

LIST OF APPEAL DECISIONS MADE BETWEEN 09-AUG-14 AND 07-NOV-14

| APPEAL DECISIONS - PLANNING | | | | | |
|---|------------------|-------------------------|--------------------------------|--|--|
| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
| <p>P0437.14 2 Yevele Way Hornchurch <i>Single storey front & side extension</i></p> | Written Reps | Refuse | Delegated | The proposed side extension would, by reason of its excessive depth, width, bulk and lack of subservience, detract from the appearance of the subject dwelling and appear as an unacceptably dominant and visually intrusive feature, harming the character of the streetscene and the visual amenities of Emerson Park Policy Area, contrary to Emerson Park SPD, the Residential Extension and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | <p>Allowed with Conditions</p> <p>The projection of the extension beyond the forward most point of the nearest dwelling was found not be significant, as it would be some distance from the back edge of the footway. It would be perceived against the back drop of the main two storey element of the dwelling. This would serve to lessen its impact and it would appear subservient when viewed within the street scene.</p> |
| <p>P1415.12 77-79 Butts Green Road Hornchurch <i>Variation of Condition 9 of APP/B5480/A/11/216707 8 (P1649.09) to allow for newspaper deliveries to occur between the hours of 5am and 7am.</i></p> | Written Reps | Approve With Conditions | Committee | The proposal would result in noise and disturbance in the early hours of the morning resulting in disruption to the sleep patters of adjoining residential occupiers to the detriment of residential amenity, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. | <p>Dismissed</p> <p>It was noted that the noise generated by the hustle and bustle of daily life is likely to be considerably reduced between the hours of 0500 and 0700 at this location because of the generally residential character of the locality. The Inspector found that the nature and frequency of the early morning deliveries would have an unacceptable impact upon the noise environment. Moreover the Inspector doubted that planning conditions alone would control driver behaviour even if a delivery management plan was put in place.</p> |
| <p>P1161.13 250A Hornchurch Road Hornchurch <i>Variation of Conditions 2,4 and 7 of application P1962.07</i></p> | Written Reps | Refuse | Delegated | 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 the requirements of the Residential Design Supplementary Planning Document and Policy DC4 of | <p>The proposal sought to remove the condition which requires the garden area to be divided. The Inspector found that without division of the garden the development would be detrimental to the living conditions of occupiers of the flats. The Council argued that an amended car parking layout would lead to an</p> |

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| | | | | <p>the LDF Development Control Policies DPD.</p> <p>The proposed development would, by reason of a lack of on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policies DC2 and DC33 of the LDF Development Control Policies DPD.</p> <p>The proposal would, by reason of noise, disturbance and fumes associated with vehicles manoeuvring directly under the bedroom window of the ground floor maisonette, be seriously detrimental to the amenity enjoyed by the occupier of the ground floor maisonette contrary to Policy DC61 LDF Development Control Policies DPD.</p> <p>The proposal would, by reason the communal amenity space provision and the layout of the flats, results in clear views into the ground floor bedroom and kitchen of the ground floor occupier to the detriment of the amenity enjoyed by the occupier of the ground floor flat contrary to Policy DC61 LDF Development Control Policies DPD.</p> | <p>unacceptable overspill of parking onto adjoining roads. There is on street parking on both Hornchurch Road and on Cheviot Road and a condition requiring the provision of two parking spaces and the removal of the wall was necessary in the interests of highway safety.</p> <p>In conclusion the Inspector found that the amended wording of condition 2 to be in accordance with policy DC61 and that the existing wording to condition 4 to be necessary and reasonable. Condition 7 was deleted and was retained in its current form.</p> |
| <p>P1093.13 62 Lyndhurst Drive Hornchurch <i>Proposed Cattery to the rear of garden</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The development, by reason of the nature of use proposed, would be likely to result in unacceptable levels of noise and disturbance to the detriment of residential amenity and contrary to Policy DC55 and DC61 of the Core Strategy and Development Control Policies DPD.</p> | <p>Dismissed</p> <p>The proposal would have a harmful effect on the living conditions of the surrounding occupiers by reason of the noise and disturbance caused by customers visiting the site as opposed to the actual keeping of cats. The insufficient parking provision within the site and limited space for parking on-street</p> |

