

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>E0003.15</b>                      1C Ferndale Road                      Romford  <i>Existing use of 1C as a separate self contained residential unit.</i></p>	Local Inquiry		Delegated		<p style="text-align: center;"><b>Dismissed</b></p> <p>From the evidence before the Inspector as a matter of fact and degree and on the balance of probability that the appeal property, was used as a separate dwelling more than 4 years before the date of the application, the subject of the appeal. However, there was no unambiguous evidence relating to occupation and there was first hand evidence that there were some periods when the property was vacant possibly, at one time, up to three months. It was not demonstrated that all such vacant periods within a relevant four year time frame were de-minimis or that the Council could have taken action against the unauthorised use had it investigated during the periods of vacancy. The Inspector concluded that the Appellant has not made out the case, on the balance of probability, that appeal site has been used as a separate dwelling for a four year continuous period apart from de-minimis breaks</p> <p>The Inspector concluded that the Council's refusal to grant a certificate of lawful use or development in respect of the existing use of 1c as a separate self-contained residential unit was well-founded and that the appeal should fail</p> <p>An application for costs against the London Borough of Havering was refused by the Inspectorate</p>

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<p><b>P1655.14</b>  Sullens Farm Sunnings Lane Upminster  <i>Conversion of existing brick barns to create three new apartments, demolition of modern barns to allow construction of six new houses, Removal of external caravan storage use and hard surfaced yard and replacement with landscaped parking.</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed development by reason of the proximity of proposed garden areas to neighbouring properties, would be likely to give rise to noise and disturbance that would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its scale and bulk, detract from the open character and appearance of the Green Belt, contrary to Policies DC45 and DC61 of the Core Strategy and Development Control Policies DPD and the guidance contained in the National Planning Policy Framework.</p> <p>The proposed new built development would, by reason of its scale and bulk in proximity to the listed Sullens Farmhouse, cause material harm to the open setting of the heritage asset contrary to Policy DC67 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework.</p> <p>In the absence of a legal agreement to secure contributions towards local infrastructure projects necessary as a result of the impact of the development, the proposal is considered to be contrary to Policy DC72 of the Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The proposed scheme would result in inappropriate development arising from the construction of new dwellings to replace Building A (Hanger type building), and by the redevelopment of previously developed land for reasons of conflict with the purposes of including land within the Green Belt. The barn conversions would not amount to inappropriate development. Nevertheless, the proposals as a whole would lead to adverse impacts on the character and appearance of the area.</p> <p>Harm caused to the curtilage listed barns and to the setting of Sullens Farmhouse would result in less than substantial harm to the significance of the designated heritage assets, to which the Inspector accorded considerable importance and weight. The impact of the proposal on the living conditions of neighbours is another matter weighing against it. The scheme would result in net increases in openness of the Green Belt. The Green Belt would also benefit from return of the caravan storage land as well as other parts of the appeal site to the Green Belt.</p> <p>The considerations in favour of the proposal did not clearly outweigh the harm to the Green Belt by reasons of inappropriateness, as well as the other harm identified, and the very special circumstances necessary to justify the development do not exist. The Inspector did not consider the financial contributions offered in the s106 planning obligation as they bear no relevance to the</p>

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					main issues on which the appeal turned.
<p><b>P1266.14</b>                      Laburnham Stables                      Laburnham Gardens                      Cranham Upminster  <i>Retention of 2No mobile homes currently on site adjacent to existing mobile home with permanent consent</i></p>	Written Reps	Approve With Conditions	Committee	<p>This permission shall be for a limited period only expiring on 4th December 2017 on or before which date the use hereby permitted shall be discontinued, the mobile homes and works carried out under this permission shall be removed and the site re-seeded and reinstated as pasture.</p> <p>Reason: The grant of a permanent permission would not be appropriate until such time as the Gypsy and Traveller Caravan Sites Local Plan has been adopted and a permanent change of use considered in light of its policies and in accordance with Policies CP2 and DC8 of the LDF Core Strategy and Development Control Policies Development Plan Document. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (2012).</p> <p>Reason: Permission is granted solely in recognition of the unmet need for gypsy and traveller sites in Havering. The use hereby permitted shall be carried on only by the following: Mrs C Tibbs and Mr Edward Tibbs and his wife, Laura and their children</p>	<p><b>Allowed with Conditions</b></p> <p>The appeal site is a Gypsy / Traveller site located in the Green Belt on the edge of Cranham. There is a long planning history dating to the 1990's with a number of temporary permissions. The appellant however sought permission for retention of two mobile homes currently on site adjacent to existing mobile home with permanent consent. The Council granted permission for the application however it was not what the applicant sought as permission was allowed for a limited period only expiring on 4th December 2017 - a three year temporary permission.</p> <p>The Inspector concluded that the use and development permitted by the Council in the 2014 decision was inappropriate development but the other considerations in favour of granting a temporary permission were considered sufficient to clearly outweigh the harm so that very special circumstances existed. In consideration of the proposal to vary the terms of the permission to allow permanent use, the other considerations pertaining at the time of this decision still do not clearly outweigh the harm. However, there have been changes in those other considerations and in the balance it was concluded that the grant of a fresh four year permission would be reasonable, allowing in particular the children to continue their</p>

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				<p>Edward, Lauren and Charles and Mrs Christina Imray (nee Tibbs) and her husband, Daniel and their children Daniel and James and any child born to these parents within the three year temporary period identified in Condition 1 above and shall not enure for the benefit of the land or any other person.</p> <p>Reason: Permission is granted for a period pending the possible allocation of the site in a Development Plan Document on gypsy and traveller sites (or a Local Plan) and in recognition of the particular circumstances of the applicants.</p> <p>When the premises cease to be occupied by those named in condition (3) above, or at the end of 3 years, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.</p> <p>Reason: Permission is granted for a period pending the possible allocation of sites in a Development Plan Document on gypsy and traveller sites (or a Local Plan) and in recognition of the particular circumstances of the applicants.</p>	<p>education from a more settled base, and allowing time for the policy situation on the supply of site to be resolved.</p> <p>The appeal was allowed and the planning permission was varied by deleting disputed conditions together with others that were not considered necessary or reasonable, and substituting new conditions. The Inspector judged it reasonable to grant a fourth, temporary permission which was not what the appellant sought as it was granted for four years from the date of the appeal decision. The reason for this was to allow reasonable time for a new Local Plan to go through the relevant adoption process.</p>

