Title: Town Planning Appeals

Report of the Development Management Manager, Regeneration Division

Open Report For Information

Wards Affected: Abbey, Alibon, Eastbrook, Eastbury, Heath, Longbridge, Whalebone

Key Decision: No

Report Author: Dave Mansfield, Development Management Manager

Tel: 020 8227 3999
E-mail: dave.mansfield@lbld.gov.uk

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 part first floor/part two storey side extension and part single/part two storey rear extension - 36 Stratton Drive, Barking (Ref: 16/01796/FUL)

Application refused under delegated powers 10 January 2017 – Longbridge Ward.

b) Erection of single storey front extension and a two storey side extension – 3 Ivy Walk, Dagenham (Ref: 17/00084/FUL)

Application refused under delegated powers 27 March 2017 – Alibon Ward.

c) Erection of single storey front extension and part single/part two storey side and rear extension - 28 Oglethorpe Road, Dagenham (Ref: 16/01943/FUL)

Application refused under delegated powers 6 February 2016 – Heath Ward.

d) Subdivision of house into 2 one bedroom flats – 69 Salisbury Avenue, Barking (Ref: 16/01871/FUL)
Application refused under delegated powers 25 January 2017 – Abbey Ward

e) Erection of two storey 1 bedroom dwelling – 1 Rockwell Road, Dagenham (Ref: 16/02006/FUL)

Application refused under delegated powers 17 February 2017 – Alibon Ward.

2. Appeals Determined

2.1.1 The following appeal has been determined by the Planning Inspectorate:

   a) Enforcement appeal – Unauthorised construction of a loft conversion to the side and rear of the property – 116 Blake Avenue, Barking (Eastbury Ward)

   Planning Inspectorate's Decision: Appeal dismissed 26 April 2017 (see attached)

   b) Erection of two storey 2 bedroom detached house - 476 Ripple Road, Barking (Ref: 16/01309/FUL – Eastbury Ward)

   Application refused under delegated powers 3 November 2016 for the following reasons:

   1. The proposed house would result in a harmful loss of spaciousness on a prominent corner site at the junction of Ripple Road and Tudor Road and result in an intrusive building located in a side garden projecting significantly beyond the building line of the adjacent terrace at 1-7 Tudor Road contrary to Policy 3.5 of The London Plan and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

   2. The proposed two storey house would have an unacceptable impact on the amenities of neighbouring occupiers by virtue of its proximity to the existing house at the 476 Ripple Road resulting in a loss of light, outlook and privacy contrary to Policies BP8 and BP11 of the Borough Wide Development Polices DPD and the Residential Extensions and Alterations SPD.

   3. The proposed off-street parking spaces would require the removal of on-street car parking spaces to the detriment of the overall availability of parking spaces in the locality. The proposed access would have an inadequate sightline which would compromise pedestrian and highway safety contrary to Policy BR10 of the Borough Wide Development Policies Development Plan Document.

   Planning Inspectorate's Decision: Appeal dismissed 5 May 2017 (see attached)

   c) Erection of first floor side/rear extension – 45 Clare Gardens, Barking (Ref: 16/01717/FUL – Longbridge Ward)

   Application refused under delegated powers 23 January 2017 for the following reason:
1. The first floor side/rear extension would partly close an important gap within the street scene which provides relief from the built up nature of the street. The proposed roof of the first floor side/rear extension would appear incongruous and out of keeping with the design of other terraces in Clare Gardens disrupting the appearance of the roofscape and resulting in harm to the character and appearance of the streetscene, and would therefore fail to maintain the character of the area and be harmful to the street scene and surrounding area. The proposed development is contrary to paragraph 56 of the NPPF, policies 7.4 and 7.6 of the London Plan (2016), 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 allowed 16 May 2017 (see attached)

d) Enforcement appeal – Unauthorised erection of independent residential unit at rear of property – 63 Salisbury Avenue (Abbey Ward)

Planning Inspectorate's Decision: Appeal dismissed 22 May 2017 (see attached)

e) Erection of two storey side and rear extension – 83 Meadow Road, Barking (Ref: 16/01510/FUL – Eastbury Ward)

