

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1013.13 7B Salamons Way Rainham <i>Variation of condition 1 re U0011.09 (Permanent Use)</i></p>	Written Reps	Refuse	Delegated	<p>The proposal would bring forward new waste-related capacity that is not required to meet East London's waste apportionment. The proposal is therefore considered to be contrary to Policy W2 of the Waste DPD. In the absence of a Flood Risk Assessment and given that the proposal constitutes a more vulnerable use in flood zone 3 and does not pass the Exceptions Test, the proposal is considered to be contrary to the guidance contained in Policy W5 of the Waste DPD and the guidance contained in the NPPF.</p>	<p>Allowed with Conditions</p> <p>The Inspector in applying the relevant policy criteria regarding contamination, greenhouse gases produced, drainage and the risk of flooding, the visual impact and the adverse effects on neighbouring amenity. On the evidence provided, it was concluded that the proposed development would not result in material harm that would significantly adversely affect people, land, infrastructure and/or resources</p>
<p>P0742.13 The Ockendon Kennels Ockendon Road Upminster <i>Replacement of the existing kennels and dog track with 30 new houses and associated amenities / facilities. The remainder of the site to be developed by the Ockendon Wildlife Trust to provide a natural habitat for biodiversity.</i></p>	Written Reps	Refuse	Delegated	<p>Owing to the heights of the proposed buildings, the intensity of the proposal's layout, and the extent of development compared to the existing built development, it is considered that the proposal would have a significant adverse impact on the openness of the Green Belt and be contrary to the purposes of including land within it. The proposal is considered to constitute inappropriate development in the Green Belt, and would also be harmful to the visual amenities of the Green Belt and the surrounding area. Very special circumstances that overcome the harm to the Green Belt, by reason of inappropriateness and visual impact, have not been demonstrated in this case. The proposal is therefore considered to be contrary to the guidance contained in the National</p>	<p>Dismissed</p> <p>The Inspector considered the site was brownfield land. However in assessing the relevant NPPF criteria, the proposal needed to demonstrate that it would not have a greater impact on openness and the purpose of including land in the Green Belt than the existing development on site.</p> <p>It was accepted that the site would be screened and there would be limited visibility of it from the public highway. Due to the footprint and volume of the 30 dwellings, it was judged that the scheme would have a significantly greater bulk, mass and height compared to the existing buildings. Furthermore there would be areas of hardstanding for parking and turning, car ports, and garden areas with close boarded fencing or similar boundaries. These would all further erode the openness of the Green</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Planning Policy Framework and Policy 3.17 of the London Plan. The submitted Flood Risk Assessment is insufficient to enable the proposal's flood risk implications to be properly assessed. The proposal is therefore considered to be contrary to Policy DC48 of the LDF Core Strategy and Development Control Policies DPD and the guidance contained in the National Planning Policy Framework. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development and the provision of affordable housing, the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policies DC6 and DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Belt. Therefore, the proposal would materially reduce the openness of the Green Belt and would have a greater impact on the openness of the Green Belt than the existing development.</p> <p>On the issue of flooding, based on the information (or lack of) submitted; the Inspector was unable to consider whether this would suitably address the concerns raised by the EA.</p> <p>The absence of a formal mechanism to ensure the provision of affordable housing in line with local planning policy requirements would result in modest harm that weighed against the proposal. In terms of character and appearance, it was concluded that the proposed scheme would detract from the character of the area. Finally on the issue of a wildlife trust being set up to manage about 50% of the site as a natural habitat for biodiversity. It was recognised that this may provide limited benefits to local biodiversity, there was no legal agreement or management plan that would secure this provision and therefore this factor was afforded minimal weight.</p>
<p>P0166.14 4 Ward Gardens Harold Wood Romford <i>Two-storey side extension and loft conversion</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed two storey side extension would, by reason of its excessive width, bulk and mass unbalance this pair of semi-detached properties and would appear cramped on the site and unacceptably dominant and visually intrusive in the streetscene. The</p>	<p>Allowed with Conditions</p> <p>The main view of the extension would be from the west. It would be viewed against the flank wall of the main dwelling. The use of windows and a door on the flank wall would break up its appearance. The use of matching materials would serve to lessen its</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				proposals are thus harmful to the character and appearance of the surrounding area and contrary to the Residential Extensions and Alterations SPD Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	impact when viewed in the street scene. In spite of its position close to the boundary these factors would serve to give setting and relief to the extension and lessen its impact. It was concluded that the extension would not harm a harmful effect on the character and appearance of the area.
<p>P0371.14 6 Deyncourt Gardens Upminster <i>Single storey rear extension</i></p>	Written Reps	Refuse	Delegated	The proposed rear extension would, by reason of its excessive depth, bulk, scale and massing, be an visually dominant and excessive addition to the property, harming the visual amenities of the garden scene and the character of Hall Lane Policy Area. 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>Allowed with Conditions</p> <p>The extension would project by about 6.3m from the main part of the rear elevation and extend across the whole of the width of the rear elevation. However, its extent and bulk would be mitigated by its form. The principal view of the extension would be from the rear garden. Notwithstanding the depth of the extension a lengthy rear garden would remain, so that the setting of the house in a large garden with extensive tree and shrub planting would be retained. Seen from there it would not appear as an unduly dominant element of the rear elevation. The Inspector concluded that the development would not result in material harm to the character and appearance of the house or the surrounding area.</p>
<p>P0280.14 64 Penrith Road Harold Hill <i>Detached workshop/gym in rear garden</i></p>	Written Reps	Refuse	Delegated	The development, by reason of the combined bulk, scale and mass of the outbuilding, together with its residential character and appearance, would introduce a feature that is alien to the character of the existing rear garden environment, which would result in visual harm to the appearance of the surrounding area and would be intrusive and unneighbourly thereby detrimental	<p>Allowed with Conditions</p> <p>The Inspector found that the proposed building is of domestic scale and proportions. Its general form with pitched roof and materials has the appearance of an ancillary outbuilding and is of a reasonable size and scale given the adjoining properties and other structures in the area. It would not appear particularly isolated or inappropriate in terms of its siting or size. The residential character</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				to neighbouring amenity, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	of the building assists in integrating it into the area.
