

LIST OF APPEAL DECISIONS MADE BETWEEN 07-JUN-14 AND 08-AUG-14

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0748.12 Land off Benskins Lane Noak Hill Romford <i>Change of Use of land to provide 4 no. gypsy and traveller pitches</i></p>	Hearing				<p style="text-align: center;">Dismissed</p> <p>The appeal was recovered by the Secretary of State following a review of all Gypsy and Traveller casework hence the delay in determining the appeal which commenced in 2012 and was heard at a hearing in 2013.</p> <p>The Secretary of State agreed with the Inspector that the development represents inappropriate development in the GB and that he gave substantial weight to this harm and minor weight to the loss of openness and encroachment into the GB. The Inspector found that there is an unmet need for pitches and that the Council was unable to demonstrate a five year supply of sites. Very considerable weight was attached to this matter but only minor weight was given to the appellant's personal circumstances. The Secretary of State considered that the case put forward in favour of the proposals did not outweigh the harm that would be caused. He therefore agreed with the Inspector's conclusion that the very special circumstances to justify inappropriate development in the GB do not exist and planning permission is not justified.</p>
<p>P0328.13 Ashley Farm Clay Tye Road North Ockendon <i>Construction of new dwelling in replacement of mobile home to support established agricultural unit and rural</i></p>	Hearing	Refuse	Delegated	<p>The proposed development would, by reason of its prominent position, height, bulk and mass, appear as an unacceptably incongruous and visually intrusive feature harmful to the openness of the Green Belt and appearance and character of the agricultural holding and</p>	<p style="text-align: center;">Allowed with Conditions</p> <p>The proposed scheme would be inappropriate development in the Green Belt and the replacement dwelling would result in a reduction in openness and therefore a harmful impact upon the openness of the Green Belt. However the proposed dwelling would not be harmful to the character and</p>

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<i>businesses on site.</i>				<p>countryside contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The site is within the area identified in the Core Strategy and Development Control Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and NPPF states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No very special circumstances to warrant a departure from this policy for a larger residential building and non-agricultural workers accommodation on site have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Development Control Policies Development Plan Document Policy and NPPF.</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>appearance of the farm site and to the surrounding area. As a dwelling already exists at the site, the Inspector was not satisfied that the contribution towards infrastructure was appropriate.</p> <p>The proposal was related to an established, viable agricultural enterprise and would support two other rural businesses. It would have significant visual benefits through removal of the existing caravan and an existing hard standing. A full-time permanent presence was considered necessary to support the wide range of cattle farming activities, including attending to the management and welfare of cattle at any time and responding to emergencies. These considerations were sufficient to clearly outweigh the substantial harm to the Green Belt identified in respect of both inappropriateness and openness</p>

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<p>P1108.12 5 Writtle Walk Rainham <i>CHANGE OF USE TO A3 & A5 WITH ANCILLARY BAR AREA</i></p>	Written Reps	Refuse	Delegated	<p>The use in part as a takeaway would, due to its days and hours of operation and proximity to adjoining residential accommodation, give rise to unacceptable levels of noise, disturbance and anti-social behaviour, adversely impacting on existing residential amenity contrary to Policies DC16, DC23, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the NPPF.</p>	<p>Dismissed The proposal would have implications for anti-social behaviour and give rise to fear of crime. The Borough Crime Design Advisor made representations and significant weight was attached to these objections. Furthermore, the scheme would be harmful to the living conditions of neighbouring occupiers as a result of noise and disturbance from persons congregating outside the premises and in its vicinity. Given the proximity of residential units this would have serious implications for neighbours.</p>
<p>P0053.14 44 Herbert Road Emerson Park Hornchurch <i>Erection of a detached 5-bed dwelling house and separate double garage plus formation of access onto Fairlawns Close.</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 surrounding area contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD and the Emerson Park Policy Area SPD. The proposed development would, by reason of its position, bulk, massing and proximity to neighbouring properties form a visually intrusive and overdominant feature resulting in a detrimental impact on outlook and 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. In the absence of a mechanism to secure a planning obligation towards the</p>	<p>Dismissed The scale and bulk of the proposal would be at odds with the modest surrounding development and its layout failed to integrate with the existing pattern of development. The proposal would cause unacceptable harm to the character and appearance of the area. Issues of overlooking and loss of privacy could be mitigated however the size and proximity of the proposed dwelling to neighbouring dwellings would result in it having a dominating presence that would adversely affecting outlook in the rear environment of dwellings in Channing Close.</p>