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				<p>No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.</p> <p>Reason: To protect the amenities of the area and the openness of the Green Belt.</p> <p>No commercial activities shall take place on the land, including the storage of materials.</p> <p>Reason: To protect the amenities of the area and the openness of the Green Belt.</p> <p>No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the application site at any time.</p> <p>Reason: To protect the amenities of the area and maintain the open character of the Green Belt.</p>	
<p><b>P0592.15</b> Sullens Farm Sunnings Lane Upminster <i>Conversion of existing brick barns to create 3 no.new apartments, demolition of modern barns to allow construction of 5 no. new houses, removal of external caravan storage use and hard surfaced yard and replacement with landscaping.</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed development by reason of the proximity of proposed garden areas to neighbouring properties, would be likely to give rise to noise and disturbance that would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its scale and bulk, detract from the open character and appearance of the Green Belt, contrary to Policies DC45 and DC61 of the Core Strategy</p>	<p><b>Dismissed</b></p> <p>The proposed schemes would result in inappropriate development arising from the construction of new dwellings to replace Building A - the Hanger type building, and by the redevelopment of previously developed land for reasons of conflict with the purposes of including land within the Green Belt. The barn conversions would not amount to inappropriate development. Nevertheless, the proposals as a whole would lead to adverse impacts on the character and appearance of the area. Harm caused to the curtilage listed barns and to the setting of Sullens</p>

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				<p>and Development Control Policies DPD and the guidance contained in the National Planning Policy Framework. The proposed new built development would, by reason of its scale and bulk in proximity to the listed Sullens Farmhouse, cause material harm to the open setting of the heritage asset contrary to Policy DC67 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policy DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>Farmhouse would result in less than substantial harm to the significance of the designated heritage assets, to which the inspector accorded considerable importance and weight.</p> <p>It was found that the proposal would not adversely impact on the living conditions of neighbours in Sunnings Lane and the schemes would result in net increases in openness of the Green Belt. The Green Belt would also benefit from return of the caravan storage land as well as other parts of the appeal site to the Green Belt.</p> <p>The Inspector concluded that the considerations in favour of the proposal did not clearly outweigh the harm to the Green Belt by reasons of inappropriateness, as well as the other harm identified, and the very special circumstances necessary to justify the developments do not exist.</p> <p>The Inspector did not consider the financial contributions offered in the s106 planning obligation as they bear no relevance to the main issues on which the appeal turned.</p>
<p><b>P0753.15</b> 15 Braithwaite Avenue Romford <i>Retention of 6 metre single storey rear extension.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The development would, by reason of scale, bulk, mass and upvc cladded finish, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment and be harmful to the appearance of the surrounding area contrary to Residential Extensions and Alterations Supplementary Planning Document and</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the findings of the Council on both of the main issues. Firstly it would be harmful to the character and appearance of the surrounding area and secondly that it is harmful to the living conditions of neighbouring occupiers</p>

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				Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed extension would, by reason of its excessive depth and external finish be an intrusive and unneighbourly development, which would be most oppressive, dominant and overbearing which would give rise to an undue sense of enclosure in the rear garden environment to the detriment of residential amenity contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	
<p><b>P1049.15</b> 26 Grosvenor Drive Hornchurch <i>Amendment to rear elevation roof to form juliet balcony to 2no windows in dormer and to form 2no dormers to front</i></p>	Written Reps	Refuse	Delegated	The additional front dormer when viewed inconjunction with the previously allowed front dormer window, is judged to result in a combined development which by reason of their combined bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the roof scape of this property, unbalancing its appearance and detracting from the character and appearance of the street scene. The development is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.	<p><b>Allowed with Conditions</b></p> <p>The Inspector considered that the roof slope is large enough to accommodate two dormer windows of the size proposed. They would be well contained within the confines of the roof form and would not dominate the roof scape or appear unacceptably prominent in the wider street scene. In summary the two new dormer windows would not harm the character and appearance of the area. Suitable planning conditions would address the Juliet balcony concerns.</p>
<p><b>P0441.15</b> 154 Balgores Lane Romford <i>Change of Use of existing vacant Financial</i></p>	Written Reps	Approve With Conditions	Committee	No parking is provided for customers of the premises. This would lead to parking in the surrounding residential streets which would be detrimental to the amenity of residents. For this reason the	<p><b>Allowed with Conditions</b></p> <p>The Inspector noted public parking is available along Balgores Lane, at Balgores Square car park, and at the nearby railway station. These parking spaces could be</p>

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<p><i>&amp; Professional Services unit (A2) to a restaurant (A3) and installation of rear external extract duct.</i></p>				<p>proposal is contrary to policies DC32 (The Road Network) and DC61 (Urban Design) of the Development Control Policies Development Plan Document.</p>	<p>utilised by customers arriving by car. The parking spaces along Balgores Lane are available throughout the daytime and there was no reason why manoeuvring into these spaces would cause highway dangers. With a train station close to the site and the likelihood that customers would also walk to the restaurant, not all journeys would be by car. Furthermore, with the opening hours of the restaurant being throughout the day to early evening, it is likely the use would complement existing shops and form part of linked trips The Inspector concluded the proposal would not have a harmful effect on highway safety.</p> <p>In response to concerns about noise, suitably worded conditions could address opening hours, extract ventilation and refuse storage. On this point the Inspector concluded that the proposal would not result in unreasonable adverse effects on the environment by reason of noise, fumes and hours of operation.</p>
<p><b>P0790.15</b> 48,50 &amp; 52 Gubbins Lane Romford <i>Erection of two-storey detached residential block containing 2no. flats.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its location, height, bulk and mass, appear as an incongruous and unacceptably dominant and visually intrusive feature in this setting. The development would therefore be outcast and disjointed from the surrounding street arrangement and consequently 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><b>Allowed with Conditions</b></p> <p>The Inspector considered that the development would be compatible with the scale and height of surrounding buildings and would not appear visually dominant or intrusive. It would integrate satisfactorily into its surroundings and present the building as a modern but respectful addition to the street scene.</p> <p>The Inspector considered that given the small number and size of units proposed, the</p>