<p>P0512.14 184 North Street Romford <i>Demolish existing garage, erection of gym/storage (single storey flat roof) within curtilage of 184 North Street, Romford for purposes ancillary to enjoyment of no 184 North Street</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Dismissed</p> <p>The Inspector noted that the prevailing and positive aspect of the surrounding area's character and appearance is one of pitched roofs, generally tiled. In that context and having regard to the scale, siting and form of the building proposed, there would be material harm to the character and appearance of the area.</p>
<p>P0578.14 195 Main Road Romford <i>Demolition of existing rear addition and garage at front with construction of new single storey rear extension and two storey side extension.</i></p>	Written Reps	Refuse	Delegated	The proposed two storey side extension by reason of its scale, bulk, roof form and lack of set back at first floor level would be harmful to the Gidea Park Special Character Area and to the street scene. For this reason the extension is considered to be contrary to the aims and objectives of the Residential Extensions and Alterations Supplementary Planning Document, Policy DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document. The proposed two storey side extension would, by reason of its height and position close to the boundary of the site, be an intrusive, unneighbourly and oppressive wall of development as well as having an adverse effect on the amenities of the Neighbour at No. 193	<p style="text-align: center;">Dismissed</p> <p>The side extension would not read from the street as subordinate to the remainder of the house, and it would significantly unbalance the appearance of the pair of houses. Moreover, the crown roof over the side extension would be untypical of houses in the vicinity, and it would appear awkward and relate poorly to the existing roof form. The proposal would have an unacceptably harmful effect on the living conditions of adjoining residents due to a loss of light to a neighbour's window and it would have an oppressive and enclosing effect on outlook from it.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Main Road contrary to Residential Extensions and Alterations Supplementary Planning Document and Policies DC61 & DC69 - LDF Core Strategy and Development Control Policies Development Plan Document. The proposed first floor flank windows would, by reason of their position and proximity to neighbouring property at No.193 Main Road cause inter-looking 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>P0286.14 168 Suttons Avenue Hornchurch Essex <i>Front lower ground extension to extend living area and porch. Revised Plans received 22.05.14</i></p>	Written Repls	Refuse	Delegated	The proposed single storey front extension would, by reason of its external finish, design and general proportions, fail to relate acceptably to the existing dwelling and would visually conflict with the prevailing character and appearance of the surrounding area. The development is considered to be harmful to the appearance of the subject dwelling and the surrounding area and is therefore contrary to Residential Extensions Alteration SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> <p>The extension was not considered to be excessive in scale. However it would extend across almost the whole of the frontage of no.168 and would be prominent in public views from the street. It was noted that there are other houses nearby which have front or side extensions. While a range of materials are used in the area, subject to a condition allowing control of materials the effect would not result in material harm to the character and appearance of the property or the area.</p>
<p>P0347.14 30 Clyde Way Romford <i>Proposed detached Granny Annexe</i></p>	Written Repls	Refuse	Delegated	The proposal, by reason of the combined bulk, scale and mass of the proposed structure, together with its residential character and appearance, would introduce a development that is out of character with the existing rear	<p style="text-align: center;">Dismissed</p> <p>The Inspector found that the scale and design of the proposal would be at odds with its rear garden context and resultantly harmful to the character and appearance of the surrounding area.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				garden environment and give rise to the creation of an entirely self-contained unit not considered incidental to the main house, which would result in material harm to neighbouring residential amenity contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	
<p>P0399.14 12 Collier Row Road Collier Row Romford <i>Change of Use from A1 to A3</i></p>	Written Reps	Refuse	Delegated	The proposed development would give rise to a concentration of non-retail uses which is inappropriate within the retail core of Collier Row Town Centre, undermining its vitality and viability. The proposal is therefore contrary to Policy DC16 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the National Planning Policy Framework. The use as a restaurant, due to its days and late hours of operation and proximity to adjoining residential accommodation, would be likely to give rise to unacceptable levels of noise and disturbance, adversely impacting on local residential amenity contrary to the National Planning Policy Framework, the Designing Safer Places SPD and Policies DC16, DC55, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.	<p style="text-align: center;">Dismissed</p> <p>The retail function of the District Centre would be materially harmed by the appeal proposal. It would conflict with Policy DC16 insofar as it limits the proportion of non-A1 uses within the centre to no more than 33% of the measured frontage. The proposal would result in 40% of the frontage in non-A1 use. The policy can exceptionally permits changes of use to Class A2-A5 where the applicant can demonstrate the premises have proved difficult to dispose of for that use but in this instance there was an absence of sufficient marketing evidence in relation to the appeal property, Finally two recent appeal decisions cited by the Council for similar proposal in the same parade were relevant and the decision taken was consistent with the approach these cited appeals.</p>
<p>P0743.14 75 Ambleside Avenue Hornchurch <i>Retention of Summer</i></p>	Written Reps	Refuse	Delegated	The retention of the summer house and its continued use in connection with the applicant's childminding business amounts to an unacceptable	<p style="text-align: center;">Allowed</p> <p>It was judged that the building has a satisfactory appearance and that the structure does not impact on neighbouring</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>house in the rear of garden for use in connection with the applicant's child minding business</i>				intensification of activities within the rear garden area of this property and results in noise and disturbance seriously prejudicial to the amenities of neighbouring occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its lack of satisfactory parking facilities and generally more intensive use, particularly during early morning and early evening, will result in unacceptable overspill of vehicles associated with the use onto the adjoining roads and significant noise and general disturbance. The proposal is therefore detrimental to highway safety and residential amenity, contrary to Policy DC33 and DC61 of the LDF Development Control Policies DPD.	properties. It is a structure that would be expected within a garden and it has very little wider impact on the character or appearance of the area. Its height and position ensures that it has no significant impact on the living conditions of the neighbouring residents.
