

LIST OF APPEAL DECISIONS MADE BETWEEN 01-JUN-13 AND 26-JUL-13

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P0680.12 44 Herbert Road Emerson Park Hornchurch <i>Demolition of existing building redevelopment of site to form four detached dwellings, formation of vehicular access and car parking</i></p>	Hearing	Approve With Conditions	Committee	<p>The proposal, by means of the number and size of dwellings and the arrangement of garden space around them, would represent a cramped overdevelopment of the site, out of keeping with the spacious setting of the surroundings properties and street scene and therefore harmful to the character and appearance of the Emerson Park area, contrary to the Emerson Park Policy Area SPD and Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal would fail to make a contribution towards the local infrastructure costs arising from the proposed development, contrary to Policy DC72 of the LDF Core Strategy and Development Control Policies DPD and the Draft Planning Obligations Supplementary Planning Document.</p>	<p>Dismissed</p> <p>The Inspector noted that a scheme for 3 houses on the site had been approved. This scheme was for 4 houses. Whilst the single dwelling to the front of the plot was acceptable, the key issue was the arrangement of other 3 dwellings to the rear of the plot. In this case the sense of space between and around these relatively large dwellings would be appreciably less. The Inspector found that this would be a constrained arrangement, substantially filled by built form with little sense of space in between. This would not be reflective of the character of the area found elsewhere in sector six.</p> <p>A separate application for an award of costs against the Council was refused.</p>
<p>P0897.12 4 Fairfield Close Hornchurch <i>Proposed replacement dwelling</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development involving gabling the hipped roof of this property would, by reason of its height, bulk and mass, visually unbalance the appearance of this semi detached pair of homes and would 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 and the Residential Extensions and Alterations SPD</p>	<p>Allowed with Conditions</p> <p>The Inspector considered that gabling of the hipped roof of the replacement bungalow, would not appear as unacceptably dominant or visually intrusive within the street scene. The Inspector noted the proximity of the appeal dwelling to the non-attached neighbour however adequate spacing would remain between the two properties and it would result in harm to the character or appearance of the area.</p>

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<p>P1347.11 48 Warwick Road Rainham <i>Demolish existing industrial unit and erect part2/part3 storey building comprising 6 flats with associated parking, cycle store, bin store and amenity space outline</i></p>	Written Reps	Approve With Conditions	Committee	The proposal would, by reason of its excessive bulk and massing result in an overbearing form of development harming the character and appearance of the street scene contrary to Policy DC61 of the Core Strategy and Development Control Policies Submissions Development Plan Document.	<p>Allowed with Conditions The character and form of buildings both residential and commercial within Warwick Road is varied. It was considered that the bulk and massing of the proposed building would be appropriate within the street scene. The proposed block would also replicate architectural elements found in the area including eaves height and roof pitch and would not appear overbearing upon its immediate neighbours or incongruous within the street scene.</p>
<p>M0003.12 adj Harold Hill Medical Centre opposite former Police Station Gooshays Drive Harold Hill <i>The installation of a twin user 11.8metre street furniture column, with antennas within a protective GRP shroud at the top. 2 No. equipment cabinets, 1No. electricity metre cabinet and ancillary development thereto</i></p>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its siting, height, bulk and mass, appear as a visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 and DC64 of the LDF Core Strategy and Development Control Policies DPD.	<p>Allowed with Conditions A column would be visible in the street scene but its siting close to the wall of the health centre would significantly reduce its impact. Views of it from the south would be interrupted by mature trees. The proposed cabinets would be no more prominent than other similar electrical cabinets within the vicinity.</p>
<p>P0786.12 87 The Drive Collier Row Romford <i>Create a new two storey residential property</i></p>	Written Reps	Refuse	Delegated	The proposed front addition 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 and the Residential Extensions and	<p>Dismissed The Inspector found that there would be no harm to the character and appearance of the street scene and appropriate parking could be provided. However the quality and usability of the amenity space proposed would be harmful to the living conditions of future occupants of the proposed new family</p>

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				<p>Alterations SPD.</p> <p>The proposed development would, by reason of a lack of sufficient on site car parking provision, 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.</p> <p>The layout and depth of the amenity space for the new dwelling together with its relationship with the donor property, 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>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.</p>	sized dwelling.
<p>P1207.12 20 Brunswick Avenue Upminster <i>Detached garage at rear of property</i></p>	Written Reps	Refuse	Delegated	<p>The proposed outbuilding by reason of its combined height, bulk, mass and position close to the boundaries of the site, is considered to be an obtrusive and unsatisfactory form of development which is visually intrusive and harmful to the appearance and character of the surrounding area. The development is</p>	<p>Allowed with Conditions</p> <p>The proposed garage would be located to the rear section of the back garden of a dwelling. It would not be readily visible from Brunswick Avenue and would not appear obtrusive when seen from the rear of neighbouring dwellings because of its siting and it would be viewed against a backdrop of a neighbouring</p>