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| | | | | <p>The proposed development would, by reason of the inadequate on site car parking provision for a cattery would result in unacceptable overspill onto the adjoining roads to the detriment of the free flow of traffic and thereby harmful to highway safety and residential amenity contrary to Policy DC33 of the Local Development Framework Development Control Policies Development Plan Document.</p> <p>The proposed cattery by reason of the introduction of a commercial use within a residential curtilage, would be harmful to the residential character of the locality and result in an intensification of use on site to the detriment of highway safety and residential amenity contrary to Policies D61 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p>could lead to customers parking on street resulting in obstructions, requiring vehicles to slow down, increasing the risk of accidents which would be harmful to highway safety.</p> |
| <p>P0443.13 Garages R/O 2 Tempest Way Rainham <i>Demolition of garages and construction of 3 x 1 bedroom bungalows with private amenity and off street car parking,</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 Policy DC33.</p> <p>The proposed 3 no. bungalows would by reason of their density and layout result in over-development of the site. The density proposed for the site is beyond the limits as set out in local and regional planning policy, giving rise to an unacceptably cramped appearance and overdevelopment of the site harmful to</p> | <p style="text-align: center;">Dismissed</p> <p>The proposed dwellings would have modest amenity spaces and sited close to the boundaries of surrounding properties. They would appear cramped within the plot in comparison to the neighbouring houses and therefore uncharacteristic of the area in which it is located. The arrangement of the dwellings would result in direct overlooking from neighbouring two storey properties. Finally the circulation areas around the proposed dwellings would be likely to result in noise and disturbance to future occupants.</p> <p>The Inspector found that the proposal would</p> |

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| | | | | <p>the character and appearance of the surrounding area, visually intrusive and out of character contrary to Policies DC2 and DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its layout, density and positioning within the site, result in a poor outlook and living environment for future resident's due to the overlooked amenity space and proximity of adjacent properties and their vehicle access/storage routes contrary to the Residential Design Supporting Planning Document and Policy DC61 of the Local Development Framework Development Control 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. In failing to deliver a high quality of design and layout through the deficiencies described in reasons 1- 3 above, the proposal fails to justify such high density of development and would result in an overdevelopment of the site, contrary to Policies DC2 and DC61 of the LDF Development Control Policies Development Plan Document.</p> | <p>not have an adverse effect on highway safety in relation to car parking arrangements but this did not overcome impact on the character and appearance of the surrounding area and the failure to provide satisfactory accommodation for future occupants of the dwellings.</p> |

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| <p>P1429.13 131 Brentwood Road Romford <i>Two storey side and rear extensions and front porch</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would, by reason of its close proximity to the flank boundary and consequent cramped relationship with No.133 Brentwood Road result in an unacceptable and uncharacteristic loss of space, particularly at first floor level and a visually uncomfortable relationship between the two buildings. The resultant harm to the appearance and character of the streetscene would be contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of excessive bulk, mass and proximity to the neighbouring property, No.133 Brentwood Road result in unacceptable light loss and will overbear and dominate the outlook and amenity of this neighbour, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> | <p>Dismissed</p> <p>The proposal would include a 2-storey addition which would extend to the side boundary of the site, almost adjacent to the flank wall of an end of terrace property. The almost total loss of the gap would result in a terracing effect that would have an unacceptable effect on the character and appearance of the street scene. Part of the proposed extensions would extend a significant distance beyond the adjacent part of the neighbouring dwelling. Due to its rear protrusion, height and siting, this element of the proposal would have an unacceptable effect on neighbouring living conditions with regard to the loss of natural light & outlook</p> |
| <p>Q0237.13 Suttons Farm Tomkyns Lane Upminster <i>Discharge of Condition 1 of Enforcement Reference ENF/110/09/HW for 1) Three Stepped Levels, 2) Hard Surfacing Patio Area, 3) Sunken Garden, 4) Boundary Walls, Pillars, Gates, Fences etc.</i></p> | <p>Written Reps</p> | | | | <p>Allowed</p> <p>The fence has already been erected and is located close to the highway with an area of planting between the road and the fence. It was found that although the fence has a more prominent appearance than other boundary treatments locally, the hedge to the front of the fence, facing the road ensures that the fence would be screened from the lane. In this context, the fence appears visually subordinate, having minimal impact on the Green Belt</p> |