P0880.14 14 Station Road Upminster <i>Change of Use of ground floor of 14 Station Road to A2 use and the amalgamation with 16 Station Road to create a single unit together with internal reconfiguration at ground and first floor and proposed new access to Station Road.</i>	Written Reps	Refuse	Delegated	The proposed A2 use would give rise to a concentration of non-retail uses within the relevant frontage in the retail core, thereby undermining the vitality and viability of the Major District Centre of Upminster. The proposal is therefore contrary to Policy DC16 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.	Dismissed The Inspector acknowledged that the proposal was intended to allow the expansion of an existing business in the parade. It was found that the change of use would add to an already high proportion of non-retail uses and would create a length of non-retail uses in the parade which would undermine its retail function. The appellant referred to difficulties in attracting a retail user to the property however no details of marketing, rent levels or offers have been submitted to support this assertion. In summary, the proposal would have a prejudicial effect on the retail function of the area which would harm its vitality and viability.

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0746.14 Land r/o 92 Harrow Drive Hornchurch <i>Erection of 1no. three-bedroom bungalow with off street parking</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposal will result in a cramped overdevelopment of a constrained backland site with a poor access arrangement harmful to the character and amenity of the surrounding area contrary to the provisions of Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposal will rely on a long and narrow private access road which is insufficient in size for the safe and convenient movement of service and emergency vehicles and will interfere with the turning and manoeuvring of other vehicles using this road to the detriment of the amenity of neighbouring residents including those using the adjacent garage court and Hurstlands Close. The proposal is therefore contrary to the provisions of Policies DC33, DC36 and DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Allowed with Conditions</p> <p>The proposed dwelling would front onto the existing parking court and would relate most strongly, and be seen most clearly in the context of that cul-de-sac. It would be a single storey bungalow on a plot of not dissimilar size to that single storey dwelling to its north. In respect of its scale, height, plot size and general appearance it would therefore not appear out of place in that context. The development would therefore not represent an inappropriate development of residential garden land.</p> <p>Adequate parking provision would be provided on the site to minimise the need for potentially obstructive on street parking and the proposed development would not pose a risk to the safe and convenient movement of service and emergency vehicles.</p>
<p>P1096.13 110 Balgores Lane (Abbeyfield House) Gidea Park Romford <i>Change of use from C2</i></p>	<p>Written Reps</p>	<p>Approve With Conditions</p>	<p>Committee</p>	<p>1. The proposed change of use to a house in multiple occupation (HMO) for up to 12 persons would result in an excessive intensification in the occupation of the building compared</p>	<p>Allowed with Conditions</p> <p>It was acknowledged that the impact of the proposed use is likely to be greater than that of its previous use as a care home. However that is likely to be the case for any</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><i>(nursing home) to a House in Multiple Occupation (in a class on its own/Sui Generis)</i></p>				<p>with the former care home use. This intensification in use would be likely to result in material harm being caused to the living conditions of adjoining residents by reason of the additional noise and general disturbance that would result. This noise and disturbance would be exacerbated by the likelihood of extensive collective amplified sound experienced by neighbours through open windows and through the assembly of residents in collective areas, including kitchen, lounge and garden areas. The proposed management arrangements are not considered to be sufficient to adequately control these impacts. Consequently the proposed change of use would be contrary to Policies DC4, DC5 and DC61 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework.</p> <p>2. The proposed change of use would be likely to give rise to a significant number of vehicular movements in and out of and in the vicinity of the site that would be likely to cause material harm to the amenities of nearby residential occupiers by reason of the additional noise and general disturbance that would be caused contrary to Policies DC4, DC5 and DC61 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the National</p>	<p>alternative use of the premises which is significantly larger than adjoining properties. A conversion to self-contained flats for example, or a redevelopment of the site altogether, as was the case for the adjoining properties to the north, would result in more activity and greater potential for disturbance than the previous use. The Inspector concluded that the proposal would be consistent with the environmental role of sustainable development and would not have an adverse impact upon health and quality of life, both aims and objective as set out in the NPPF</p> <p>The additional 3 spaces would not significantly add to traffic generation or potential nuisance over and above the previous use. One of the 2 existing access points would reduce the level of existing hard surfacing and offer scope for additional landscaping. Consequently there would be some gain in that respect which would both preserve and enhance the character or appearance of the Conservation Area</p> <p>A legal agreement was submitted including tenancy for minimum periods of 6 months and clauses that tenants should not cause nuisance or inconvenience to nearby residents as well as requiring the property to be managed by a managing agent or on site resident manager. The Inspector found that this met the relevant legislative tests and was necessary to provide some protection to local residents that the premises will be managed and occupied in an acceptable manner.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Planning Policy Framework.	