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				In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policy DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.	number of additional children requiring a school place as a result of this project is also likely to be very small. The contribution sought would not be directly related and proportionate to the proposed development and therefore the requirement for a planning obligation in relation to an education contribution would be unreasonable in this case.
<p><b>P1128.14</b>                      7 Highview Gardens                      Upminster  <i>Demolition of 7 Highview Gardens and erection of 2No semi-detached houses and 1No detached house</i></p>	Written Reps	Approved with Agreement	Committee	<p>The proposal by reason of the required demolition of no.7 Highview Gardens would result in the unbalancing of a former pair of bungalows, giving rise to an incongruous appearance in the streetscene, to the detriment of the character and amenity of the locality, contrary to the provisions of Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the height, scale and setting of the development would be overly obtrusive in the prevailing streetscene which, given its existing degree of openness, would result in material harm to local character and visual amenity, 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;"><b>Allowed with Conditions</b></p> <p>The Inspector noted that the height of the 3 proposed dwellings would be greater than that of the existing bungalow however they would be broadly in line with heights of surrounding properties. Each of the proposed dwellings would be set back as per surrounding dwellings and well-spaced from one another and surrounding dwellings retaining the spacious character of the street</p> <p>The Inspector considered that Windmill Green/Field to the front of the listed building (Upminster Windmill) plays a key role in its setting. The appeal proposal would not be visible in context of this setting. Partial views of the Windmill are afforded from Highview Gardens to the front of the bungalows, but this is not a contributory factor its setting. It was concluded that the proposal would not appear as a prominent feature within Highview Gardens nor would it have a harmful effect on its street scene nor the setting of grade II* listed Upminster Windmill.</p> <p>The Inspector noted that the Council did not</p>

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				and Development Control Policies DPD.	provide specific evidence of any proposed projects or cited any schools close to the appeal site that are to be expanded and relied on evidence set out in the Draft Commissioning Plan for Education Provision 2015/16 - 2019-20. The Inspector found the contribution required would fail to meet the tests set out in Regulation 122 of the 2010 CIL Regulations.
<p><b>L0016.14</b> Sullens Farm Sunnings Lane Upminster <i>Listed Buildings Consent for conversion of existing brick barns to create new apartments, demolition of modern barns to allow construction of new houses within curtilage of listed building</i></p>	Written Reps	Approve With Conditions	Committee	The associated planning application (P1655.14) for the conversion and demolition works to buildings within the curtilage of the listed building has been refused planning permission. It would, therefore, be premature and unsupportable to grant listed building consent for a development for which planning permission has been refused. It would also be contrary to Policy DC 67 of the LDF Core Strategy and Development Control Framework and the guidance in the National Planning Policy Framework.	<p style="text-align: center;"><b>Dismissed</b></p> <p>The harm caused to the curtilage listed barns and to the setting of Sullens Farmhouse would result in less than substantial harm to the significance of the designated heritage assets, to which the Inspector accorded considerable importance and weight. The listed building appeal was unacceptable as conversion of the curtilage listed barns would not preserve their special interests.</p>
<p><b>P1002.15</b> 73 &amp; 75 Upper Rainham Road (Land Rear of) Hornchurch <i>Erection of a two storey 2 bedroom detached dwelling on land rear of 73 &amp; 75 Upper Rainham Road</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its size, scale, position and proximity to neighbouring properties be an intrusive and overbearing development, which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its size, scale and reduced plot size create development which would appear uncharacteristically</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council on all the main points; It was concluded that there would be harm to the outlook and thus the living conditions of the occupants of neighbouring properties and that the scheme would harm the character and appearance of the area.</p>

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				<p>cramped on the site which would have serious and adverse effects on the appearance and character of the streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would create a parking shortfall which would have an adverse effect on the amenity of residents in the surrounding area and the public highway contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p><b>L0003.15</b>            Sullens Farm Sunnings Lane Upminster  <i>Conversion of existing brick barns to create new apartments, demolition of modern barns to allow construction of new houses, within curtilage of listed building.</i></p>	<p>Written Reps</p>		<p>Committee</p>	<p>The associated planning application (P0592.15) for the conversion and demolition works to buildings within the curtilage of the listed building has been refused planning permission. It would, therefore, be premature and unsupportable to grant listed building consent for a development for which planning permission has been refused. It would also be contrary to Policy DC67 of the LDF Core Strategy and Development Control Framework and the guidance in the National Planning Policy Framework.</p>	<p><b>Dismissed</b></p> <p>The harm caused to the curtilage listed barns and to the setting of Sullens Farmhouse would result in less than substantial harm to the significance of the designated heritage assets, to which the Inspector accorded considerable importance and weight. The listed building appeal was unacceptable as conversion of the curtilage listed barns would not preserve their special interests</p>

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<p><b>P0261.15</b>                      Lodge Cottage The Chase Upminster  <i>Revised application for one dwelling incorporating demolition of existing outbuildings and hardstandings</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Committee</p>	<p>The site is within the area identified in the Local Development Framework as Metropolitan Green Belt. Policy DC45 of the LDF and Government Guidance as set out in the National Planning Policy Framework (Green Belts) states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new development will only be permitted outside the existing built up areas in the most exceptional circumstances. The development is inappropriate in principle in the Green Belt and no very special circumstances have been submitted in this case to outweigh the harm caused by reason of inappropriateness and visual harm to the character and openness of the Green Belt. The proposal is therefore contrary to Policy DC45 of the LDF Core Strategy and Development Control Policies Development Plan Document, as well as the National Planning Policy Framework. The proposed development, by reason of the bulk and size of the proposed dwelling, would result in a visually intrusive form of development, which is detrimental to the open character of the Green Belt at this point, as well as harmful to the character of the Cranham Conservation Area. The proposal is therefore contrary to Policies DC45 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document, as well as</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council on the first four main issues, i.e that the proposal would amount to inappropriate development in the Green Belt and that it would reduce and detract from the openness of this part of the Green Belt, contrary to the fundamental aim of Green Belt policy and the NPPF</p> <p>The proposed house would fail to preserve the character or appearance of the Cranham Conservation Area as a whole and the harm that would be caused to the significance of the CA would not be outweighed by any public benefit</p> <p>Finally the Appellant was unable to demonstrate that there are very special circumstances which would outweigh the harm that would be caused to the Green Belt as identified above. The Inspector did not consider the appropriateness or otherwise of the submitted Planning Obligation given the findings on the main issues</p>

