

Committee: Development	Date: 12 September 2013	Classification: Unrestricted	Agenda Item Number:
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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. All Members of the Council receive a regular monthly email update of appeals received by the Council.
- 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/12/01210, PA/12/01209
Site:	3-4 Vine Court E1 1JH
Proposed Development:	Demolition of former light industrial building and the erection of a part 2 part 3 storey row of terrace housings comprising 2x2 bed and 3x3 bed units
Decision:	REFUSE PLANNING PERMISSION AND CONSERVATION AREA CONSENT
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.2 The main issues in this case were

- Whether the proposal would preserve or enhance the character and appearance of the Myrdle Street Conservation Area;
 - Whether it would affect the amenities of occupiers of 5-6 Vince Court;
 - Whether the development would provide satisfactory living conditions;
 - Whether adequate cycle facilities would be provided.
- 3.3 Whilst the Planning Inspector recognised that the appeal scheme had evolved over a period of time, trying to find an acceptable solution in respect of a difficult site, he concluded that the proposed scale of development, along with its height, massing, height and plot coverage would not have been appropriate for the site. He also was concerned about the form of the development, which would not have suitably referenced pitched roofs common to the lower height development found nearby.
- 3.4 He also concluded that the proposed development would have related unsatisfactorily to 5-6 Vine Court, which would have created an over-bearing relationship, creating increased sense of enclosure. He felt that the windows and light-wells would not have provided enough relief from its overall mass and bulk. He was also concerned about the quality of the units, oppressive outlook and an unacceptable sense of enclosure for the occupants of these properties which he felt was symptomatic of overdevelopment. He concluded that the proposal would not have been appropriate for the site and would have appeared as a rather contrived development, of a scale which would not have preserved or enhanced the character or appearance of the conservation area.
- 3.5 In view of the unsuitability of the proposed development, the Planning Inspector was not willing to sanction the demolition of the existing building
- 3.6 The appeals were DISMISSED

Application No:	PA/12/02757
Site:	504 Roman Road, London E3
Proposed Development:	Change of use of first floor from retail to residential alongside an extension and alterations to 504 Roman Road to provide a 1x2 bed flat and 2 studio units with cycle and refuse stores
Council Decision:	REFUSE PLANNING PERMISSION (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.7 The main issue in this case was the effect of the proposed development on the living conditions of the occupiers of 502 and 506 Roman Road. The part of the development the Planning Inspector found unacceptable was the proposed first and second floor rear extensions which would have significantly affected the amenities of neighbouring residential occupiers. It would have resulted in an unacceptable reduction in daylight and sunlight together with overshadowing and loss of outlook.
- 3.8 The appeal was DISMISSED on this basis

Application No:	ENF/10/00319
Site:	60 Canton Street, E14
Site:	Unauthorised porch extension – appeal against enforcement notice issued on 3 April 2013.
Council Decision:	INSTIGATE ENFORCEMENT ACTION (Delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED AND ENFORCEMENT NOTICE UPHELD

- 3.9 The Planning Inspector was satisfied that the full width porch extension required planning permission and represented a breach of planning control. The main issue in this case was whether the development was harmful to the character and appearance of the Lansbury Conservation Area.
- 3.10 The Planning Inspector noted that the Lansbury Estate properties exhibit unpretentious façades, relieved by flat canopies over the front doors and whilst he appreciated that the Canton Street terrace had been much altered, he highlighted that some of the surviving detailing remained intact. Apart from the appeal premises, no house in the vicinity had been previously extended in the form undertaken (full width bringing the front wall much closer to the back edge of the highway). Consequently, he concluded that the extension was harmful to the character and appearance of the conservation area
- 3.11 The Planning Inspector DISMISSED the appeal and UPHELD the terms of the planning enforcement notice, requiring the extension to be moved within 3 months of the date of the decision letter (by 22 November 2013).