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| <p>P1146.13 R/O 9-11 Kenilworth Avenue Romford <i>The erection of 2 No 1 bed detached bungalows with one parking space per dwelling.</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposal would, by reason of its scale, bulk, massing and layout, result in an unsatisfactory relationship between the proposed and the existing adjoining dwellings, which would be out of character with the overall form and layout of the surrounding rear garden environment and detrimental to the character of the streetscene in Fairford Way, which would be detrimental to the residential amenities of the area and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would be unacceptable as vehicular access cannot be provided from the site to a public highway because it has not been demonstrated that there is sufficient land within the applicant's ownership or control to facilitate vehicular access from the site to a public highway and is therefore contrary to Policy DC62 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions</p> | <p style="text-align: center;">Dismissed</p> <p>The proposal is for the erection of a pair of bungalows in a backland location. However the siting, width and mass of the proposed bungalows would significantly erode the space in the street scene and have a harmful visual effect on the appearance of the area. The proposal would have a detrimental impact on the living conditions of future occupiers of the bungalows by reason direct overlooking from neighbouring upper floor rear windows.</p> <p>In favour of the proposal, the appellants submitted an undertaking during the appeal and the Council have confirmed it to be acceptable and the Inspector found that the proposal would not have an adverse effect on highway safety. These did outweigh the findings on character, appearance and amenity.</p> |

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| | | | | of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD. | |
| <p>P1480.13 339 Front Lane Cranham <i>Single storey rear conservatory extension</i></p> | Written Reps | Refuse | Delegated | The development when seen in the context of previous extensions to the property would, by reason of its excessive depth, height and position close to the boundary with No.337 Front Lane, be seen as an intrusive and unneighbourly development which will overbear and dominate the outlook and amenity of this neighbour. The development is therefore contrary to the Residential Extension and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | <p style="text-align: center;">Dismissed</p> <p>The appeal proposal is a substantial structure although it is the same depth as the one it replaced; it is significantly wider and occupies nearly the full width of the dwelling. The Inspector found that the proposal materially alters the outlook from the neighbour's living room and appears dominant and overbearing from the neighbour's garden, particularly from the area immediately to the rear of this adjoining property.</p> |
| <p>P1461.13 17 Tudor Avenue Romford <i>Two storey rear extension</i></p> | Written Reps | Refuse | Delegated | The proposed first floor rear extension would, by reason of its visually conflicting roof form, excessive depth, scale, bulk and mass, poorly relate to the existing dwelling and would appear as an unacceptably dominant and visually intrusive feature in the rear garden scene. The development is therefore harmful to the character and appearance of the surrounding area, contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document The first floor rear extension would, by | <p style="text-align: center;">Dismissed</p> <p>The Inspector considered that the shape, volume and arrangement of the proposal and its proximity to the boundary would cause material harm to the living conditions of the immediate neighbours by reason of a significantly reduced outlook. The form of the development however would not cause material harm to the character and appearance of the surrounding area but this did not outweigh the living conditions issue.</p> |

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| | | | | <p>reason of its depth, height and position close to the boundary of the site, be a dominant and overbearing feature which is an oppressive and unneighbourly development that would have an adverse effect on the amenities of adjacent occupiers at No.19 Tudor Avenue, contrary to the Residential Extensions and Alterations Supplementary Document and Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> | |
| <p>P0226.14 Former Petrol Service Station Eastern Avenue West Romford <i>Second floor extension of existing mixed use commercial / residential building to provide two additional one bedroom flats</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed second floor extension would unbalance the characteristic stepped appearance and symmetry of the existing building and appear as an unacceptably dominant and visually intrusive feature in the street scene, representing a cramped form of overdevelopment of the site, 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 cumulative impact of the second floor extension, combined with the height, scale and bulk of the existing building, would be an unneighbourly development and appear dominant, overbearing and visually intrusive in the rear garden environment of No.44 -50 Hainault Road harmful to residential amenity contrary to the aims and objectives of Policy DC61 of the LDF Development Control Policies</p> | <p style="text-align: center;">Dismissed</p> <p>The appellant submitted a Unilateral Undertaking with the appeal, which the Council confirmed would meet its requirements. A proposal for a similar form of development was dismissed on appeal. The flats have a distinctive contemporary character evident in the symmetry and characteristic stepped appearance of the building. The proposal failed to respect this form, character and appearance. Although it would be an improvement than the previous scheme, the bulky appearance of the appeal scheme would adversely harm the living conditions of the occupiers of neighbouring properties with regard to outlook.</p> |