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				<p>the provisions of the National Planning Policy Framework.                      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 Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p>	
<p><b>P0655.15</b>                      206 Rush Green Road                      Romford Essex  <i>Formation of a dropped kerb with access and hard-standing to provide off street parking.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, when seen in conjunction with existing hardsurfacing features, result in virtually the entire frontage width of this property being taken up with hardsurfacing. As a consequence of the lack of any substantive remaining landscaping remaining, the development would therefore result in a visually intrusive and harsh appearance in the streetscene harmful to the character and appearance of both the terraced block within which the subject dwelling is located and the surrounding area, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed that the proposed development would cause harm to the appearance of the group of terraced buildings and to the surrounding area.</p>
<p><b>P0788.15</b>                      South Hall Farm                      Wennington Road                      Rainham  <i>Demolition of agricultural buildings and erection of 2 detached two storey four-bedroom houses, 1 detached single storey three-bedroom detached</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Committee</p>	<p>The proposal would be inappropriate development harmful to the open nature and character of the Green Belt, contrary to the National Planning Policy Framework and Policy DC45 of the Development Control Policies DPD. The proposed development would, because of the narrowness of the internal road and its slope towards the highway, lack of sightlines, and the lack</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council on the main issues, i.e that the proposal would amount to inappropriate development in the Green Belt and it would reduce and detract from the openness of this part of the Green Belt, contrary to the fundamental aim of Green Belt policy and the NPPF. It would have a materially harmful impact on the rural character of this part of the Green Belt</p>

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<i>house, a double garage, an outbuilding, a bin store and associated parking for 6 vehicles.</i>				<p>of safe parking for service vehicles, be detrimental to highway safety and contrary to Policy DC2 and DC33 of the Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would not provide an attractive, high quality and sustainable living environment contrary to Policy DC3 (Housing Design and Layout) of the Havering Core Strategy and Development Control Policies Development Plan Document. This is due to the external amenity space proposed for two of the houses being of inadequate size for day to day use, and the poor relationship between the houses resulting in potential loss of privacy to future residents.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 (Educational Premises) and DC72 (Planning Obligations) of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>It was also concluded that the proposal would materially adverse impact on highway safety and would provide unsatisfactory living conditions for its occupants due to inadequate private garden space and privacy. The Appellant was unable to demonstrate that there are very special circumstances that would outweigh the harm that would be caused to the Green Belt. The Inspector only gave limited weight to absence of a Planning Obligation</p> <p>An application for costs against the Council was refused.</p>
<p><b>P1188.15</b> 6 Holt Road Harold Wood <i>Garage/ Port conversion to single level dining room from lounge to garage port, window to</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of the inadequate onsite car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC33 and DC61 of the Core Strategy and Development Control	<p><b>Allowed with Conditions</b></p> <p>The Inspector was not persuaded that the appeal proposal would result in any additional parking demand on the streets. Even if it did, there was no evidence to suggest that the surrounding roads are parked to capacity; that any parking on-street impacts upon</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>front to replace existing garage door</i>				Policies Development Plan Document.	highway safety; or that general amenity in the area is affected to any significant degree. It was found that there would be no harm to highway safety or residential amenity in the area
<p><b>P0834.14</b>                  20 Farm Road Rainham  <i>Demolition of the existing dwelling and the construction of 5no. dwellings.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed 3no. detached dwelling element of the development would, by reason of its prominent rear garden location, height, bulk and mass, appear as an incongruous and unacceptably dominant, overbearing and visually intrusive feature in the rear garden setting which would be harmful to the appearance of the surrounding area, as well as resulting in loss of privacy and amenity to occupiers of adjoining property, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed 3no. detached dwelling element of the development would, by reason of its layout and servicing arrangements, result in an unsatisfactory relationship between the proposed dwellings, the site boundary and their setting within the plot leading to a cramped over-development of the site contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed rear access road and turning area would, by reason of its excessive length, scale and relationship with the adjoining residential rear garden, result in noise and disturbance caused by cars using the access road, including manoeuvring within the site,</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council on the two main issues. On the matter of a legal agreement to secure a contribution for education provision, the Inspector did not consider it necessary to assess this matter given the findings on the main issues.</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>and thereby be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC61 and DC55 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p><b>P0966.15</b> 103 Pretoria Road Romford <i>Two storey rear extension</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed first floor rear extension would, by reason of its gabled roof form, bulk and mass appears 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 of the LDF Core Strategy and Development Control Policies Development Plan Document The first floor rear extension would, by 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.99, 101 &amp; 105 Pretoria Road, contrary to the</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Council did not object to the single storey element. The two storey element was not designed in full accordance with the Council's SPD particularly in terms of distance to common boundaries and would appear overbearing and result in a serious loss of outlook to one of the neighbouring dwellings.</p>



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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Residential Extensions and Alterations Supplementary Document and Policies DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	
<p><b>P1142.15</b> 252 Upminster Road North Rainham <i>Change of use of existing integral garage to A1 retail.</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of the additional demand for parking resulting from the proposed retail unit and loss of the existing integral garage which provides off street parking currently, result in an unacceptable overspill onto adjoining roads to the detriment of highway safety and residential amenity, contrary to the aims of DC33 and DC32.	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed that the proposal would harm the safe and convenient operation of the highway in the vicinity of the appeal site.</p>
<p><b>P1335.15</b> 206 Corbets Tey Road Upminster <i>First floor side extension and loft conversion</i></p>	Written Reps	Refuse	Delegated	The proposed rear dormer, by reason of its design, height, bulk and mass, is incapable of being satisfactorily accommodated with the available roof space of this dwelling and would appear as an unacceptably dominant and visually intrusive feature in the streetscene and rear garden area. The development is considered to be harmful to the appearance of the surrounding area and is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;"><b>Part Allowed/Part refused</b></p> <p>The Inspector issued a split decision and agreed with the Council in regard to the decision to refuse the loft conversion. On the matter of the first floor side extension it was considered such forms of extension were not unusual in the area. The proposal would represent an acceptable addition to the dwelling providing appropriate external materials were used in its construction and permission was granted for this element of the scheme.</p>
<p><b>P0725.15</b> 13 Elmdene Avenue Hornchurch <i>Single storey rear extension with lantern light feature. Raising of roof 600mm with first floor rear extension and</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its design, 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 and DC69 of the LDF Core Strategy and Development	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council's findings on the two main issues</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>front and rear dormer windows</i>				Control Policies DPD. The proposed development would, by reason of its design, excessive height and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	
<b>P1064.15</b> 15 Freeman Way Emerson Park Hornchurch <i>First floor side extension, two storey front and rear extensions part single storey rear extension and new roof and roof design</i>	Written Reps	Refuse	Delegated	The proposed first floor extensions would, by reason of its close proximity to the boundary, appear as an visually intrusive feature, harmful to the open and spacious character of the streetscene and the visual amenities of Emerson Park Policy Area, contrary to Emerson Park Supplementary Planning Document (SPD), Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	<p style="text-align: center;"><b>Dismissed</b></p> The Inspector concluded that the proposal would be harmful to the character and appearance of the surrounding area and it would also conflict with relevant advice contained within the Emerson Park SPD.
<b>P1050.15</b> 4 Olive Street Romford <i>New detached chalet bungalow with attached garage within rear garden</i>	Written Reps	Refuse	Delegated	The proposal would, by reason of increased noise and vehicle movements along the area of driveway caused by the residential intensification of the site, as well as likely glare from vehicle headlights, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposal would, by reason of its scale, bulk and proximity to the boundaries of the site, result in an incongruous form of development that is	<p style="text-align: center;"><b>Dismissed</b></p> The Inspector agreed with the Council's findings with regard to character & appearance and impact on living conditions