<p>P1257.14 14 Hall Terrace Romford</p> <p><i>New hardstanding and crossover</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would by reason of its close proximity to a bus stop and associated lay-by result in conditions seriously prejudicial to highway safety generally and the safe operation of the bus stop. The proposals are therefore contrary to the aims and objectives of the Residential Extensions and Alterations Supplementary Planning Document and Policy DC32 of the LDF Development Control Policies Development Plan Document.</p>	<p>Dismissed</p> <p>It was acknowledged that some houses in the street scene had vehicle crossovers but these were clearly historic. The Inspector observed the positions of parked vehicles in the dwellings with spaces and crossovers to their front. It was noted that that drivers appeared likely to have to reverse into a bus layby or onto the main A12 This would give rise to significant potential for conflict with road users, the bus service and users of the cycle track and footpath. The personal circumstances of the appellant and her child were noted and the Inspector was not be satisfied that the benefits to the appellant and her son would be sufficient to outweigh the concerns with regard to the safety of road users and cyclists.</p>
<p>P0837.14 117 Briscoe Road Rainham</p> <p><i>Erection of 2No. 3-bedroom dwellings</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its prominent location, height, bulk and mass, appear as an incongruous and unacceptably dominant and visually intrusive feature 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. The proposal would, by reason of its layout, result in an unsatisfactory relationship between the proposed dwellings, the site boundary and their</p>	<p>Dismissed</p> <p>The appeal site is located on a corner plot. Whilst the overall footprint would not be dissimilar to the existing building on the site, the change in the size, shape and orientation of the roof form would result in a building that would be a visually discordant and incongruous addition to the corner plot and overall street scene.</p> <p>The proposal would fail to reflect the prevailing pattern of development in the locality in terms of layouts and plot sizes. The potential small size of the external amenity</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>setting within the site leading to 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 LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate provision of private amenity space for each dwelling, 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 Local Development Framework 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>area, when shared between the two plots, together with intensified use proposed was indicative of the overall cramped nature of the proposal</p> <p>On the issue of whether the requirement for such a contribution would meet the relevant tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. The Inspector found limited evidence which demonstrated that the contribution sought would not be directly related to the development.</p>
<p>P1115.14 26a Carlton Road Romford <i>Demolition of existing garage and car port and erection of a 2 storey family dwellinghouse.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would by reason of its design and the width of the dwelling plot, and the inadequate internal size of the unit, give rise to an unacceptably cramped development being visually obtrusive, incongruous and harmful to the character and appearance of the street scene, contrary to the aims and objectives of Policy DC61 of the Development Control</p>	<p>Dismissed</p> <p>The proposed development would appear excessively close to the adjoining flats and give this section of the street scene an overly cramped appearance. There would be little space for the transition between building forms and heights which would emphasise the manner in which the development appeared shoe-horned into the space. This cramped appearance would be further</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Policies Development Plan Document. The proposed development would, by reason of its position and proximity to neighbouring properties cause a loss of outlook which would have a serious and adverse effect on the living conditions of the adjacent occupier at No.9 Harcourt Mews, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>emphasised by the narrowness of the plot which would be visibly narrower than those surrounding and out of keeping with the character of the well proportioned family accommodation in the area.</p>
<p>P1537.14 Grass Verge adj to Hacton Lane Hornchurch</p> <p><i>Retention of the existing temporary telecommunications base station for Telefonica UK Limited on the grass verge adjacent to Hacton Lane, Hornchurch, Essex (NGR: 554710E, 186370N) for a further 12 months to allow a permanent replacement base station to be established in the area.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The telecommunications mast and equipment cabinets would, by reason of their siting, height and appearance adjacent to existing street furniture, appear as a dominant and visually intrusive feature in the street scene, harmful to the visual amenities of the area contrary to Policies DC61 and DC64 of the LDF Core Strategy.</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed installation is located in a prominent position in the highway verge visible from the road and from neighbouring dwellings. The Inspector found that the column and equipment are highly visible and prominent within the street scene. The upper parts contain substantial antennae that add to the bulk and prominence of the installation. In particular approaching from the north and from several points on both Clement Way and Bevan Way and this is compounded by the ground level installations. In particular the siting of the generator and cabinets toward the front of an open gap in the verge is unduly prominent. Temporary fencing enclosing the equipment adds to the utilitarian appearance of the installation.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1347.14 Eastern Avenue West Former petrol service station Romford <i>Second floor extension to existing mixed use commercial/residential building to provide one additional one bedroom flat.</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 weaken the symmetry of the existing building, result a cramped appearance at roof level 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. 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 Hainault Road harmful to residential amenity contrary to the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document. 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 enlarged building would retain a stepping of heights however; the proposal would unduly weaken the significance of the strongest step down in height. This would undermine a particularly important balancing feature of the existing structure. The consequent roof profile and pattern of openings would result in the loss of the strong symmetrical appearance of this vertical component, detracting from this distinctive attribute. In conclusion the proposal would significantly unbalance and detract from the cohesion of the host building, detrimentally affecting its character and appearance and unacceptably diminishing the positive contribution it makes to the locality.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1224.14 246 Lodge Lane Romford <i>Single storey side/rear extension</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed single storey rear/side extension would, by reason of its excessive height, bulk and position close to the boundary with No.248 Lodge Lane, be an unneighbourly development which will overbear and overshadow this property and result in unacceptable loss of daylight/sunlight. The development is therefore contrary to the Residential Extension and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	<p>Allowed with Conditions The proposed extension would have a pitched roof and the highest section of this would be close to the rear elevation of the property. The Inspector judged that the effect on the loss of daylight and sunlight and any overshadowing would not be significant. The proposal would have an effect on the outlook from the neighbouring dwelling as it would project above the existing fence. However, the Inspector concluded that it would not appear to be a particularly noticeable or overbearing feature when viewed from the kitchen window of the neighbouring dwelling.</p>
<p>P1369.14 96 Dorking Road Harold Hill <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 width, 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>	<p>Dismissed The proposed extension would project well beyond the building line of other properties along Dorking Road and would be almost as deep as the main body of the house itself. It would appear as a dominant feature of the house and would be significantly out of character with the surrounding area.</p>
