat roofed buildings that would not reflect the design of the existing building in any way. They would present an over-intensive agglomeration of buildings that would dominate the site and its surroundings and have an unacceptable impact on outlook from both adjoining properties and their gardens.</p> <p>The first floor extension would project some 3.75 metres out above the ground floor extension. The Inspector noted windows, including a ground floor bedroom window in the neighbouring flank elevation. He was concerned that the development would deprive the room of natural daylight and some afternoon sun. He concluded that the impact on neighbouring properties was unacceptable.</p> <p>On the second issue he observed that the</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>The proposed increase in roof height and gabled ends would, result in the loss of sun and natural light to a primary window serving a habitable room at No.96 Crow Lane. The resultant development would thereby be intrusive and unneighbourly, and would have an adverse effect on the amenities of that occupier, contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>1. The applicant is advised that in preparing any resubmission that a street scene view should be provided showing the neighbouring properties along Crow Lane, Romford.</p> <p>2. In addition, the application is requested to reduce the overall height, depth, scale, bulk and mass of the development. The depth of the rear extension should be reduced to ensure that there is no loss of outlook to the neighbouring occupiers.</p>	<p>new roof would be larger and bulkier than existing, with a higher ridge, steeper pitch, and gabled ends in place of the existing hipped shape. He noted there was considerable variety of roof forms in the area that formed one of the its most distinctive characteristics. He concluded that the visual relationship to other buildings would not cause significant harm to the street-scene and was acceptable</p>
<p><b>P0046.11</b> 55 Sackville Crescent Harold Wood, Romford <i>Front and rear single</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed front extension would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the street scene harmful to the appearance of the</p>	<p><b>Dismissed</b> The Inspector noted that since the appeal was made, permission had been granted for a rear extension [modified following the</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>storey extensions</i>				<p>surrounding area contrary to the Draft Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed rear extension would, by reason of its height, bulk 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 the Draft Residential Extensions &amp; Alterations SPD and Policies DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p>decision to refuse permission] and construction work was proceeding. He considered the appeal only against the front extension that formed part of the refused application.</p> <p>He identified the main issue as [a] impact on character and appearance of the streetscene</p> <p>The Inspector observed that on this part of the Crescent, houses were generally uniform in appearance with similar sized front porches. He also noted advice in the Council's draft Residential Extensions and Alterations, supplementary document, that where the character of the street is derived from the uniformity of the houses along it, then porches/front extensions are likely to disrupt the rhythm of the street and look out of place.</p> <p>The proposed porch would be built in suitable external materials and have no adverse impact on neighbours. It would however appear out of character because of its width and the degree of projection beyond the building line. It would be unacceptably harmful in the street-scene.</p>
<p><b>P0111.11</b> 39 Eastbury Road Romford <i>Single storey rear extension</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its depth, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment, harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control	<p><b>Allowed with Conditions</b></p> <p>The Inspector identified 2 main issues [a] Impact on amenity of neighbours due to overbearing appearance, and overshadowing [b] Impact on character and appearance of the area</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Policies Development Plan Document and Residential Extensions and Alterations SPD.</p> <p>The proposed rear extension would, by reason of its excessive depth 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 which is contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Residential Extensions and Alterations SPD.</p>	<p>On the first issue he said that the 3 metre projection beyond the rear building line along the north site boundary was not excessive and would not result in undue overshadowing or loss of outlook to the neighbour. The 5 metre projection along the south boundary would have greater impact but the intervening "shared alley" between the site and the neighbour would mitigate against the impact of the extension. He concluded that the impact on amenity was acceptable.</p> <p>On the second issue he observed that the existing house was built in traditional form with a pitched roof. The hipped roofs proposed for the extension would be somewhat incongruous with the main dwelling. However he concluded that the design was acceptable in planning terms and would have had no significant adverse impacts on character and appearance of the area, particularly bearing mind the size of the garden for the property.</p> <p>He decided that it was not necessary to impose a condition to restrict insertion of windows into the flank elevations, to safeguard neighbouring privacy. There were no exceptional circumstances to justify removal of that "permitted development" right</p>