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				<p>out of character with the rear garden environment, as well as overbearing and intrusive in relation to neighbouring residential dwellings, resulting in material harm to local character and residential amenity, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development fails to demonstrate adequate provision for the turning and manoeuvring of vehicles within the site or for the servicing of the development, and would be likely to result in unacceptable overspill onto the adjoining roads and difficulty in servicing the proposed dwelling, 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>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p><b>A0054.15</b> 5 The Parade Colchester Road Romford <i>No1 internally illuminated digital LED 48 Sheet Advertising Unit</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed sign would, by reason of its bulk and scale, together with its excessively prominent and incongruous appearance, appear as a visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy</p>	<p><b>Allowed with Conditions</b></p> <p>The proposed sign would be in the same position and of the same dimensions as an existing sign. However, the structure would have a narrower profile and in the Inspectors view would have a marginally more</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				DC61 and DC65 of the LDF Core Strategy and Development Control Policies DPD.	satisfactory appearance. In conclusion the proposal would not result in additional harm to the amenity of the area and Public safety was not been raised as a concern by the Council
<p><b>P1215.15</b> 66 Pettits Lane Romford <i>Insertion of two new windows to the north elevation along with five rooflights in the north roofslope. Alteration to windows in the single storey extension in the south facing elevation and deletion of one window alongside</i></p>	Written Reps	Approve With Conditions	Delegated	<p>The proposed rooflights in the north facing roofslope and the new flank window that serves the landing hereby permitted shall be positioned with any openable parts a minimum of 1.7m above finished floor level and in the case of the landing window, permanently glazed with obscure glass and thereafter be maintained.</p> <p>Reason:-</p> <p>In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.</p>	<p><b>Allowed with Conditions</b></p> <p>This appeal was submitted against condition four of the approved scheme and the appellant's specific concern related to the requirement for obscure glazing for the window in the flank elevation of the property which serves a landing area within the house. The Inspector was satisfied that the clear glazed landing window, would not result in an unacceptable degree of overlooking and the privacies of the neighbouring occupiers would not compromised. The appeal succeeded and the planning permission was varied by deleting the disputed condition.</p>
<p><b>P0583.15</b> 1 The Crescent Upminster <i>Erection of a three bedroom link-detached single family dwelling house adjacent to No. 1 The Crescent.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by virtue of its awkward and contrived form and its cramped appearance, be an incongruous addition to the streetscene which would diminish the established character and appearance of the surrounding area. The application is therefore contrary to Policy DC61 of the Local Development Framework - Development Control Policies: Development Plan Document.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from</p>	<p><b>Dismissed</b></p> <p>The Inspector agreed with the Council in regard to the effect of the proposal on the character and appearance of the area. On the issue of a legal agreement for education provision, the Inspector did not consider this matter given the findings on the main issue.</p>

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				the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policy DC72 of the Local Development Framework - Development Control Policies: Development Plan Document and Policy 8.2 of the London Plan.	
<p><b>P0535.15</b> 110 Lower Bedfords Romford <i>Retention of brick wall and timber fence to front and side elevations and hard surfacing of the front garden area.</i></p>	Written Reps	Refuse	Delegated	The front boundary treatment is considered to be detrimental to the openness of the Green Belt and alien to the rural setting in which it is located contrary to policies DC45 and DC61 of the Core Strategy and Development Control Policies Development Plan Document as well as the provisions of the National Planning Policy Framework.	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed that the proposal represented inappropriate development in the Green Belt, loss of openness in the Green Belt would result and that it would have a significantly harmful effect on the character and appearance of the area</p>
<p><b>P1328.15</b> 34 Mawney Road Romford <i>Construction of new build residential development (3 flats and 1 house) on land adjacent to no.34 Mawney Road, together with alterations to the rear and side elevations of no.34 Mawney Road.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area. It is considered that the development with its distinctive modern appearance, including design features such as the proposed front facing dormers, fails to maintain, enhance or improve the character and appearance of the local area and as such is contrary to policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The development would direct abut to the rear of number 34 Mawney Road and it is not considered that this is conducive to sustainable development.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council in regard the effect of the proposal on the character and appearance of the area and on a protected Sycamore tree. Furthermore the proposal would not result in acceptable living conditions for future occupiers. It was noted that the appellant prepared a planning obligation by means of a Unilateral Undertaking however given the findings on the main issues, this matter was not considered further.</p>