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				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>P0144.13 112 St Johns Road Collier Row Romford <i>Outline application for a bungalow</i></p>	Written Reps	Refuse	Delegated	<p>The site is within the area identified in the Core Strategy and Development Control Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and Government Guidance as set out in the National Planning Policy Framework 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 case was been submitted such that there is no justification to warrant a departure from this policy and the proposal is therefore contrary to Policy DC45 of the LDF Core Strategy and Development Control Policies Development Plan Document. The proposed development would, by reason of the proposed house, introduce urbanisation to a currently relatively undeveloped site which would be out of character in this part of the Green Belt resulting in harm to visual amenity in the streetscene contrary to Policy DC45 and</p>	<p style="text-align: center;">Dismissed</p> <p>National guidance in the NPPF paragraph 89 notes that: the construction of new buildings should be regarded as inappropriate in the Green Belt. It sets out a list of exceptions and the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces, is one of the listed exceptions. The proposal would fail to comply with any of the listed exceptions identified by the NPPF and would by definition result in development which would be inappropriate and thus harmful to the Green Belt.</p> <p>The demolition of the existing structure and its replacement with the proposed bungalow would result in a material increase in the footprint, scale and bulk of the build form on the site causing harm to the openness of the Green Belt. The introduction of a vehicular access, pedestrian footpath, front garden and hard-standing for the proposed parking area would erode the rural character of the area and materially alter the character and appearance of the site by introducing additional permanent built development on the site.</p>

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				DC61 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.	
<p>P0097.13 624 Upper Brentwood Road Romford <i>Change of use from a retail shop (A1) to hot food takeaway (A5) and extract ducting</i></p>	Written Reps	Approve With Conditions	Committee	<p>The proposal would, by reason of noise and disturbance, caused by customers, entering and leaving the premises, vehicle parking and manoeuvring, particularly during the evening hours of operation be unacceptably detrimental to the amenities of the occupiers of the first floor flats and nearby properties, contrary to Policy DC61 of the Local Development Framework Development Plan Document.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, be likely result in unacceptable overspill onto the adjoining roads, including nearby residential side roads to the detriment of highway safety and residential amenity and contrary to Policies DC32, DC33 and DC61 of the Local Development Framework Development Plan Document.</p> <p>The proposed extract ducting would, by reason of its position, height and design, appear as an obtrusive and unacceptably dominant feature in the streetscene harmful to visual amenity and contrary to Policy DC61 of the LDF</p>	<p>Allowed with Conditions</p> <p>The Inspector concluded that conditions limiting opening hours and addressing matters such as soundproofing, equipment noise etc. would mean that the scheme would not have a materially harmful on the living conditions of the occupants of residential properties, with regard to noise and disturbance. As the proposed flue would be set 8m back from the front elevation, it would not be harmful to the character and appearance of the street scene. A parking lay-by is located to the front of the site and other parking spaces are close by. Therefore the scheme would not have a materially adverse impact on vehicular or pedestrian highway safety</p> <p>A full application for costs was made against the Council however a partial award of costs was allowed by the Inspector. It was found that the Council had acted unreasonably in relation to the visual impact of the flue and a proposed condition regarding home deliveries.</p>

