# Development Control Board

**6 March 2017**

<table>
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<th>Title: Town Planning Appeals</th>
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**Report of the Development Management Manager, Regeneration Division**

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<th><strong>Open Report</strong></th>
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<tr>
<td><strong>Wards Affected:</strong> Abbey, Alibon, Becontree, Eastbury, Gascoigne, Heath, Longbridge, Mayesbrook, Parsloes, Thames</td>
<td><strong>Key Decision:</strong> No</td>
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<td><strong>Report Author:</strong> Dave Mansfield, Development Management Manager</td>
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**Accountable Director:** John East, Growth and Homes

**Summary:**

This report advises Members of recent appeals that have been lodged and the outcomes of decisions made.

**Recommendation(s)**

The Development Control Board is asked to note this report.

1. **Appeals Lodged**

   The following appeals have been lodged:

   **a) Erection of first floor side/rear extension, conversion of garage to study, and replacement outbuilding in rear garden – 7 Oulton Crescent, Barking (Ref: 16/01229/FUL)**

   Application refused under delegated powers 4 October 2016 – Longbridge Ward.

   **b) Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.6 metres and maximum height: 3.35 metres) - 33 Standfield Road, Dagenham (Ref: 16/01101/PRIOR6)**

   Application refused under delegated powers 22 August 2016 – Alibon Ward.

   **c) Erection of two storey 2 bedroom detached house - 476 Ripple Road, Barking (Ref: 16/01309/FUL)**

   Application refused under delegated powers 3 November 2016 – Eastbury Ward.
d) Application for a certificate of lawfulness for a proposed development:
Loft conversion involving construction of gable end roof, rear dormer window and front rooflights - 378 Heathway, Dagenham (Ref: 16/01684/CLU_P)

Application refused under delegated powers 23 December 2016 – Alibon Ward.

2. Appeals Determined

2.1.1 The following appeals have been determined by the Planning Inspectorate:

a) Erection of first floor extension to provide studio flat – 5 Porters Avenue, Dagenham (Ref: 16/00431/FUL – Parsloes Ward)

Application refused under delegated powers 4 April 2016 for the following reasons:

1) The proposed dwelling would be within a poor quality environment, which offers a poor outlook and unsafe passage of access for future occupiers of the unit. As such the site is considered to be inappropriate and unsuitable for new independent residential living accommodation, contrary to Local Plan Core Strategy Policy CP3 and Borough Wide Development Policies BP11 and BP8, which seek to secure that all new residential development should achieve the highest standards of sustainable design and layout expected for new residential dwellings. As such, the proposal fails to fulfill the social and environmental roles of sustainable development and is therefore contrary to National Planning Policy Framework Paragraphs 14 and 17.

2) The proposal would not provide a safe and secure access way to and from the proposed dwelling. Moreover, the proposal would not create a safe environment for future occupiers of the proposed dwelling and would undermine their quality of life and sense of the 'home as a place of retreat', contrary to National Planning Policy Framework Paragraph 58, The London Plan Policy 3.5, and Borough Wide Development Policies DPD Policy BP11. As such, the proposal fails to fulfill the social and environmental roles of sustainable development, and therefore contrary to NPPF Paragraph 14.

Planning Inspectorate’s Decision: Appeal dismissed 16 February 2017 (see attached)

b) Erection of single storey rear extension - 16 Wykeham Green, Dagenham (Ref: 16/00985/FUL – Mayesbrook Ward)

Application refused under delegated powers 26 August 2016 for the following reason:

1) The development, by reason of its design and excessive scale, would result in a dominant and intrusive addition in the rear garden environment, harmful to the character and appearance of the area. The proposed extension would adversely affect the outlook of the occupiers of 17 Wykeham Green. The proposal is contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the guidance contained in the Supplementary Planning Document 'Residential Extensions and Alterations'.
Planning Inspectorate’s Decision: Appeal dismissed 2 February 2017 (see attached)

c) Enforcement Notice appeal – Erection of automatic gates and railings to front and side of front garden – 25 Muggeridge Road, Dagenham (Heath Ward)