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				<p>Number 34 Mawney Road is not in a residential use and all the rear windows and doors of the building would be required to be bricked-up to facilitate the development. This it is considered could limit the potential future use and/or occupation of this building which would be detrimental to the area and contrary to the provisions of the NPPF, as well as Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposal, by reason of the cramped and poor quality amenity areas, and the failure of the internal layout to comply with the Technical housing standards - nationally described space standard in respect of the minimum gross internal floor are, is considered to result in an overly cramped development on the site to the detriment of future residential amenity and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p><b>P1003.15</b> 3 Fitzilian Avenue Romford</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</p>	<p><b>Dismissed</b> The Inspector found that the cumulative effect of the limited parking provision and the</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>Reconfiguration of internal layout to create 2 x 2 bedroom dwellings with private amenity and off street car parking.</i>				<p>detriment of highway safety and residential amenity and contrary to Policies DC33 and a loss of parking for the host dwelling in conflict with Policy DC4 of the LDF Core Strategy and Development Control Policies DPD. The proposal would provide accommodation which is below the Mayoral minimum size standard. It is considered that the limited floorspace would result in a substandard level of living space for the occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, the SPD on Residential Design and Policy 3.5 and Table 3.3 of The London Plan.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>substandard size of the spaces would be harmful to highway safety. On the issue of living conditions, both dwellings would fall short of recommended space standards resulting in harmful living conditions for future occupants. The Inspector considered that the development would not result in any additional demand on education facilities, and a contribution towards education was not necessary to make the development acceptable in planning terms.</p>
<p><b>P1329.15</b> 35 Belmont Road Hornchurch <i>Retention of first floor roof extension to side and rear dormer to rear elevation</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development, by reason of its bulk and mass, appears as an unacceptably dominant and visually intrusive feature in the streetscene, and unacceptably unbalances this pair of semi-detached bungalows, to the detriment of the character and appearance of the surrounding area, contrary to Policy DC61 of the LDF Core Strategy and Development Control</p>	<p><b>Allowed with Conditions</b></p> <p>The Inspector considered that the proposal would not be sufficiently incongruous or uncharacteristic to result in unacceptable harm given its location. The proposed dormer is not highly visible and there are examples of similar large dormers in the surrounding area however there is reasonably good separation between them and little uniformity. It was</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Policies DPD and the Residential Extensions and Alterations SPD. The proposed dormer by reason of its excessive dimensions, appears out of scale and character with the dwelling and materially harmful to the visual amenity 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.	therefore concluded that the proposal would not harm the character and appearance of the area.
<p><b>P1209.15</b>                      1 Primrose Glen (Rear of) Hornchurch  <i>New detached dwelling house</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its siting, height, bulk and mass and minimal set back from the highway, appear as an incongruous and unacceptably dominant and visually intrusive feature in the street scene and within the neighbouring rear garden environment. The development would therefore be incongruous with the surrounding pattern of development and thus harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision and impact on existing on-street parking bays, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its size, scale, design,</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council's reasons for refusal with regard to the impact on character and appearance of the area and local living conditions. Given the evidence presented by the Council, it was found that it had made a compelling case that a contribution towards education infrastructure was necessary. The Inspector did not find that the proposal would have adverse impact on highway safety.</p>



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				<p>position and proximity to neighbouring properties be an intrusive and overbearing development, which would have a serious and adverse effect on the living conditions of adjacent occupiers, including potential for overlooking and loss of privacy, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	
<p><b>P1260.15</b> 11 Redriff Road Collier Row <i>Front Extension</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the street scene</p>
<p><b>P1366.15</b> Portman House 16-20 Victoria Road Romford <i>Single Storey extension at second floor level to the rear part of the building and single storey extension at fourth floor level to the front part of</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed development would, by reason of its scale, mass, height and unsatisfactory relationship with neighbouring buildings, appear as an unacceptably dominant, overbearing and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area and the visual amenities of neighbouring occupiers</p>	<p style="text-align: center;"><b>Allowed with Conditions</b></p> <p>The Inspector found that the increase in the building's overall mass on the upper floors of the main part of the building which faces onto Victoria Road would remain inconspicuous in views along Victoria Road and from other nearby streets. In regard to the additional storey to the rear, the proposed increase in height would broadly accord with that of other</p>

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<p><i>the building to provide 5No residential units (4No 1 bed units and 1No 2 bed unit)</i></p>				<p>contrary to Policy DC61 of the Local Development Framework Core Strategy and Development Control Policies DPD, the Residential Design Supplementary Planning Document and the guidance in the National Planning policy Framework. The development would fail to provide any on-site car parking for the proposed residential properties which would be likely to result in pressures on on-street parking in the adjoining controlled parking zone that in turn would result in an unacceptable overspill of vehicles onto the adjoining roads outside of the zone to the detriment of residential amenity contrary to Policies DC2, DC33 and DC61 of the LDF Core Strategy and Development Control Policies DPD. In the absence of a planning obligation to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>buildings to the rear and would not be so harmful as to have a material effect on the living conditions of the neighbouring occupiers. Its design would follow the flat-roofed form of the existing building. The Inspector found that the proposal would not harm the street scene or the character or appearance of the area and the effects on the living conditions of nearby occupiers would be acceptable</p> <p>The appeal scheme does not include provision for car parking. LDF Policy advises that car free housing is acceptable in Romford where permits can be withheld for residents of new flats. The appellant provided an executed planning obligation by means of a Unilateral Undertaking (UU) to comply with this policy. The Inspector was satisfied that a car-free scheme would be acceptable in this case. The UU also provides for a contribution of £30,000 towards education provision although the Inspector found that the requirement for a financial contribution towards education in the borough would not meet the statutory tests</p>
<p><b>P1890.11</b> Youngs Organic Farm St Marys Lane Upminster <i>Retention of alterations to greenhouse to provide a shop/organic display</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The principle of development is unacceptable as the use represents unsustainable development which is inappropriate to the location, harmful to the Green Belt and contrary to the advice set out in the National Planning Policy Framework.</p>	<p><b>Allowed with Conditions</b></p> <p>The Inspector amended the description of the proposal as it was actually a change of use of part of those ancillary facilities associated with permission P1112.10 from storage and packaging to a shop. The Inspector</p>