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				Core Strategy and Development Control Policies DPD.	
<p>P1187.13 Part of 45 Mawney Road Romford <i>Change of Use of part of ground floor from retail/Storage to takeaway and restaurant (Mixed A3 and A5 Use Classes) with installation of extract ducting to rear</i></p>	Written Reps	Refuse	Delegated	<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 early morning and evening hours of operation, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC61 LDF Development Control Policies Development Plan Document.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC32 and DC33 of the LDF Development Control Policies Development Plan Document.</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed use would cause material harm to the living conditions of the occupiers of the residential accommodation above and surrounding the site. This would be from the early arrival/late departure of staff, customer car parking, and groups of people outside the front of the premises but also the disposal of refuse to the rear. Furthermore there is insufficient parking space to meet the needs of the proposed use, the existing convenience store and the adjoining shop which would adversely affect the living conditions of neighbouring occupiers, and the flow of traffic and highway safety.</p>
<p>P0769.13 2B Moray Way Rise Park Romford <i>Demolition of existing garages & erection of a 2 bedroom chalet bungalow</i></p>	Written Reps	Refuse	Delegated	<p>It is considered that the proposed dwelling would, by reason of its layout and location within the site, appear a contrived and cramped overdevelopment of the site, harmful to the character and appearance of the surrounding area contrary to DC61 and Residential Design SPD.</p> <p>It is considered that the amenity space for the new dwellings is not particularly useable or of a high quality given that it would be overlooked by surrounding</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector did not consider that the appeal proposal would have a cramped or incongruous appearance in its setting. However the proposed chalet bungalow and its garden would be overlooked from adjoining flats to such a degree that it would result in unacceptable living conditions for future occupiers.</p>

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				<p>properties contrary to the Design for Living SPD. 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>P1399.13 9 Nelson Close Romford 2 bedroom chalet bungalow</p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed dwelling would, by reason of its excessive height, roof form, scale, bulk, mass, siting, combined with its position close to the boundaries of the site and the change in ground levels, give rise to a cramped appearance and appear a dominant, overbearing, unneighbourly and visually intrusive feature in the rear garden environment harmful to the amenity of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</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 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</p>	<p style="text-align: center;">Dismissed</p> <p>The scheme would be sited what is presently part of a back garden and a departure from the established pattern of local development, appearing out of place, and character with its surroundings. It would have a harmful impact on the living conditions of nearby residents with regard to privacy. The parking proposed would be insufficient resulting in a detrimental impact on highway safety. A financial contribution was necessary to provide improvements to infrastructure in the area and in the absence of a completed agreement, the proposal conflicts with policy DC72.</p>

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				<p>residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P1119.13 16 & 18 Prospect Road (and land rear of) Hornchurch <i>Demolish 16 and 18 Prospect Road for the creation of a new access road to provide 9 new detached dwellings and 2 replacement dwellings- Outline</i></p>	<p>Written Reps</p>	<p>Approve With Conditions</p>	<p>Committee</p>	<p>The proposed development would result in the unbalancing of the semi-detached dwellings at nos. 14 and 20 Prospect Road with two long, narrow properties in the place of the properties to be demolished, resulting in a form of residential development which is out of character in the street scene and harmful to local character contrary to Policy DC61 of the LDF Core Strategy and LDF Development Control Policies DPD.</p> <p>The need for such an excessively narrow and contrived bungalow design in order to enable access to the site demonstrates that the proposal represents an unacceptably cramped overdevelopment of the site, detrimental to the character and amenity of the locality and contrary to 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</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector concluded that the proposed design overcame concerns from previous appeals and that the development would not cause significant harm to local character would result. A legal agreement was necessary in this instance to make the development acceptable in planning terms. In the absence of an agreement, there would be inappropriate mitigation of the impact of additional housing within the area, with regards to infrastructure and the proposal conflicts with policy DC72.</p>