<p>J0013.14 Hillside Farm North Road, Havering-atte-Bower <i>Prior approval application for a proposed change of use of agricultural building to a dwellinghouse.</i></p>	<p>Written Reps</p>	<p>Refuse Prior Approval</p>	<p>Delegated</p>	<p>Prior Approval is refused in relation to whether the location or siting of the application building(s) would make it impractical or undesirable for the change from agricultural use to dwellinghouse to occur.</p> <p>It is the opinion of the local planning authority that in the absence of proposed amenity and servicing spaces, the siting of the building(s) would make the proposal undesirable and impractical in relation to the amenities of the proposed dwelling's future</p>	<p>Allowed with Conditions The Inspector considered that the policies of the Core Strategy did not count against the proposal for the purposes of the assessment of the proposal. On the reason for refusal, it was concluded that the absence of any proposed amenity or servicing spaces was not a matter which makes the proposal impractical or undesirable. Moreover there were no other matters identified that would make the proposal impractical or undesirable for the purposes of prior approval legislation.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>occupiers. Moreover, the absence of details concerning the provision of servicing and amenity spaces, which are likely to be required by future occupiers, mean that the desirability of the proposal's location within, and therefore impact upon, the Green Belt and a Special Character Area cannot be properly determined. The Local Planning accordingly refuses to give prior approval.</p>	<p>An application for a full award of costs against the Council was allowed</p>
<p>P1282.14 67 Butts Green Road Hornchurch <i>Demolition of existing dormant office building and replacement with six new build self contained two bed flats with off street parking and boundary treatment.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed building would, by reason of its flat roof, design, height, excessive depth, scale, bulk, mass and prominent siting, 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 layout, proportions and size of the communal and private amenity space for the flats 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 SPD.</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 Inspector found that the bulk of the replacement building at second storey level and its greater depth would increase the perception of a building that is too large this relatively small & constrained site. The proposal would have a shortfall in parking provision that would increase parking demand in the locality and this would be likely to exacerbate the parking stress on local roads.</p> <p>The Inspector considered that the main problem in respect of both the amenity areas proposed and the noise and disturbance arising from the proximity to roads, car parking areas and access routes is the fact that the site is too small for the amount of development proposed. This would result in unsatisfactory living conditions for future occupiers of the flats.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of privacy, noise, disturbance and headlight glare. As a result, the development represents an overdevelopment of the site contrary to Policies DC2, DC3, DC4 and DC61 of the LDF Core Strategy and Development Control Policies DPD and London Plan Policy 3.5.</p> <p>The boundary treatment would, by reason of its position and close proximity to the northern boundary of the site, fail to provide the required pedestrian visibility splays of 2.1m by 2.1m on either side of the access, which would be to the detriment of pedestrian and highway safety and Policy DC32 of the LDF Core Strategy and Development Control Policies 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>	

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0669.13 Land Adj. 330 Abbs Cross Lane Hornchurch <i>One two storey block of flats providing 6 dwellings 4x1 bed and 2x2 bed. Landscaping of site to form new vehicle access parking and amenity space.</i></p>	<p>Written Reps</p>	<p>Approve With Conditions</p>	<p>Committee</p>	<p>The proposed development by reason of its access arrangement, proximity to the road bridge and the nature of local traffic conditions, would adversely affect highway safety, both vehicular and for pedestrians using the highway in the vicinity of the site entrance contrary to the provisions of Policy DC32 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development by reason of insufficient on-site parking to meet the needs of future residents and their visitors would be contrary to the provisions of Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development represents an over-development of the site as evidenced by insufficient amenity space and it's inconvenient disposition within the development, the building's contrived setting towards the margins of the site, and the relationship with No.330 Abbs Cross Lane towards which the new building would be overbearing and intrusive, contrary to the provisions of Policy DC61 of the LDF Core Strategy and Development Control Policies DPD</p> <p>In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy</p>	<p style="text-align: center;">Dismissed</p> <p>From the information provided the Inspector was not persuaded that the proposed development would provide satisfactory visibility splays to ensure the safety of persons using the highway and leaving the appeal site nor would the suggested traffic calming measures.</p> <p>The Inspector agreed that the proposal would represent overdevelopment of the site and result in a contrived and cramped development which would result in an unsatisfactory provision of amenity space and result in noise and disturbance to the occupants of No 330. The issue of whether the requirement for such a contribution would meet the relevant tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 was not assessed in the light of the findings on the other issues.</p> <p>An application for a full award of costs against the Council was refused.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				and Development Control Policies DPD.	
<p>P1583.13 Land Adj 32 Hamilton Avenue Romford <i>New 3 bedroom dwelling</i></p>	Written Reps	Approve With Conditions	Committee	<p>The proposed development would, by reason of its height, bulk and mass and close proximity to the neighbouring occupier, 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>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 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 style="text-align: center;">Dismissed</p> <p>The Inspector considered the proposed dwelling would appear as infill or 'add on', which would not ensure the building's successful integration into the character or rhythm of the street scene. Instead its excessive height and mass would be detrimental to the character and appearance of the surrounding area.</p> <p>It was found the proposal would provide for an adequate standard of living conditions for proposed and existing dwelling in terms of amenity space</p> <p>On the issue of a S106 planning obligation, this issue was noted but, as the appeal was dismissed on other substantive grounds, the Inspector did not explore this particular issue further</p>
<p>P0665.14 87 The Drive Collier Row Romford <i>Conversion of House into 2 separate dwellings</i></p>	Written Reps	Refuse	Delegated	The layout and depth 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	<p style="text-align: center;">Allowed with Conditions</p> <p>The Inspector noted the limited size and awkward shape of the back garden for the additional dwelling. Whilst the present environment was considered unsuitable, it</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>together with new front porch, minor alterations and new vehicular access</i>				amenity of future occupiers, contrary to Policy DC61 of the LDF Development Control Policies DPD and the Residential Design 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 Policy DC72 of the LDF Core Strategy and Development Control Policies DPD and the Draft Planning Obligations SPD.	was stated that with the introduction of planting and climbing plants the area could be transformed into a pleasant visual and recreational amenity area which could be achieved through a good quality landscaping scheme. Substantial weight was attached to the consideration of the provision of an additional dwelling to meet the urgent need for additional housing to extent it that it outweighed the disadvantages of the amenity area. It was concluded that the requirement for S106 planning obligation is now precluded for housing schemes of 10 dwellings or less by the amendments to the PPG in November 2014 and February & March 2015.