Application refused under delegated powers 25 November 2016 for the following reason:

1. The proposed side extension and roof design, including a combination of pitched and flat roofs, would be unsympathetic to that of the existing house. The side extension would also close off an important gap within the street scene which positively contributes to the spaciousness of the local area. The first floor of the proposed two storey side extension would not be sufficiently set back from the front wall of the house and would therefore not be subservient to the host semi-detached house and would harm the symmetry of the house and its adjacent twin. The proposed development would therefore fail to maintain the character of the area and would be harmful to the street scene, and 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 26 May 2017 (see attached)

f) Conversion of outbuilding into two bedroom bungalow (retrospective) – Annex to 1 Gay Gardens, Dagenham (Ref: 16/01306/FUL – Eastbrook Ward)

Application refused under delegated powers 13 October 2016 for the following reasons:

1. The proposed bungalow, by reason of its siting and design constitutes an unacceptable form of backland development that is harmful to the character of
the area and out of keeping with the prevailing built form, contrary to Policy CP3 of the Core Strategy (July 2010), Policy BP11 of the Borough Wide Development Policies DPD (March 2011) and policies 7.4 and 7.6 of the London Plan 2016 and the National Planning Policy Framework.

2. The proposed bungalow does not comply with the minimum requirements of policy 3.5 of the London Plan March 2016 by reason of a shortfall in the Gross Internal Area of the dwelling, the lack of an adequately sized double bedroom and of any storage space and therefore results in the provision of a substandard unit of accommodation, detrimental to the living standards and amenities enjoyed by the occupiers.

3. The development cannot provide any off-street parking spaces and as such has resulted in an increase in existing parking pressures harmful to highway safety and contrary to Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and Policy 6.13 of the London Plan 2016.

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

g) Erection of part first floor/part two storey side extension and part single/part two storey rear extension – 36 Stratton Drive, Barking (Ref: 16/01796/FUL – Longbridge Ward)

Application refused under delegated powers 10 January 2017 for the following reason:

1. The proposed side extension would partially close off an important gap within the street scene which provides relief from the built up nature of the street and would fail to maintain the character of the area and 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 30 May 2017 (see attached)

h) Erection of single storey detached dwelling - Land to rear of 82 Saville Road, Chadwell Heath (Ref: 16/00948/FUL – Whalebone Ward)

Application refused under delegated powers 8 September 2016 for the following reasons:

1. The proposed development by virtue of its siting, layout and location would constitute an unacceptable form of backland development which would be accessed via an undesirable narrow footpath and represent inappropriate development of a residential garden that would materially reduce the open and spacious character of the garden of the application property and would be harmful to the character of the area and out of keeping with the prevailing built form, contrary to Policy CP3 of the Core Strategy (July 2010), Policies BP8 and

2. The proposed dwelling, by virtue of its proximity to the northern site boundary with number 76 Saville Road and the north facing orientation of the bedroom windows, would result in these rooms having a poor outlook and receiving limited sunlight detrimental to the living standards and amenities enjoyed by occupiers of the development, contrary to Policy BP11 of the Borough Wide Development Policies Development Plan Document (March 2011).

3. The proposed dwelling would be less than 117 square metres in gross internal floor area and would not provide any in-built storage provision and the dwelling has a poor internal arrangement whereby all the WCs in the dwelling are only accessed via bedrooms and as such the development would result in a poor standard of accommodation detrimental to the living standards and amenities enjoyed by future occupiers of the development, contrary to Policies 3.5 and 3.8 of the Housing Standards Minor Alterations to the London Plan (March 2016).

4. The proposed development would fail to provide any off-street parking for the dwelling and as such would result in an increase in existing parking pressures in Saville Road and access for emergency and refuse vehicles would be restricted by the increase in additional on-street parking and as such the proposal would be harmful and hazardous to pedestrian and highway safety and contrary to Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and Policy 6.13 of the London Plan 2015.

Planning Inspectorate’s Decision: Appeal dismissed 9 June 2017 (see attached)