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				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>P0203.13 The Albany College Broadstone Road Hornchurch <i>New build for a childrens day nursery, new access road. Self contained secure outside area with canopy</i></p>	Written Reps	Approve With Conditions	Delegated	<p>The development, by reason of the increased vehicular movements, parking, traffic and associated activity on the roads leading to the site would result in unacceptable harm and inconvenience to the amenity of existing occupiers in the vicinity of the site, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed nursery, by reason of the increased number of children on site, would be an intrusive overdevelopment of the existing school site contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The development, by nature of its proposed size, intensity of use and layout and proximity to residential properties, would result in unacceptable levels of noise and disturbance to the detriment of residential amenity particularly within neighbouring rear garden environments, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;">Dismissed</p> <p>The capacity of the proposed nursery would add to the level of traffic generated by the college. The traffic generated around the drop-off and collection times for the college and the nursery could overlap, at a time when residents are likely to be leaving or returning home. The removal of on-street parking spaces would have a detrimental impact on the free flow of traffic and cumulatively these would have a materially harmful impact on the living conditions of local residents due to noise, inconvenience and disturbance. On the proposed nursery use itself, the Inspector found that this would not have a materially harmful impact on the living conditions of local residents.</p>
<p>P1031.13 Land Adj to 45 Manser Road Rainham <i>Demolish garage and erection of a two</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its height, bulk, mass, design and proximity to the boundary be incongruous with the existing form and rhythm of the terrace and would result in	<p style="text-align: center;">Dismissed</p> <p>The flank elevation of the proposed dwelling would follow the tapered boundary of the plot and would be wider than a previously approved extension. The Inspector found that</p>

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<i>bedroom house on land adjacent to 45 Manser Road</i>				<p>a cramped appearance, harmful to the character of the streetscene and the appearance of the surrounding area contrary to Policy DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.</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>a number of different elements of the scheme including the front building lines, roof heights and fenestration would result in it harming the character and appearance of the donor dwelling and detracting from the uniformity of the terrace and the street scene.</p>
<p>P1322.13 r/o 29 Great Gardens Road Hornchurch <i>New 3 bed dwelling</i></p>	Written Reps	Refuse	Delegated	<p>The proposed dwelling would, by reason of its proposed design, form, proportions, siting and layout, be out of character with the local pattern of development and appear incongruous, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed dwelling would, by reason of its design, excessive depth, height, scale, bulk, mass and siting, appear unduly bulky, dominant and visually intrusive in the rear garden environment harmful to the amenity of adjacent occupiers, particularly No. 22a Brierley Close, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed dwelling would appear incongruous in the more traditional street scene due to a number of design features. Its arrangement in the plot would appear squeezed and contrived and occupants of the neighbouring house would have a sense of being hemmed in. Finally the appellant failed to make provision for infrastructure necessary to allow the development to proceed.</p>

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				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>P0204.14 371 Elm Park Avenue Hornchurch <i>Single storey rear conservatory</i></p>	Written Reps	Refuse	Delegated	The single storey rear extension would, by reason of its design and excessive depth taken cumulatively with the existing rear extension, be an intrusive and unneighbourly development, which would be overbearing 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 style="text-align: center;">Allowed with Conditions</p> <p>The Inspector concluded that whilst the proposal would have some enclosing effect on outlook from neighbouring attached property but this would be very limited, and the proposal would thus not have an unacceptably dominating or overbearing effect on the occupiers of this neighbouring dwelling.</p>
<p>A0008.14 69-71 Butts Green Road Hornchurch <i>Retrospective permission for banner sign</i></p>	Written Reps	Refuse	Delegated	The proposed retention of the unauthorised banner sign, by reason of the overall size of the sign, its design and relationship with other advertising on the building, represents an undesirable commercial intrusion into a residential street, which is out of character, visually intrusive and harmful to the character and amenity of this part of Wykeham Avenue. The proposal is therefore contrary to Policies DC61 and DC65 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Dismissed</p> <p>This scheme comprises banner sign and due to its excessive size and siting it is an extremely prominent and alien feature in Wykeman Avenue and it has an unacceptable effect on the character and appearance of the street scene.</p>