P1341.14 25 Warrington Gardens Hornchurch <i>Double storey side and front extension. Single storey rear extension plus Loft conversion with rear dormers and internal alterations</i>	Written Reps	Refuse	Delegated	The proposed two storey side extension would, by reason of its height, width 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 Residential Extension and Alteration SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed two storey front extension would, by reason of its excessive and design would upset the balance of group of terraced properties and appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Residential	Allowed with Conditions The Inspector was satisfied that the dwelling would continue to sit comfortably at the end of this terrace. The changes with regard to the garage and the side addition would bring benefits to the appearance of the street. Overall, it would maintain the existing character of the area. The dormer windows proposed to the rear roof slope would be relatively small structures that would not dominate the roof slope. Given their position, they would not result in any harm to the character or appearance of the area.

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Extension and Alteration SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed two storey side extension and single storey rear extension would, by reason of their depth, height and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Residential Extension and Alteration SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed rear dormer windows by reason of their design, proportion and alignment with the existing dwelling would appear out of character and materially harmful to the visual amenity of the surrounding area contrary to Residential Extension and Alteration SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P1222.14 122A Bruce Avenue Hornchurch <i>Proposed single storey rear extension.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed single storey rear extension would, by reason of its depth, excessive height, and position close to the boundary with No.120 Bruce Avenue, result in an overbearing development that would cause a significant loss of outlook to neighbouring occupiers. The development is therefore contrary to the Residential Extensions and Alterations Supplementary Planning Document and</p>	<p style="text-align: center;">Dismissed</p> <p>The key issue is the effect of the proposal on the living conditions for the neighbouring dwelling. A hipped roof form was proposed that would slope away from the shared boundary. Because of its height, siting and depth, the scheme would have an unacceptable effect on the living conditions of the occupiers of the neighbouring dwelling though its overbearing appearance that would materially affecting the outlook, from</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	that bedroom window and patio of that property.
<p>P1333.14 7 Wainfleet Avenue Romford <i>Single storey out building to be erected at the further most extents of rear garden. To serve as a summer house for entertaining/ accommodating guests. Proposal to include: open plan kitchen and dining area, living room, bathroom and bedroom. Also to include the removal of a single temporary timber frame shed to accommodate outbuilding and the removal 3 no. small trees.</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its prominent rear garden location, bulk and mass, appear as a cramped, incongruous and unacceptably dominant and visually intrusive feature in the rear garden setting and the streetscene at Prospect Place resulting in 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 SPD.	<p style="text-align: center;">Dismissed</p> <p>The proposal would be seen in the context of the long and relatively narrow rear gardens. Although there are a number of outbuildings at the rear of those gardens they are fairly restrained in size and not visually dominant. The proposal would be larger in size and bulk than most of them. It would extend right up to either side boundary and combined with its depth and height would dominate the narrow rear garden setting. It would be particularly prominent in views from adjacent properties appearing cramped and resulting in visual harm to the character of the immediate area.</p>
<p>P1161.14 230 Collier Row Lane Romford <i>Change of use from residential dwelling (C3) to day nursery school (D1), including a garage conversion and erection of a conservatory</i></p>	Written Reps	Refuse	Delegated	The development has an absence of dedicated drop off points for parents, which would result in unacceptable overspill of parking onto the adjoining roads to the detriment of highway safety and residential amenity, thereby increasing congestion in the area and harming road safety contrary to Policy DC26, DC32 and DC33 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Dismissed</p> <p>The Inspector found that the proposal failed to provide an appropriate level of parking and a dropping off area. It was concluded that level of on-street parking likely to be generated could not be accommodated without detriment to pedestrian and highway safety.</p> <p>The existing on street spaces on the carriageway would not be adequate,</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					<p>particularly in the morning peak, leading to parking in bays on the opposite carriageway, which would be unacceptably hazardous for parents with children, or outside the available footway parking bays. Furthermore the use of the on street bays adjacent to the site would to some extent be hazardous and likely to detrimentally affect the flow of traffic. An application for an award of costs against LBH was refused.</p>
<p>Y0208.14 95 Stanley Avenue Romford <i>Single storey rear extension with an overall depth of 6m from the original rear wall of the dwellinghouse, a maximum height of 2.4m and an eaves height 3.75m</i></p>	<p>Written Reps</p>	<p>Refuse Prior Approval</p>	<p>Delegated</p>	<p>The Council consider that the impact of the proposed development on the amenity of the adjoining premises at no.97 Stanley Avenue and the neighbouring property to the north, no.93 Stanley Avenue, would be unacceptable by reason of loss of light, overshadowing and intrusive appearance.</p> <p>This written notice indicates that the proposed development would not comply with condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101). It is important to note that this written notice does not indicate whether or not the proposed development would comply with any of the other limitations of conditions of Schedule 2 Part 1 Class A.</p> <p>The applicant has the right to an appeal against this notice to the Planning</p>	<p>Dismissed</p> <p>The scale of the proposed extension in terms of its length and height, in close proximity to boundary would result in a dominant form of development, which would lead to a material loss of amenity for the occupiers of neighbour property by way of being visually intrusive and overbearing.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Inspectorate, see details below.	