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<p><i>area opening from 9am and 5.30pm on Mondays to Fridays, and 9am and 1.30pm on Saturdays, Sundays and Bank Holidays to:- 7am to 4pm Mondays to Saturdays and 9am to 1.30pm on Sundays and Bank Holidays</i></p>					<p>concluded the proposed change of use is not inappropriate development in the Green Belt has did not have any impact on the openness of the Green Belt as no substantial new construction was required</p> <p>In 2010, the Council expected the shop to focus on the sale of produce grown on the site and a number of conditions were attached to the previous permission. It was agreed by both parties that so far, this ambition has not been realised. The Inspector was not persuaded that this is an objective associated with Green Belt policy. The Inspector was unable to recognise no other material harm arising from the proposal and concluded that the appeal should be allowed.</p>
<p><b>P0742.15</b> 12 Bridge Close Romford</p> <p><i>Change of use to banqueting hall (Use Class D2)</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed use of the site, as a banqueting hall (D2 use), does not comply with the aspirations of the Bridge Close site allocation within the Romford Area Action Plan DPD. Whilst no comprehensive re-development plans for this area have yet come forward and a temporary planning permission would not likely prejudice such re-development it is not considered that a D2 use is appropriate and compliant with the operation of the site as existing (a secondary employment area). It is considered that the use is uncharacteristic and would result in a number of amenity impacts, by reason of the nature of the use, levels of activity and hours of opening, which to</p>	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector agreed with the Council's findings with regard to the effect on the amenity of adjoining units and local parking conditions. A temporary permission would be inappropriate given the lack of certainty that suitable works to mitigate adverse impacts such as noise, lighting etc. would be installed</p>

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Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>adequately control would significantly impact on the operation of the site as proposed.</p> <p>The proposed use, by reason of noise and disturbance caused by patrons entering and leaving the premises, vehicles parking and manoeuvring, particularly during the evening hours of operation, would be detrimental to the amenities of the occupiers of nearby residential properties, contrary to policies DC19, DC26, DC55, DC56, DC62 and DC63 of the Core Strategy and Development Control Policies DPD.</p> <p>Insufficient information has been supplied in order to assess the potential air quality impacts that would result from the operation of the unit as proposed.</p> <p>With limited or no details supplied in respect of food preparation, the Local Planning Authority are unable to assess if mitigation is necessary and the likely effectiveness of this. The application as it stands is therefore considered contrary to policies DC19, DC26 and DC52 of the Core Strategy and Development Control Policies DPD.</p> <p>In the absence of sufficient parking provision, within the application area, it is considered that the Local Planning Authority cannot ensure that the standards prescribed within policy DC33 of the Core Strategy and Development Control Policies DPD will be adhered to.</p> <p>The proposed development could therefore result in unacceptable overspill onto the adjoining roads to the detriment</p>	

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				of highway safety and residential amenity, contrary to Policies DC32 and DC33 of the Core Strategy and Development Control Policies DPD.	
<p><b>P1219.15</b> 26 Reed Pond Walk Romford <i>Single storey rear extension plus relocating existing garage to link with existing house.</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its scale, mass and design result in unsympathetic, disproportionate development which relates poorly to the architectural character of the original dwelling and would fail to preserve or enhance the special character of this dwelling and the wider Gidea Park Conservation Area contrary to Policies DC68 and DC61 of Havering's Core Strategy and Development Control Polices DPD.	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector concluded that the proposal would be materially harmful to the character and appearance and architectural integrity of the dwelling and therefore it would neither preserve nor enhance the character or appearance of the Gidea Park Conservation Area.</p>
<p><b>P1666.15</b> 30 Repton Avenue Gidea Park <i>Two storey side and rear extension, demolition of existing garage</i></p>	Written Reps	Refuse	Delegated	The proposed side extension by reason of its design and lack of subservience, would visually unbalance the appearance of this pair of semi-detached of properties. The proposal will therefore appear as an unsympathetic and visually intrusive form of development, causing unacceptable harm to the visual amenities of Gidea Park Special Character Area, contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alteration Supplementary Planning Document.	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector found that the proposal would not be subservient to the house and would be an incongruous addition which failed to reflect the distinctive character of the area</p>
<p><b>P1380.15</b> 6 Balgores Square Gidea Park <i>Two storey side and part</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its design, height, bulk, mass, appear as an unacceptably dominant and visually intrusive feature in the	<p style="text-align: center;"><b>Dismissed</b></p> <p>The Inspector concluded that the bulk and design of the proposal would detract from the character and appearance of the house and</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<i>rear extensions, roof extension and rear dormer and front porch alterations.</i>				streetscene harmful to the appearance of the surrounding area and failing to preserve or enhance the special character of this part of the Conservation Area contrary to Policies DC68 and DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its size, scale and proximity to neighbouring properties cause dominance, overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed dormer would, by reason of its height, design, position and bulk appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area and the special character of the Gidea Park Conservation Area, contrary to Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD.	the street and would neither preserve nor enhance the character or appearance of the Conservation Area. On the living conditions issue it was found that it would not unacceptably detract from the outlook of neighbouring occupiers.
<b>P0439.15</b> Moreton Bay Industrial Estate Southend Arterial Road Hornchurch <i>Demolition of existing industrial units and residential dwelling and change of use of industrial areas to residential. Construction</i>	Written Reps	Approved with Agreement	Committee	The proposal would, by reason of noise and disturbance caused by traffic on the proposed access road between the site and Belgrave Avenue would be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its height, bulk and discordant	<b>Allowed with Conditions</b> Evidence submitted estimated that 151 additional vehicle movements would result from the proposal which would be spread throughout the day. It was accepted some vehicles will be flowing in opposite directions over the residential access road requiring some needing to pull to one side to allow the other vehicles to pass. The Inspector noted that this is a common phenomenon and is not