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| | | | | <p>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>P0412.14 Land at R/O 92 Manser Road Rainham <i>The erection of a 4 bed bungalow.</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposed development would, by reason of its height and size and position on the existing rear garden of the host property, appear isolated, result in amenity areas which are uncharacteristically small in comparison to the more spacious gardens in the surrounding area and would therefore be harmful to the character and appearance of the area and contrary to the NPPF, Policy DC61 of the LDF Development Control Policies Development Plan Document and the Residential Design SPD.</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 style="text-align: center;">Dismissed</p> <p>The appellant submitted a Unilateral Undertaking with the appeal, which the Council confirmed would meet its requirements. On the main issue, the proposal for a single dwelling was a resubmission following the dismissal of a recent appeal for a pair of bungalows on the site. This proposal failed to overcome the concerns raised in the previous appeal regarding the relationship of the development to the street, neighbouring houses and the character and appearance of the area</p> |
| <p>P0100.13 R/O 6-8 Manor Road Romford <i>Construction of 2no semi detached bungalows</i></p> | <p>Written Reps</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposal would, by reason of its massing and depth in close proximity to the rear boundary result in a cramped form of over-development adversely impacting on the character of the</p> | <p style="text-align: center;">Dismissed</p> <p>The overall extent of development and the close proximity of the bungalows to their rear boundaries would contrast markedly with the more spacious surroundings to the appeal</p> |

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| | | | | <p>locality, the rear garden environment and thereby be detrimental to neighbouring residential amenity, contrary to Policies DC2, DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD and SPD on Residential Design. The proposal would, by reason of its proximity to the rear boundary result in limited levels of outlook from the bungalow and substandard living conditions contrary to policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD and SPD on Residential Design. 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>site and therefore cramped within this context. Given this cramped arrangement, resultantly there would be harm to the living conditions of the occupiers of the bungalow on the west plot by reason of the loss of outlook and inadequate outdoor space. The Inspector found that contributions sought by the Council for infrastructure met the relevant legislative tests however the appellant failed to make such provision for such contributions and the proposal was contrary to policy.</p> <p>It was however noted that there would be no significant loss of outlook for the occupiers of the neighbouring properties however but this did outweigh the findings on the harm of the proposal.</p> |
| <p>P0158.14 Rainham Social Club, 30 Upminster Road and r/o 76, 78 and 80 Upminster Road South Rainham <i>External alterations, roof lights, side and rear dormer windows, conversion of Rainham Social Club to 1) Bed & Breakfast 2) Loft Conversion with additional bedrooms</i></p> | <p>Written Repts</p> | <p>Refuse</p> | <p>Delegated</p> | <p>The proposal would result in an intensification of the use of the site, which when taken together with the failure to provide sufficient guest and staff parking provision, combined with the absence of adequate servicing and refuse facilities, would result in an unacceptable overspill onto the adjoining roads to the detriment of the free flow of traffic, which would be harmful to highway safety and residential amenity contrary to Policies DC32, DC33, DC36, DC61 and Annexe</p> | <p style="text-align: center;">Dismissed</p> <p>The proposal was for a change of use to a 23 room B&B. The scheme originally provided 4 parking spaces on site and 8 off site. However the lease for the 8 off site spaces was cancelled leaving only 4. The appellant pointed out public car parks within Rainham and the proximity of the site to public transport. The Inspector however concluded that given the level of accommodation, the level of parking on site and the lack of alternative parking, there would not be a satisfactory</p> |

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| | | | | 5 of the LDF Core Strategy and Development Control Policies DPD. | alternative for guests that could not park on site. The resulting impact would be overspill parking in the surrounding roads. Furthermore the proposal failed to make provision for adequate servicing arrangements which again would have harmful effect on highway safety and living conditions. |
| <p>P1549.13 11 Ryder Gardens Rainham <i>Variation of condition 8 of planning application P0574.09 to increase the number of children on the premises from 12 to 15.</i></p> | Written Reps | Approve With Conditions | Committee | The development, by reason of the over intensification of the day nursery use in a limited sized building, would result in unacceptable levels of noise and disturbance materially harmful to neighbours' amenity, including the rear garden environment and contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD. The development, by reason of the levels of vehicular activity associated with the use would result in unacceptable levels of noise and disturbance, materially harmful to nearby residential amenity and contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD. | <p style="text-align: center;">Dismissed</p> <p>The nursery can currently operate with up to 12 children. The proposal sought to increase this by 3 children, resulting in a total of 15 children, a 25 per cent increase. This could add three vehicles dropping and picking up from the site or some six journeys over the day. There would not be adequate or additional on-site parking for the increased use and additional vehicles would be pushed onto surrounding roads. In conclusion there would be an increase in noise and disturbance from additional vehicle and pedestrian movement both on and off site, which even at 25% increase, would be heightened in this quiet suburban location leading to an unacceptable intensification of the use.</p> |
| <p>P0296.14 65 Grove Park Road Rainham Essex <i>Construction of a new 2 storey end of terrace house and re-shaping of roof and rear dormer to host dwelling No.65</i></p> | Written Reps | Refuse | Delegated | The proposal, by reason of its bulk, mass, depth and proximity to the boundaries of this corner site, appear as a visually intrusive and overbearing form of development within the streetscene and the neighboring rear garden environment, resulting in material harm to local character and amenity, contrary | <p style="text-align: center;">Dismissed</p> <p>The new dwelling would be formed by an extension to the existing terrace. The site itself is a corner location. The Inspector concluded that the design elements of the proposal would in from of development both bulky and brutal in appearance which would stand out as an incongruous feature</p> |