<p>P1553.14 139 Bruce Avenue Hornchurch <i>Demolition of existing garage and front porch. Proposed two storey side/rear extension with canopy roof and piers to front.</i></p>	Written Reps	Refuse	Delegated	The proposed two storey extension would be located on the boundary with a neighbouring property, and given its height, bulk, and massing, it is considered that it would result in a significant adverse impact on the outlook from the upper floor of this neighbouring property, and an overbearing effect when viewed from the neighbouring garden. As such, it is considered that the proposal would be significantly harmful to the amenities of neighbouring occupiers, contrary to Policy DC61 of the Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> The main issue is the effect of the development on the living conditions of neighbouring occupiers. Although the proposal would project beyond the neighbouring property, the Inspector found that there would not be material harm to the outlook from the windows of that dwelling nor would it appear unacceptably overbearing when viewed from the rear garden of that property
<p>P1500.14 124 Mildmay Road Romford <i>Replacement wall, railings and gates to the front and flank boundaries of the property</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its excessive height, scale and design, appear as an overly prominent and visually intrusive feature 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 and the Residential Extensions and Alterations SPD. The proposed development would, by reason of its height, obstruct the pedestrian visibility splay at the access points, to the detriment of pedestrian and highway safety, contrary to the provisions of Policies DC32 and DC34	<p style="text-align: center;">Allowed with Conditions</p> The piers and the walls / railings and gates would be just under a third of a metre lower than a previous scheme dismissed at appeal. It was noted that apart from the piers, which together make up only a modest amount of the boundary, it is only the more open topping of spikes on the gates and railings that would take its height in excess of 1m. The Inspector considered that the reductions were enough to avoid material harm to the character and appearance of Mildmay Road

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				of the LDF Core Strategy and Development Control Policies DPD	
<p>P1246.14 2 Parkland Avenue Upminster <i>Single storey front & rear extensions & first floor roof extension with dormers</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its excessive scale, bulk, mass and design appear as an unacceptably dominant and visually intrusive feature in the streetscene and rear garden environment, 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 style="text-align: center;">Allowed with Conditions</p> On the front extension, whilst the altered appearance of the building would be substantial, it would read as another individually designed dwelling in a road where the variety from one property to another is part and parcel of its character and appearance. On the rear extensions, the three rear dormers would be perceived as sitting on top of the flat roof rear extension however the roof extensions would be read as a single entity rather than as one of a number of roofs. Moreover this would not be visible from the public realm, with views of it largely confined to the rear gardens. The Inspector concluded that the proposed extensions would not have an unacceptably adverse effect on the character and appearance
<p>P0869.14 64 Lowshoe Lane Romford <i>Proposed two storey side extension.</i></p>	Written Reps	Refuse	Delegated	The proposed development lacks subservience and would, by reason of its height, bulk and mass, relate poorly to the subject dwelling and seriously unbalance the appearance of this semi-detached pair of properties. As a result, the proposal will appear unacceptably dominant and visually intrusive 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 style="text-align: center;">Dismissed</p> The proposal would detract from the simple design of the property and would result in the dwelling having an incongruous appearance. The juxtaposition of the new elements, the bulky and over dominant roof form and the unsatisfactory proportions overall, would represent poor design entirely out of keeping within the street scene.

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1473.14 16 Patricia Drive Hornchurch <i>Two storey front extension. Single storey rear and first floor rear extensions. New roof. New front porch and changes to front boundary treatment to include metal railings on new brick wall with piers and sliding metal gate</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its height, bulk and mass and close proximity to the boundaries, appear as an unacceptably dominant and visually intrusive feature in the streetscene, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its excessive scale and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Allowed with Conditions The Inspector considered that the proposed alterations would result in an overall design which would be more in keeping with the prevailing character and appearance of 2 storey houses in the street scene. Furthermore the proposed development would not result significant harm to the living conditions of neighbouring occupiers in respect of loss of light, overshadowing, outlook, and privacy.</p>
<p>P1389.14 64 Rockingham Avenue Hornchurch <i>Extension to dormer in garage roof</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its height, bulk, mass and position, appear out of scale and character with the garage and as an unacceptably dominant and visually intrusive feature in the streetscene, harmful to the appearance of the surrounding area and the visual amenity of neighbouring occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Dismissed The Inspector concluded that proposed extension which would occupy the length of the garage roof would appear as a large prominent rectangular feature that would dominate the garage appear as a highly visible feature and detracting significantly from the local street scene. The proposal would not however be significantly to living conditions of neighbouring occupiers.</p>
<p>P1456.14 5 Macdonald Avenue Hornchurch <i>Front porch, conversion of garage to habitable accommodation, first floor side extension,</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed side extension would, by reason of its position on the boundary with the public highway, bulk and mass, appear as an unacceptably dominant and visually intrusive feature, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Core</p>	<p>Dismissed The Inspector noted that the materials and detailing of the proposed extension would match the host building. However by virtue of its position, height and bulk, the extension would appear as a dominant feature in the street scene. Moreover it would also close</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>single/two storey rear extensions</i>				<p>Strategy and Development Control Policies DPD.</p> <p>The proposed first floor rear extension would, by reason of its width and highly visible position close to the boundary with the public highway, appear as an unacceptably dominant and visually intrusive feature, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>down the space at the junction of MacDonald Avenue and MacDonald Way.</p>

TOTAL PLANNING = **38**

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

