

Committee: Development	Date: 13 th March 2012	Classification: Unrestricted	Agenda Item: 8.2
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Report of: Director of Development and Renewal Case Officer: Pete Smith	Title: Planning Appeals
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1. PURPOSE

- 1.1 This report provides details of town planning appeal outcomes and the range of planning considerations that are being taken into account by the Planning Inspectors, appointed by the Secretary of State for Communities and Local Government. It also provides information of appeals recently received by the Council, including the methods by which the cases are likely to be determined by the Planning Inspectorate.
- 1.2 The report covers all planning appeals, irrespective of whether the related planning application was determined by Development Committee, Strategic Development Committee or by officers under delegated powers. It is also considered appropriate that Members are advised of any appeal outcomes following the service of enforcement notices.
- 1.3 A record of appeal outcomes will also be helpful when compiling future Annual Monitoring Reports.

2. RECOMMENDATION

- 2.1 That Committee notes the details and outcomes of the appeals as outlined below.

3. APPEAL DECISIONS

- 3.1 The following appeal decisions have been received by the Council during the reporting period.

Application No:	PA/11/03666
Site:	13 Durham Row, E1 0NP
Proposed Development	Installation of hard wood window frames to listed building.
Decision:	REFUSE LISTED BUILDING CONSENT (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.2 This property is an early 19th Century listed, 3 storey distinctively designed terrace and the Planning Inspector considered that the special interest derived from the historic form of the terraces, within the York Square Conservation

area. The proposals sought listed building consent to change the three windows to the front and a further five windows to the rear.

- 3.3 The Planning Inspector was concerned that the proposal would have involved the loss of a significant amount of original fabric and that there had been no evidence relating to the aspects of this fabric that justified its proposed removal. The Planning Inspector was concerned that the introduction of double glazed units, utilising two panes of glass set within new timberwork would have been a modern intervention and would not have exactly replicated the qualities of the traditional windows.
- 3.4 The appeal was DISMISSED.

Application No:	PA/12/01104
Site:	159 Commercial Street E1 6BJ
Site:	Construction of additional floors to provide 8 residential units along with private and communal amenity space and cycle storage.
Council Decision:	REFUSE PLANNING PERMISSION (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.5 This proposed development sought planning permission for an additional three storeys (over the existing four storey property). The issues in this case were the impact of the additional height, scale and mass on the character and appearance of the Elder Street Conservation Area..
- 3.6 The Inspector noted that the immediate area (as identified by the Council's conservation area character appraisal) indicated a predominant 3-4 storey height and felt that the additional height proposed would have been out of place, when compared to the existing townscape found within Commercial Street and would have been considerably higher than properties in Fleur De Lis Street. He concluded that the features of this corner property did not warrant such a step up in scale and concluded that the proposed development would have failed to respect the context and the character and appearance of the conservation area.
- 3.7 The appeal was DISMISSED.

4. NEW APPEALS

- 4.1 The following appeals have been lodged with the Secretary of State following a decision by the local planning authority:

Application Nos:	PA/12/02824
Sites:	Block E, Taylor Place, 5-25 Payne Road London
Development	Change of Use of existing commercial units to provide 12 residential apartments.
Council Decision	REFUSE (delegated decision)
Start Dates	22 February 2013
Appeal Method	WRITTEN REPRESENTATION

- 4.2 This planning application was refused on grounds that the proposed development failed to comply with the Council's affordable housing policy – with the requirement of affordable housing provision in cases where 10 or more residential units are proposed.

Application No: PA/12/01764
Sites: Dennis House, Roman Road, London E3
Development: Installation of telecommunications equipment comprising GRP chimney stacks with cabinets at roof level
Council Decision: REFUSE (delegated decision)
Start Date: 14 February 2013
Appeal Method: WRITTEN REPRESENTATIONS

- 4.3 The reason for refusal in this case was related to the failure of the proposed chimney stacks to preserve or enhance the character and appearance of the host building and the conservation area.

Application No: PA/12/02053
Sites: 34 White Church Lane E1
Development: Change of Use of existing warehouse to retail
Council Decision: REFUSE (delegated decision)
Start Date: 7 February 2013
Appeal Method: WRITTEN REPRESENTATIONS

- 4.4 This application was refused, as the applicant failed to justify the loss existing employment generating employment floorspace.

Application No: PA/12/01130
Sites: 253-261 Westferry Road E14
Development: Extension of the property (through a proposed 3rd and 4th floor extension) and the conversion of the building to provide 9x1 bed and 1x2 bed flats
Council Decision: REFUSE (delegated decision)
Start Date: 31 January 2013
Appeal Method: WRITTEN REPRESENTATIONS

- 4.4 This application was refused for the following reasons:

- Failure to provide affordable housing
 - § Poor mix of accommodation with and over-reliance on non-family accommodation
 - § Failure to provide wheelchair housing
 - § Loss of sunlight and daylight – along with increase enclosure
 - § Failure to provide bicycle

Application No: ENF/12/00353
Sites: 11 Chapel House Street
Development: Unauthorised two storey rear extension
Council Decision: INSTIGATE ENFORCMENT ACTION (delegated decision)
Start Date: 14th February 2013
Appeal Method: WRITTEN REPRESENTATIONS

- 4.5 Enforcement action was instigated on grounds that the extension represents an over-bulky and incongruous form of development, out of keeping with the character and appearance of the adjacent conservation area. There was also concern about the impact of the development on neighbouring residential amenity (occupiers of 9 Chapel House Street, in terms of increased enclosure).

Application No:	ENF/12//00002
Sites:	26 Ferry Street, E14
Development:	Formation of a new doorway and various other internal and external alterations to the public house
Council Decision:	INSTIGATE ENFORCEMENT ACTION (delegated decision)
Start Date	15th February 2013
Appeal Method	WRITTEN REPRESENTATIONS

- 4.6 The public house at 26 Ferry Street is a listed building and various alterations have been undertaken to the property without the required listed building consent. The works fail to respect the qualities of the listed building with substandard replacement elements.