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| <i>Grove Park Road.</i> | | | | <p>to Policies DC2 and DC61 of the Local Development Framework and criteria in Supplementary Design Guidance on Residential Extensions and Alterations The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policy DC33 of the Local Development Framework.</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 Policy DC72 of the LDF Development Control Policies Development Plan Document and the provisions of the Havering Planning Obligations Supplementary Planning Document.</p> | <p>The proposed parking arrangement was found not to have a harmful effect on highway safety or the living conditions of nearby residents. The appellant failed to provide a financial contribution to the Council however the Inspector did not find that contributions sought by the Council for infrastructure met the relevant legislative tests. It was concluded that the absence of the unilateral undertaking neither counted for or against the proposed development</p> |
| <p>P0497.14 9 South Street Romford <i>Retrospective application for the installation of glass shop front and roller shutter</i></p> | Written Reps | Refuse | Delegated | <p>The proposal by reason of the scale and forward projection of roller shutter box and the inappropriate design and appearance solid pin hole roller shutters, results in unsympathetic, visually intrusive shop front which does not preserve or enhance the special character of this part of the Conservation Area contrary to Policies DC61 and DC68 and the Shopfront Design SPD.</p> | <p>Allowed with Conditions</p> <p>The Council's concerns related to the solid design and level of forward projection. The Inspector found the degree of projection of the shutter box is modest and its visual impact in the street scene is very limited, particularly given the context of more prominent shutter boxes at several nearby premises. Furthermore their prevalence means that the use of a solid design at the appeal property would not materially increase the degradation of the conservation area.</p> |

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| <p>J0002.14 3-11 Grenfell Avenue Hornchurch <i>Prior Approval</i> <i>Notification of a change of use from B1(office) to C3(residential)</i></p> | <p>Written Reps</p> | <p>Refuse Prior Approval</p> | <p>Delegated</p> | <p>Prior Approval is refused as the proposal makes inadequate provision for off street parking and as it fails to make provision to prevent future occupiers from obtaining on-street parking permits. The proposal would therefore result in increased parking congestion in surrounding streets, contrary to the safety and functioning of the highway and contrary to Policy DC32 of the Local Development Framework and the guidance contained in the National Planning Policy Framework.</p> <p>INFORMATIVE</p> <p>It is the Council's opinion that a legal agreement cannot be completed in association with an application for prior approval. The applicant is therefore advised that express planning permission would need to be sought for the proposal. However, in assessing such a proposal, the Council would be giving consideration to all of the material planning considerations, in addition to highways, flood risk, and contaminated land issues. The applicant may wish to seek pre-application advice prior to submitting a planning application.</p> <p>The applicant is also advised that they are entitled to lodge an appeal with the Secretary of State against this refusal of prior approval.</p> | <p>Dismissed</p> <p>This appeal was against the refusal of a prior approval application. The Council can only assess the proposal in terms of a) the transport and highway impacts of the development; b) contamination and flooding risks on site; and c) the provisions of paragraph N of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).</p> <p>In this case, the main issue was if the scheme would result in unacceptable transport and highway impacts. The Inspector found that the area appears to have a significant level of parking stress and that the available (and restricted) on-street parking was in constant demand during a site visit. The level of parking spaces proposed would not meet the guidance set out in the LDF for the number of residential units and this would result in a material increase in parking congestion. The proposal would result in unacceptable transport and highway impacts.</p> |