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><i>of two blocks comprising a total of 42 flats, including creation of a new access road with associated car parking, cycle and refuse storage.</i></p>				<p>design appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards affordable housing, the proposal is contrary to the provisions of Policy DC6 of the Development Control Policies DPD and Policy 3.10, 3.11, 3.12 and 3.13 of the London Plan.</p> <p>In the absence of a legal agreement to secure the provision of affordable housing, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>unusual within the surrounding residential area. In the Inspector's judgement, it would not be likely to give rise to an appreciable level of noise and disturbance to residents and not one which would justify refusing permission for the numbers likely in this case. Setting this within the context of the background noise and disturbance arising from the A127 Southend Arterial Road, the Inspector did not envisage that the proposal would have an unacceptable effect on the amenity of residents</p> <p>In regard to the modern contemporary appearance of the proposal, it was accepted that the proposal would appear more modern than the traditional form of the two storey houses nearby. However, it would not be dissimilar to the flats at Ferguson Court or from the permitted scheme at 'Tara' both close to the west of the appeal site. The Inspector considered that the proposed buildings would not appear out of place and would not upset the character of the area as a result of their size, height, design or any other feature. Although the measured density of the site was greater than the advised range it was not reason enough to prevent the scheme and it was also noted that the Council accepted a density outside the stated range at the recently approved 'Tara' site</p> <p>The appellant provided an Undertaking in regard to affordable housing and other education contributions which addressed those reasons for refusal</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>P1175.15</b> 17 and 19 Gubbins Lane (Land between) Romford</p> <p><i>New 2 storey, 3 bed dwelling house</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of its design, appear as an incongruous development, to the detriment of local character and the streetscene contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of its height and position close to the boundaries of the site, appear as a dominant and visually intrusive feature in the rear garden environment harmful to the amenity of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policy DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p><b>Dismissed</b></p> <p>The Inspector agreed with the Council's reasons for refusal with regard to the impact on the character and appearance of the area, living conditions and a financial contribution towards education infrastructure.</p>
<p><b>P0587.15</b> 35A New Road Rainham</p> <p><i>Change of use from B2 to mixed use comprising foodbank (sui generis - primary use) and place of worship (Class D1-secondary use)</i></p>	Written Reps	Refuse	Delegated	<p>The site is not located within an appropriate location given the poor public transport accessibility. This would be likely to encourage the use of private motor cars and discourage the use of sustainable transportation such as walking and/or cycling. The proposal would, therefore, be contrary to Policies CP8, DC26, DC32, DC34, and DC35 of the Core Strategy and Development Control Policies DPD and the guidance in the NPPF.</p>	<p><b>Part Allowed/Part refused</b></p> <p>The Inspector issued a split decision and agreed with the Council in regard to the decision to refuse the place of worship (D1 use). This change of use would be far more likely to generate conflicts with the local community especially in regard to parking pressures as well as noise and disturbance</p> <p>The Inspector found that the primary change of use to a food bank would benefit from a</p>



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				<p>The shortfall in parking provision for both of the proposed uses of the building would be likely to result in overspill onto the highway in the locality which would have a significantly adverse impact on the safety and efficiency of the local highway network, as well as pedestrian safety contrary to Policies DC26 and DC33 of the Core Strategy and Development Control Policies DPD. The site lies within an area that is allocated for residential development under Policy SSA12 (Rainham West) of the Site Specific Allocations DPD and also within the area of the Mayor of London's Rainham and Beam Reach Housing Zone where the swift delivery of much needed housing for London is proposed. The proposals would be likely to hinder the delivery of these housing objectives and the proposed development would, therefore, be contrary to Policy SSA12 of the Site specific Allocations DPD and Policy 2.13 and Annex 1 (Opportunity and Intensification Areas) of the London Plan.</p>	<p>cheap building, with minimal conversion costs, and would not generate any greater traffic and parking issues than would have previously been associated with the building's use as a vehicle servicing centre. Temporary permission for 3 years was granted on the basis that the Council would be in a better position to know if the site would be needed for redevelopment and it would give sufficient time to evaluate whether the operation of the food bank results in any problems for local amenity.</p>
<p><b>P0882.15</b> 54 Blacksmiths Lane Rainham <i>Erection of 1no. detached dwelling.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The layout of the development would, by reason of the dwelling siting, proportions and proximity to the boundaries of the plot, combined with the angled boundary, give rise to a cramped appearance and overdevelopment of the site contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.</p>	<p><b>Dismissed</b> The Inspector agreed with the Council in regard to the conclusions about the impact on character and appearance and provision of amenity space for future occupants of the dwelling. The Inspector agreed did not agree with conclusions about the short fall in parking provision and in regard to the education contributions reason for refusal,</p>

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<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>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 contrary to Policies DC2 and DC33 of the LDF Development Control Policies DPD.</p> <p>In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.</p>	<p>this issue was deliberated on given the findings on the other matters.</p>

**TOTAL PLANNING =** 42

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

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

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p><b>ENF/236/14/</b> 203 Upper Rainham Road Hornchurch</p>	<p>Local Inquiry</p>				<p style="text-align: center;"><b>Dismissed</b></p> <p>The notice was upheld following variation and planning permission refused</p> <p>The appellant appealed on the ground D that the Council were too late to take enforcement action. The appellant's case was that a material change of use of the premises to the rear of the house took place more than four years before the date of the notice, the relevant date therefore being 23 February 2011.</p> <p>In such cases the onus is on the appellant to prove his case on the balance of probability. The evidence should be precise and unambiguous. In this case no formal witness statements or statutory declarations were provided although a number of witnesses including family, friends and neighbours were called to give oral evidence. The Inspector found that there was too much contradictory evidence to prove on the balance of probability that there was a material change of use of the outbuilding to an independent self-contained unit of accommodation before 23 February 2011 and that the use has continued since that date. The Council's submitted evidence from the Valuation Office, the Council's Electoral Service, the Council Tax and Benefits offices, the sales particulars, and the contradictions in the submitted evidence supported the Council's allegation that the change of use did not take place before the relevant date.</p> <p>On the appellants ground A appeal; that</p>

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<p><b>ENF/236/14/</b> 203 Upper Rainham Road Hornchurch</p>	<p>Local Inquiry</p>				<p style="text-align: center;"><b>Dismissed</b></p> <p>planning permission should be granted for what is alleged in the notice, the Inspector found that the character of the area and the living conditions of the occupiers of the outbuilding would be adversely affected by the use of the appeal site as a self-contained independent dwelling. An appeal on ground F is that the steps required to comply with the notice are excessive. The Inspector considered that the requirements of the notice did not exceed what is necessary to remedy the breach.</p> <p>An appeal was also made on ground G; that the time to comply with the notice is too short. The Inspector concluded that a reasonable period for compliance would be 6 months, and varied the enforcement notice accordingly, prior to upholding it.</p>

**TOTAL ENF =** 1

**LIST OF APPEAL DECISIONS MADE BETWEEN 20-FEB-16 AND 27-MAY-16**

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<b><u>Summary Info:</u></b>					
Total Planning =		42			
Total Enf =		1			
Appeals Decided =		44			
Appeals Withdrawn or Invalid =		1			
Total =		43			
	<b>Dismissed</b>		<b>Allowed</b>		
Hearings	0	0.00%	0	0.00%	
Inquiries	2	4.65%	0	0.00%	
Written Reps	27	62.79%	14	32.56%	