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				therefore considered contrary to the Supplementary Design Guidance (Residential Extensions and Alterations) and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	maisonette block.
<p>P1052.12 32 Pettits Close Romford</p> <p><i>Two storey side and rear extension with new front entrance and window with canopy over to front elevation.</i></p>	Written Reps	Approve With Conditions	Committee	The proposed development would, by reason of its position and proximity to neighbouring properties, cause overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of the occupiers of No.177 Parkside Avenue, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The excessive bulk and massing of the proposed extension would result in a significant adverse visual impact, particularly in the rear garden scene, and also significantly diminish the outlook, and therefore harm the amenity, of neighbouring occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> <p>The proposed development would predominantly occupy the footprint of an existing single storey garage, car port and conservatory. The Inspector found that that proposed development would not cause unacceptable harm to the living conditions of the occupiers of neighbouring properties.</p>
<p>P1552.12 35 Park Drive Upminster</p> <p><i>Two storey and single storey side extension and single storey rear extension</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. The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable	<p style="text-align: center;">Dismissed</p> <p>The proposal would result in a significant change to the appearance of the dwelling, resulting in a dominant, bulky and visually awkward alteration to the house. It would not relate positively to the existing dwelling. Given its prominence, the impact of this would be unacceptably intrusive, causing harm to the character of the area.</p>

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				<p>overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC32 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed single storey rear extension would, by reason of its 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.</p> <p>Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.</p>	
<p>P1451.12 43 Grosvenor Gardens Upminster <i>Enlargement of roof to form half hip/gable</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would be to the detriment of the pair of semi-detached properties, No.43 Grosvenor Gardens and No.32 Ingrebourne Gardens, and would appear as an unacceptably dominant and visually intrusive feature in the streetscene, harmful to the appearance of the surrounding area, contrary to Policies</p>	<p style="text-align: center;">Dismissed</p> <p>The proposed extension would severely unbalance the symmetry of the pair of dwellings. Moreover, the addition would be an obviously discordant feature, contrasting incongruously with attached property. Combined with the additional bulk of the roof extension, the appeal property would appear overly dominant & intrusive.</p>

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				<p>DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.</p>	
<p>P1484.12 103 Cranston Park Avenue Upminster <i>Part single part two storey side and rear extension, new roof to include dormers on rear elevation</i></p>	<p>Written Repts</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development, when seen in conjunction with the proposed half hipped roof design, combined overall height, bulk and mass of the extensions and proximity to the boundary, would relate poorly to the existing dwelling and appear as an unacceptably dominant and visually intrusive feature in the streetscene, harmful to the appearance of the surrounding area and contrary to the Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate</p>	<p>Allowed with Conditions</p> <p>The cumulative effect of the height, scale and mass of the proposed extensions, including the alterations to the roof, would not be detrimental to the character and appearance of the area. The extensions and their proximity to the boundary would not result in an unacceptably dominant or visually obtrusive form of development</p>

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				in accordance with para 186-187 of the National Planning Policy Framework 2012.	
<p>P0161.13 99 Billet Lane Hornchurch <i>Erection of a double storey side and single storey rear extension with alterations to existing windows</i></p>	Written Reps	Refuse	Delegated	The proposed two storey side extension would, by reason of its design, bulk and mass, result in unsympathetic, visually intrusive development which fails to preserve or enhance the special character of this part of the Conservation Area, contrary to Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.	<p style="text-align: center;">Dismissed</p> The proposed side extension would be an intrusive feature in the street scene because of its scale, massing and siting at a prominent corner location. It would unbalance the symmetry of the pair of semi-detached houses harming the character and appearance of the building. It would neither preserve nor enhance the character or appearance of the Langtons Conservation Area.

TOTAL PLANNING = 11

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APPEAL DECISIONS - ENFORCEMENT					
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ENF/77/12/BL 72 Crow Lane Romford Alleged unauthorised use of outbuilding as residential accommodation	Written Reps				<p style="text-align: center;">Dismissed</p> The Inspector found that the two buildings are being used as independent self-contained residential accommodation. This use amounts to a material change of use requiring planning permission. The appellant did not provide any relevant arguments to demonstrate that there had not been a breach of planning control. Secondly, no evidence was provided to support the claim that the unauthorised use commenced more than four years before the issue of the notice. Finally it was considered that the notice was properly served on everyone with an interest, contrary to the appellants view. The appeal failed and the notice was upheld.

TOTAL ENF = 1

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<u>Summary Info:</u>					
Total Planning =			11		
Total Enf =			1		
Appeals Decided =			12		
Appeals Withdrawn or Invalid =			0		
Total =			12		
	Dismissed		Allowed		
Hearings	1	8.33%	0	0.00%	
Inquiries	0	0.00%	0	0.00%	
Written Reps	5	41.67%	6	50.00%	