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|--|------------------|-----------|--------------------------------|---|--|
| <p>P0253.14 123 Howard Road Upminster <i>Proposed loft conversion - changing roof from hip to gable, single storey rear extension, internal alterations</i></p> | Written Reps | Refuse | Delegated | The proposed rear dormer window would, by reason of its excessive depth, bulk and mass be incapable of being satisfactorily accommodated within the roof slope of this property and would appear as an unacceptably dominant and visually intrusive feature in the rear garden environment thereby causing harm 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>Part Allowed/Part refused The Council had no objection to the single storey rear extension. This element of the appeal was allowed and permission was granted with conditions. On the issue of the loft conversion, the proposed dormer and first floor rear extension due to their height, width and particularly their depth, would be an extremely large addition to the roof and the rear of the building. These alterations would fail to complement the character of the building in terms of their scale, style and form.</p> |
| <p>P0726.14 1 Woodbridge Close Romford <i>Two storey side extension</i></p> | Written Reps | Refuse | Delegated | The proposed two storey side extension would, by reason of its excessive width and bulk, detract from the appearance of the subject terrace and appear as an unacceptably dominant and visually intrusive feature, eroding the spacious character of the streetscene and causing harm to the appearance of the surrounding area, contrary to the Residential Extensions and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. | <p>Dismissed The proposed extension would fail to maintain the rhythm that is associated with the existing terrace. As a result of its width, this would result in the dwelling at the appeal site projecting significantly forward of the neighbouring dwelling to its west and the terraces located to the east of the site. Consequently, it would be at odds with the building line associated with these properties. It would have an unacceptable impact upon the character and appearance of the host building.</p> |

TOTAL PLANNING = 20

LIST OF APPEAL DECISIONS MADE BETWEEN 09-AUG-14 AND 07-NOV-14

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

LIST OF APPEAL DECISIONS MADE BETWEEN 09-AUG-14 AND 07-NOV-14

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|---------------------|-----------|--------------------------------|--------------------|---|
| <p>ENF/218/11/RT 34 Lake Rise Romford</p> | <p>Written Reps</p> | | | | <p style="text-align: center;">Dismissed</p> <p>The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused</p> <p>On the ground (a) appeal; that planning permission should be granted for what is alleged in the notice, it was considered that the design, extent and location of the balcony materially harm the neighbours' quality of life by reason of harm to amenity including a loss of privacy from direct overlooking and noise and disturbance. The Inspector observed that people standing on the patio are likely to be noticeable given the height of the patio and concluded that its height is unacceptable and results in a loss of privacy through overlooking.</p> <p>On the appeal lodged under grounds (b) and (c) As a matter of fact and degree, the construction of a raised patio and first floor balcony occurred at the time the notice was issued. The development carried out is not in accordance with the terms of the 2013 permission. The construction of a raised patio and balcony do not benefit from PD rights. The development carried out materially affects the external appearance of the dwelling as a whole. Express planning permission is required for the matters alleged and it has not been granted and so the alleged matters constituted a breach of planning control.</p> <p>On the issue of whether the steps required by</p> |

LIST OF APPEAL DECISIONS MADE BETWEEN 09-AUG-14 AND 07-NOV-14

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--|------------------|-----------|--------------------------------|--------------------|---|
| ENF/218/11/RT 34 Lake Rise Romford | Written Reps | | | | <p style="text-align: center;">Dismissed</p> the notice are excessive, ground (f), the Inspector found that the requirements of the notice are not excessive and nothing short of full compliance would remedy the breach. On the time for compliance ground (g) the Inspector was satisfied that 3 months is a reasonable period for compliance. An application for an award of costs against LBH was refused. |

TOTAL ENF =

LIST OF APPEAL DECISIONS MADE BETWEEN 09-AUG-14 AND 07-NOV-14

| Description and Address | Appeal Procedure | Staff Rec | Delegated / Committee Decision | Reason for Refusal | Inspector's Decision and Comments |
|--------------------------------|------------------|-----------|--------------------------------|--------------------|-----------------------------------|
| <u>Summary Info:</u> | | | | | |
| Total Planning = | | 20 | | | |
| Total Enf = | | 1 | | | |
| Appeals Decided = | | 25 | | | |
| Appeals Withdrawn or Invalid = | | 4 | | | |
| Total = | | 21 | | | |
| | Dismissed | | Allowed | | |
| Hearings | 0 | 0.00% | 0 | 0.00% | |
| Inquiries | 0 | 0.00% | 0 | 0.00% | |
| Written Reps | 16 | 76.19% | 5 | 23.81% | |