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 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/125/12/CM Upminster Court Hall Lane Upminster</p>	<p>Written Reps</p>				<p style="text-align: center;">Part Allowed/Part refused</p> <p>The appeal succeeds in part and permission for that part is granted, but otherwise the appeal fails, and the enforcement notice is upheld.</p> <p>The Inspector agreed with the Council's conclusion that the lighting scheme is inappropriate development as it did fall within the categories of development which are acceptable in the Green Belt. The fixtures and street furniture that provide the lighting have little by way of a physical presence. The effect on openness comes rather from the illumination that signals and draws attention to the mixed commercial use at Upminster Court. The Inspector found however that the lighting scheme has elements that may, with modifications, conserve the significance of the heritage assets.</p> <p>The scheme the subject of the appeal as implemented was judged to have had an unreasonable impact on the enjoyment of neighbouring homes. Other considerations, even when taken collectively, did not clearly outweigh the very substantial harm. Therefore very special circumstances do not exist and the original lighting scheme.</p> <p>Since the enforcement notice was served measures were taken with a view to improving neighbour amenity. Therefore there was the potential for the harm to residential amenity to be addressed by planning conditions</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/125/12/CM Upminster Court Hall Lane Upminster</p>	<p>Written Reps</p>				<p>Part Allowed/Part refused</p> <p>On the modified scheme, post service of the notice, the harm from the inappropriate development and to openness continued to have substantial weight but the harm to residential amenity would be addressed. A reduced lighting scheme, including modification to the illumination, would enhance the setting of the heritage assets, to the benefit of the occupiers and the wider community. The positive effect on the significance of the heritage assets weighed in favour of the development. The provision of safe and secure access routes for users of the building also had considerable weight. These considerations together outweighed the totality of the harm and amounted to very special circumstances.</p> <p>On the ground f appeal the requirements were not excessive and were confined to remedying the breach of planning control.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/397/12/ST 3 Austral Drive Hornchurch</p>	<p>Written Reps</p>				<p style="text-align: center;">Dismissed</p> <p>The appeals are dismissed and the enforcement notice is upheld</p> <p>The proposal concerned a timber-decked area provided to the rear of the new extension. The main issue in the ground (a) appeal is the effect of this decking upon the living conditions of the neighbouring residents. The Inspector judged that the elevated and intrusive views towards the rear windows of the neighbouring property and also allows views over its adjacent garden and patio. It was recognised that some mutual overlooking may have traditionally existed between the properties within this locality. However, the decking allows more immediate and intrusive views of the immediate neighbours and erodes their privacy to an unacceptable degree.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/209/07/SX 14 Rainham Road Rainham Alleged unauthorised car wash.</p>	<p>Written Repls</p>				<p style="text-align: center;">Part Allowed/Part refused</p> <p>Notice B - concerned the unauthorised stationing of a container and the construction of an outbuilding and a canopy & supporting structure</p> <p>The Inspector was not clear on why the appellant has pursued an appeal on ground (b) as it appeared to relate to different ground of appeal. The ground (c) appeal relates to the canopy and the container. However, as noted in relation to the ground (d) appeal below, the Council conceded the container was immune from enforcement action. The Council demonstrated that the canopy had sufficient permanence for its erection to amount to operational development. Whilst it had been removed by the time that the Notice was actually issued, the breach of planning control had occurred and the Council were entitled to take enforcement action. The ground (c) appeal failed.</p> <p>The appeal on ground (d) relates to the blue container and, as stated above, the Council, having reviewed the evidence and accepted that, on the balance of probability, it had been on site in the north-eastern corner, for a period in excess of four years at the time that the Notice was issued.</p> <p>The appeal on ground (f) relates to the outbuilding and it was argued that the terms of the requirements should be varied to allow the building to remain. In the absence of an appeal on ground (a), it was considered</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
ENF/209/07/SX 14 Rainham Road Rainham Alleged unauthorised car wash.	Written Reps				<p>Part Allowed/Part refused</p> <p>inappropriate to consider lesser steps which would then result in the grant of a planning permission. The appeal on this ground (f) fails.</p> <p>An application for costs was made by the appellant against the Council in the event of the appeal succeeding on ground (e). However, as the ground (e) appeal was dismissed, the application for costs fell away.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/209/07/SX 14 Rainham Road Rainham Alleged unauthorised car wash.</p>	<p>Written Reps</p>				<p style="text-align: center;">Dismissed</p> <p>Notice A essentially required the cessation of washing and cleaning of vehicles except in the wash bay and former garage</p> <p>The appellant failed to prove that, on the balance of probability, the enforcement notices were not served, as required. Therefore the ground e appeal failed.</p> <p>On the appeal on ground B, photographs taken by the Council when undertaking site visits and submitted with their Statement, together with representations from the local residents indicated that, on the balance of probability, such breaches have occurred. In the absence of an agreed scheme relating to the use of the equipment, this element of the appeal on ground (b) must also fail. The appellant also failed to prove that, on the balance of probability, the matters alleged by the Notice did not constitute a breach of planning control and appeal on ground (c) failed.</p> <p>On the issue of lesser steps overcoming the harm caused, the Inspector considered that the requirements of the notice should be matched to the allegation, and anything extraneous or obviously excessive deleted. In relation to each of the requirements of the notice, they reflected the conditions imposed by the Inspector on previous appeal decision and the plans submitted with it. The Inspector was did not find that the requirements are excessive. On the ground g appeal, a six</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>ENF/209/07/SX 14 Rainham Road Rainham Alleged unauthorised car wash.</p>	<p>Written Reps</p>				<p style="text-align: center;">Dismissed</p> <p>month period for compliance the Inspector found that this would be appropriate in respect of one of the requirement and the appeal on ground (g) therefore succeeded.</p> <p>An application for costs was made by the appellant against the Council in the event of the appeal succeeding on ground (e). However, as the ground (e) appeal was dismissed, the application for costs fell away.</p>

TOTAL ENF = **4**

LIST OF APPEAL DECISIONS MADE BETWEEN 14-FEB-15 AND 29-MAY-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<u>Summary Info:</u>					
Total Planning =		38			
Total Enf =		4			
Appeals Decided =		47			
Appeals Withdrawn or Invalid =		5			
Total =		42			
	Dismissed		Allowed		
Hearings	0	0.00%	0	0.00%	
Inquiries	0	0.00%	0	0.00%	
Written Reps	24	57.14%	18	42.86%	