<p><b>P0489.11</b> 30 Crow Lane Romford <i>Single/two storey side and rear extension, extension to existing front dormer windows</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed first floor rear extension would, by reason of its excessive height, scale, bulk, and large flat roof section poorly relate to scale and design of the subject dwelling and would appear as an unacceptably dominant and visually intrusive feature, harmful to the</p>	<p><b>Dismissed</b></p> <p>The Inspector identified 2 main issues [a] impact of height scale and design of the development on the character and appearance of the area [b] impact on living conditions [outlook] of</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>character and appearance of the surrounding area, 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>The combined depth of the single storey rear extension and garage would, by reason of its excessive depth and extensive roof area, be an intrusive and unneighbourly development, which would be most oppressive and give rise to an undue sense of enclosure in the rear garden environment to the detriment of residential amenity contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>1. The applicant is advised that in preparing any resubmission that a street scene view should be provided showing the neighbouring properties along Crow Lane, Romford.</p> <p>2. In addition, the application is requested to reduce the overall height, depth, scale, bulk and mass of the development. The depth of the rear extension should be reduced to ensure</p>	<p>adjoining residents</p> <p>On issue [a] he observed that the site comprised detached property with front dormers and a hipped roof lounge that projected into the rear garden. There was also a detached garage in similar hipped-roof style that added to the pleasant character and appearance. The extensions would nearly close the gap with the adjoining dwelling; the first floor extension was poorly related to the dwelling and would spoil its original distinctive character and appearance and a substantial mass of brickwork would replace the existing gable ends. The flank elevation would dominate the property and its neighbours appearing architecturally incongruous and intrusive in the street-scene. It would be visually harmful to the character and appearance of the area</p> <p>On issue [b] The Inspector found that the juxtaposition of the neighbouring dwelling [No 32] with the extension was such that the proposals would cause no harm to its occupiers. On the other hand the increased mass and scale of the poorly designed first floor extension would dominate the bungalow at No 28 to the detriment of its amenity, and was not acceptable</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				that there is no loss of outlook to the neighbouring occupiers.	
<p><b>P0049.11</b> 53 Limerick Gardens Upminster <i>First floor rear extension</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its width, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear gardens environment, harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed first floor rear extension would, by reason of its excessive width 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 Supplementary Design Guidance and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p><b>Allowed with Conditions</b></p> <p>The inspector observed that the development would sit above an existing ground floor extension and be constructed in materials to harmonise with the original building. He said it would not adversely impact on the nearest 1st floor window of the adjoining dwelling.</p> <p>The Inspector was convinced that the extension would not adversely impact on the character or appearance of its surroundings even when viewed from the rear of adjoining properties, or cause material harm to neighbours' amenity.</p> <p>He decided that it was not necessary to impose a condition to restrict insertion of windows into the flank elevations, to safeguard neighbouring privacy. He said there were no exceptional circumstances to justify removal of that "permitted development" right</p>
<p><b>P0551.11</b> 213 Wingletye Lane Hornchurch <i>Proposed side extension and roof conversion</i></p>	Written Reps	Refuse	Delegated	<p>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 semi-detached pair of bungalows and surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p><b>Dismissed</b></p> <p>The Inspector identified the main issue as [a] impact of the development on the appearance of the building and its surroundings</p> <p>The Inspector observed that the area is characterised by semi-detached bungalows that have frequently been altered and adapted, not always in a sympathetic way.</p>