Planning Inspectorate’s Decision: Appeal dismissed 16 February 2017 (see attached)

d) Enforcement Notice appeal – Change of use of shop to café bar (Class A3) – 28 Station Parade, Barking (Abbey Ward)

Planning Inspectorate’s Decision: Appeal dismissed 31 January 2017 (see attached)

e) Enforcement Notice appeal – Erection of extension to rear of property – 29 Sutton Road, Barking (Gascoigne Ward)

Planning Inspectorate’s Decision: Appeal dismissed 16 February 2017 (see attached)

f) Enforcement Notice appeal – Erection of front fence 1.8 metres in height – 40 Goring Gardens, Dagenham (Becontree Ward)

Planning Inspectorate’s Decision: Appeal dismissed 26 January 2017 (see attached)

g) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres and maximum height: 3.0 metres) - 70 Hurstbourne Gardens, Barking (Ref: 16/00916/PRIOR6 – Longbridge Ward)

Application refused under delegated powers 21 July 2016 for the following reason:

1) The proposed rear extension would project beyond a side wall as defined by the Town and Country Planning (General Permitted Development) (England) Order 2015 and form a side extension which is more than half the width of original dwelling consequently the proposal would not accord with Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Planning Inspectorate’s Decision: Appeal dismissed 27 January 2017 (see attached)

h) Erection of first floor side and rear extension and single storey front extension - 85 Lodge Avenue, Dagenham (Ref: 16/01084/FUL – Mayesbrook Ward)

Application refused under delegated powers 13 October 2016 for the following reason:
1) The proposed development will result in a double storey side extension that will sit significantly forward of the front building line of properties in Ilchester Road and as such will materially close down the view to and from Ilchester Road, detrimental to the character of the existing building and surrounding area and as such is contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 2 February 2017 (see attached)

i) Erection of two storey side extension and single storey front extension - 30 Cornworthy Road, Dagenham (Ref: 16/01438/FUL – Mayesbrook Ward)

Application refused under delegated powers 9 November 2016 for the following reason:

1) The proposed two storey side extension would partly close off an important gap within the street scene which provides relief from the built up nature of the street. The development fails to protect the character of the area and would be harmful to the street scene. The proposed development is therefore contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 21 February 2017 (see attached)

j) Change of use of part of existing warehousing/storage floor space to banqueting facility with ancillary storage - 6 - 8 Thames Road, Barking (Ref: 14/00464/FUL – Thames Ward)

Application refused under delegated powers 29 February 2016 for the following reasons:

1) The proposed development is contrary to the London Riverside Opportunity Area Planning Framework Supplementary Planning Guidance 2015 which seeks to change the designation of the site to housing. The granting of permission for this proposal would embed the use on the site and make the possibility of future residential development less likely to come forward thereby compromising the long-term land use aspirations for the London Riverside area.

2) The use, by virtue of its siting and location within close proximity of land which is likely to be released for housing as identified in the Mayor of London, London Riverside Opportunity Area Planning Framework (September 2015), would be inappropriate and likely to result in noise and disturbance detrimental to the living standards and amenities enjoyed by future residential occupiers, contrary to policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

3) The application details as submitted do not accurately reflect the full range of uses currently operating on the site and therefore the Transport Assessment
does not provide accurate data for events being undertaken in relation to the banqueting facility and as such a full assessment of this application cannot be made. Notwithstanding this it is likely that the banqueting hall/function suite use has resulted in significant levels of on-street car parking with the likelihood of inconsiderate car parking causing obstruction of the public highway to the detriment of highway safety and the inconvenience of neighbouring commercial and potentially future residential occupiers contrary to Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

Planning Inspectorate's Decision: Appeal allowed 30 January 2017 (see attached)