### Title: Town Planning Appeals

#### Report of the Head of Planning

<table>
<thead>
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<th>Open Report</th>
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<td><strong>Wards Affected:</strong> Abbey, Heath, Parsloes, River, Whalebone</td>
<td><strong>Key Decision:</strong> No</td>
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#### 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 appeals have been lodged:

- **a)** Change of use from single dwellinghouse to house in multiple occupation (HMO) to accommodate up to 6 people (retrospective) – 103 Fanshawe Avenue, Barking (Ref: 17/01382/FUL)
  
  Application refused under delegated powers 9 October 2017 (Abbey Ward)

- **b)** Demolition of garage and erection of two storey extension – 2 First Avenue, Dagenham (Ref: 17/00207/FUL)
  
  Application refused under delegated powers 27 April 2017 (River Ward)

- **c)** Erection of two storey one bedroom house – 33 Braintree Road, Dagenham (Ref: 17/00649/FUL)
  
  Application refused under delegated powers 6 July 2017 (Heath Ward)

### 2. Appeals Determined

2.1.1 The following appeals have been determined by the Planning Inspectorate:
a) Appeal against Enforcement Notice

Unauthorised material change of use of single family dwellinghouse to a house in multiple occupation – 18 Beverley Road, Dagenham (Parsloes Ward)

Planning Inspectorate’s Decision: Appeal dismissed 12 February 2018 (see attached)

b) Demolition of garage and erection of part single/part two storey side/rear extension to provide new dwelling (retrospective) – 15 Rosslyn Avenue, Dagenham (Ref: 17/00170/FUL – Whalebone Ward)

Application refused under delegated powers 2 May 2017 for the following reasons:

1. The new dwelling does not meet minimum internal standards including lack of gross internal floor space (70m² required), built-in storage provision (2.0m² required), provision of a double bedroom where a dwelling comprises two or more bedspaces and insufficient floor area and width of single bedroom (7.5m²/2.15m required) and as such the dwelling is a substandard unit of accommodation detrimental to the living standards and amenities enjoyed by its occupiers, contrary to policy 3.5 of the London Plan (March 2016) and the Technical Housing Standards - nationally described space standards (March 2015).

2. The outdoor amenity area shared by the occupants of the original and new dwellings would result in a loss of privacy to ground floor rooms and would therefore be unlikely to be well used and the overall size is insufficient. The development therefore fails to make adequate provision for external amenity space contrary to Policy 3.5 of the London Plan (March 2016) and policies BP5 and BP8 of the Borough Wide Development Policies DPD (March 2011)

3. The proposed first floor side extension would significantly reduce the width of an important gap within the street scene which provides relief from the built up nature of the street, would fail to maintain the character of the local area and would be harmful to the street scene 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 19 February 2018 (see attached)

c) Appeal against Enforcement Notice

Unauthorised subdivision of house into two separate units – 15 Rosslyn Avenue, Dagenham (Whalebone Ward)

Planning Inspectorate’s Decision: Appeal succeeds in part and enforcement notice is upheld as varied - 19 February 2018 (see attached)
d) Erection of two storey 2 bedroom end of terrace house – 33 Temple Avenue, Dagenham (Ref: 17/00858/FUL – Whalebone Ward)

Application refused under delegated powers 20 July 2017 for the following reasons:

1. The proposed development does not comply with policy 3.5 of the London Plan (March 2016) and the Technical Housing Standards - nationally described space standards (March 2015) in that the Gross Internal Floor Area is below that required for a two-storey 2 bedroom 3 person dwelling and no storage space has been identified and therefore the new dwelling would not provide satisfactory living conditions.

2. The proposed development fails to provide adequate amenity space for the proposed and existing dwellings to the detriment of the amenity of future occupiers contrary to Policy BP5 of the Borough Wide Development Policies DPD (March 2011).

3. The proposed development fails to provide adequate amenity space for the proposed and existing dwellings to the detriment of the amenity of future occupiers contrary to Policy BP5 of the Borough Wide Development Policies DPD (March 2011).

Planning Inspectorate’s Decision: Appeal dismissed 23 February 2018 (see attached)