**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					<p>To create additional first floor accommodation would involve substantial alteration of the roof. A large, unattractive box dormer, clearly visible to public views, would be formed across the rear of the building, with a new wide gable on the front elevation.</p> <p>He concluded that there would be no undue overshadowing or loss of privacy to neighbours. But the changes would result in a clumsy and awkward design. It would create an intrusive and disruptive feature that was unacceptable in the street-scene.</p>
<p><b>P0014.11</b> 115 Parsonage Road Rainham <i>New first floor forming additional bedrooms and family bathroom.</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 streetscene and rear garden scene, and would be harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, and the Draft Residential Extensions and Alterations SPD.</p> <p>The proposed creation of an entire floor, by reason of its excessive depth, height and bulk, be an intrusive and unneighbourly development and would have an adverse effect on the amenities of adjacent occupiers, contrary to the Draft Residential Extensions and Alterations SPD, and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p><b>Allowed with Conditions</b></p> <p>The Inspector identified the following main issues [a] impact of the development on the building and its surroundings [b] impact on immediate neighbours</p> <p>On the first issue the Inspector noted a variety of single and 2-storey dwellings in the area with a preponderance of bungalows in the immediate vicinity of the site. The raised roof to accommodate the first floor extension would not be alien to its surroundings; it would harmonise with the existing diverse street-scene</p> <p>On the second issue he concluded the extension would not cause undue overshadowing of neighbours because of the alignment of, and separation between dwellings and the size of the respective gardens. First floor windows in the flank</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					elevations could be conditioned to safeguard neighbours' privacy. He concluded that no material harm would be caused to neighbouring amenity.
<p><b>P0449.11</b>                      Budleigh North Road                      Havering-Atte-Bower                      Romford  <i>Two storey side 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 streetscene harmful to the character and openness of this part of the Metropolitan Green Belt and the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The site is within the area identified in the Core Strategy and Development Control Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belts) states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No special circumstances to warrant a departure from this policy have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Development Control Policies Development Plan Document Policy.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector identified 3 main issues                      [a] impact on the openness of the Green Belt                      [b] effect on character and appearance of the area                      [c] whether any harm was outweighed by other very special circumstances to justify the development</p> <p>On the first issue the Inspector disagreed with the appellant's view that his extension amounted to volumetric enlargement of the original dwelling of 49.3%, and concluded that the total volume of extensions [including a detached garage] was significantly greater. He noted Policy DC45 limited extensions in Green belt areas to 50% of the original dwelling and concluded that the extension was disproportionate to the original building and would, by definition, harm the character of the Green Belt.</p> <p>On the second issue the Inspector observed that the extension would increase the volume and bulk of the house but was sited so it would cause only slight harm to the openness of the Green Belt.</p> <p>On the third issue he concluded that the extension would be visible only from a short section of the public highway and would be a relatively inconsequential feature in the street-</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					<p>scene.</p> <p>The appellant had not put forward any special circumstances to justify the development. The Inspector decided that the development would result in substantial harm to the Green Belt</p>
<p><b>P0416.11</b> 15 Berther Road Hornchurch <i>Two storey rear/side extension and new front boundary wall/gates and fencing.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed two storey rear extension would, by reason of its width, depth, height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.</p> <p>The proposed two storey rear extension 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 the adjacent occupier at No. 17 Berther Road contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alterations SPD</p>	<p><b>Part Allowed/Part refused</b></p> <p>The Appeal was ALLOWED in respect of front boundary walls; gates, and fencing. The appeal was DISMISSED in respect of the 2-storey side/rear extension</p> <p>The Inspector identified 2 main issues [a] impact on character and appearance of the area [b] impact on outlook and living conditions at 17 Berther Road</p> <p>On issue [a] the Inspector noted the area was characterised by large varied dwellings set in spacious well landscaped grounds. The extension would have a larger footprint; floor area, and volume than the existing dwelling; would extend to within 1 metre of the side boundaries at its closest points, and project significantly beyond the rear building line. The extension was well designed but due to its siting, height and bulk did not respect its surroundings and would have an adverse impact on the character and appearance of the area.</p> <p>He found that there was a variety of front boundary treatments along the road frontage and the proposed brick piers; dwarf walls with</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