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<p>A0007.14 69-71 Butts Green Road Hornchurch <i>Retrospective permission for 4No fascia signs</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The fascia signs by reason of their excessive height, size, overall scale and design, including the bold colouring and size of the lettering, are considered to appear disproportionate to the shopfront and fascia within which they are located and to appear as an unacceptably dominant and intrusive feature in the streetscene and harmful to visual amenity. The proposals are contrary to Policies DC61 and 65 of the LDF Core Strategy and Development Control Policies DPD and the Shopfront Design SPD.</p>	<p>Dismissed The Inspector found that the signage is significantly bolder and more imposing than the signage that has been replaced and the fascia signs on adjoining properties. Due to their size and design they are overly prominent features, out of keeping with the scale of the building to which it is attached.</p>
<p>A0010.14 168 Mawney Road Romford <i>Retrospective application for 3no illuminated signs and 5 non illuminated hoardings.</i></p>	<p>Written Reps</p>	<p>Part Approve/Part Refuse</p>	<p>Delegated</p>	<p>Compliance with the five standard conditions as defined in regulation 2(1) and set out in schedule 2 of the Town and Country Planning: (Control of Advertisements) (England) Regulations 2007 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice).</p> <p>Reason:-</p> <p>The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if</p>	<p>Dismissed The Inspector stated that found that poorly placed adverts can have a negative impact on the appearance of the built environment. In this instance due to the size and siting close to existing and consented signs, the proposed signs listed would have an unacceptable effect on the character and appearance of the area which has a cluttered appearance due to the wide variety of types and sizes of other signage in the surrounding area.</p>

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				<p>partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.</p> <p>The signs indicated as B, C, E, F and H, as shown on drawing No.2903.01 are considered to be be over prominent, visually intrusive and harmful to the character of the streetscene and appearance of the building. The proposal would harm the visual amenity of the surrounding area contrary to Policies DC61 and DC65 of the LDF.</p> <p>Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.</p>	

TOTAL PLANNING = 17

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APPEAL DECISIONS - ENFORCEMENT					
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ENF/91/12/GS Benskins Lane (r/o church Road) Romford	Hearing				<p style="text-align: center;">Dismissed</p> <p>The appeal was dismissed and the notice was upheld with corrections and amendment. The appeal was recovered by the Secretary of State following a review of all Gypsy and Traveller casework hence the delay in determining the appeal which commenced in 2012.</p> <p>There is no existing lawful development on the land and covering part of a field with hardcore represents encroachment, and the hard standing formed is inappropriate development in the Green Belt (GB). The loss of openness and encroachment was afforded minor weight however substantial weight was given to the harm due to inappropriateness.</p>

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<p>ENF/200/11/GS Welstead Place Benskins Lane Romford</p>	<p>Hearing</p>				<p style="text-align: center;">Quashed</p> <p>The appeal was recovered by the Secretary of State following a review of all Gypsy and Traveller casework hence the delay in determining the appeal which commenced in 2013 and was heard at a hearing in January 2014. The Inspector recommended that the enforcement notice be quashed as invalid and the Secretary of State agreed with the Inspector's conclusions and recommendation</p> <p>The Inspector reasoned that the he notice could not be varied without causing injustice to both the appellant and the Council as it does not describe the unauthorised development correctly. The Secretary of State agrees with the Inspector that the placing of caravans on land is deemed to be a use, and not operational development, the act of 'stationing two mobile homes' does not in itself define what the use is that is allegedly in breach of planning control.</p>

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<p>ENF/517/13/HT Lakeview Caravan Park Cummings Hall Lane Noak Hill Romford</p>	<p>Local Inquiry</p>				<p>Allowed with Conditions</p> <p>The enforcement notice was corrected and subject to the correction, the appeal is allowed and the enforcement notice is quashed</p> <p>The Inspector noted that the planning permission proposed would be personal and temporary, so there would not be a permanent dwelling and residential curtilage created. The proposal would be little different from the storage use. It was concluded that the dwelling and its curtilage would not have a greater impact on the openness of the Green Belt nor a greater conflict with the purposes of including land in the GB than the existing, or in this case previous development on the site.</p> <p>An application for costs was made by the Council and a partial award of costs was allowed</p>

TOTAL ENF = **3**

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<u>Summary Info:</u>					
Total Planning =		17			
Total Enf =		3			
Appeals Decided =		22			
Appeals Withdrawn or Invalid =		2			
Total =		20			
	Dismissed		Allowed		
Hearings	2	10.00%	2	10.00%	
Inquiries	0	0.00%	1	5.00%	
Written Reps	13	65.00%	2	10.00%	