## Title: Town Planning Appeals

### Report of the Head of Planning

<table>
<thead>
<tr>
<th>Open Report</th>
<th>For Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wards Affected:</strong> Chadwell Heath, Longbridge, Village, Whalebone</td>
<td><strong>Key Decision:</strong> No</td>
</tr>
</tbody>
</table>
| **Report Author:** Dave Mansfield, Development Management Manager | **Tel:** 020 8227 3999  
**E-mail:** dave.mansfield@befirst.london |

### Summary:

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

### Recommendation:

The Development Control Board is asked to note this report.

---

1. **Appeals Lodged**

   The following appeal has been lodged:

   a) Application for a certificate of lawfulness for an existing development – Loft conversion involving construction of gable end roof, rear dormer windows and front rooflights - 2 Melford Avenue, Barking (Ref: 17/00408/CLU_E)

   Application refused under delegated powers 11 August 2017 (Longbridge Ward)

2. **Appeals Determined**

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

   a) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.5 metres and maximum height: 2.9 metres) – 23 Mill Lane, Chadwell Heath (Ref: 17/01472/PRIOR6 – Chadwell Heath Ward)

   Application refused under delegated powers 6 October 2017 for the following reason:
1. The proposed rear extension would project beyond a side wall of the original house and form a side extension which is more than half the width of the 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 28 December 2017 (see attached)

b) Application for a certificate of lawfulness for an existing use: Use of outbuilding as independent dwelling – 106 Manor Road, Dagenham (Ref: 16/01304/CLU_E – Village Ward)

Application refused under delegated powers 14 February 2017 for the following reason:

1. The applicant has failed to provide sufficient evidence to prove on the balance of probability that the outbuilding has been continuously used as an independent dwelling for more than four years prior to the date of service of an enforcement notice against the use dated 28 July 2014 and is therefore not immune from enforcement action in accordance with Section 171B of the Town and Country Planning Act 1990.

Planning Inspectorate's Decision: Appeal dismissed 16 January 2018 (see attached)

c) Erection of a single storey rear extension and loft conversion involving the construction of a rear dormer window and a hip to gable roof extension and external insulation and rendering – 10 Herbert Gardens, Chadwell Heath (Ref: 17/01473/FUL – Whalebone Ward)

Application refused under delegated powers 20 November 2017 for the following reason:

1. The proposed rear dormer window and gable roof by reason of their design, scale and form would fail to be subordinate to the existing host property and constitute unsympathetic, disproportionate and discordant additions to the detriment of the character and visual appearance of the host terrace and the street scene contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document, 2011 and the Supplementary Planning Document: 'Residential Extensions and Alterations', (2012).

Planning Inspectorate's Decision: Appeal dismissed 26 January 2018 (see attached)