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					<p>railings, and gates would be visually acceptable.</p> <p>On issue [b], he concluded that by virtue of its height and proximity to boundary the extension would have an overbearing impact on the neighbouring dwelling resulting in loss of outlook and amenity to that property.</p>

**TOTAL PLANNING =** 25

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<b>APPEAL DECISIONS - ENFORCEMENT</b>					
Description and Address	Appeal Procedure			Reason for Refusal	Inspector's Decision and Comments

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>ENF/317/09/CM</b> Folkes Farm Folkes Lane Upminster</p>	<p>Written Reps</p>				<p style="text-align: center;"><b>Dismissed</b></p> <p>THE APPEAL WAS AGAINST BOTH NOTICES</p> <p>The Appeal against Notice A</p> <p>The Inspector used his powers to amend the Notice because, at the time it was served, the building at issue was no longer within the residential curtilage of the adjacent dwelling, as alleged in the Notice. The appeal then proceeded under</p> <p>Ground [a] that planing permission should be granted; Ground [g] that the period for compliance was too short</p> <p>The Ground [a] appeal The Inspector identified the main issues as [a] whether the development amounted to inappropriate development in the Green Belt [b] impact on character and appearance of the area [c] impact on residential amenity due to noise and disturbance</p> <p>On issue [a] he found that forming the hardstanding and use of it for access, parking and open storage has led to a reduction in openness of the area which, by definition, is harmful to the Green Belt.</p> <p>On issue [b] he concluded that the visual impact of the development was contained within the yard and did not impact on the wider landscape. However its presence was</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 04-JUN-11 AND 19-AUG-11**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>ENF/317/09/CM</b> Folkes Farm Folkes Lane Upminster</p>	<p>Written Reps</p>				<p style="text-align: center;"><b>Dismissed</b></p> <p>harmful to the rural character of the area which added limited weight against granting permission</p> <p>On issue [c] the Inspector accepted that the area was affected by noise and disturbance from lawful commercial activities at the Folkes Farm complex. He considered that a planning condition restrict hours of operation at the Yard would reduce noise and disturbance but harm to residential amenity would not be eliminated. The circumstances added limited weight against granting permission.</p> <p>The Ground [g] appeal The Inspector concluded that 1 month was an insufficient period to allow the appellant to make other arrangements for accommodation. He extended the period for complying with the Notice to 3 months from the date of his decision.</p> <p>Notice A was upheld as corrected and varied.</p> <p>The Appeal against Notice B</p> <p>The Inspector used his powers to amend the Notice because, he was satisfied that a small area of Land included in the Notice had been used for more than 10 years and become lawful and immune from enforcement powers. He excluded another small area because he was satisfied from evidence that it had not been used for the purposes alleged in the</p>

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<p><b>ENF/317/09/CM</b> Folkes Farm Folkes Lane Upminster</p>	<p>Written Reps</p>				<p style="text-align: center;"><b>Dismissed</b></p> <p>Notice. He replaced the Plan attached to the Notice with a "corrected" Plan. The appeal then proceeded under</p> <p>Ground [c] the development constitutes "permitted development"; Ground [a] that planning permission should be granted.</p> <p>The Ground [c] appeal The Inspector found that no relevant evidence had been submitted and that the appeal therefore failed.</p> <p>The ground [a] appeal The Inspector identified the main issues as [a] whether the development amounted to inappropriate development in the Green Belt [b] impact on character and appearance of the area [c] impact on residential amenity due to noise and disturbance</p> <p>On issues [a] and [b] the Inspector arrived at the same conclusions, for the same reasons, as in the appeal against Notice A</p> <p>On issue [c] he concluded that manoeuvring of heavy goods vehicles created noise and disturbance that resulted in material harm to amenity of nearby dwellings</p> <p>Notice B was upheld, as corrected.</p>

**TOTAL ENF =** 1



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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<b><u>Summary Info:</u></b>					
Total Planning =		25			
Total Enf =		1			
Appeals Decided =		26			
Appeals Withdrawn or Invalid =		0			
Total =		26			
	<b>Dismissed</b>		<b>Allowed</b>		
Hearings	0	0.00%	0	0.00%	
Inquiries	0	0.00%	0	0.00%	
Written Reps	17	65.38%	9	34.62%	