

**SUMMARY OF APPEAL DECISION RECEIVED SINCE BEGINNING OF APRIL 2006**

If you wish to receive a copy of any appeal decision please phone Brenda Danahar on (020) 8496 6305

If you wish to discuss any case please either phone the case officer listed below or Chris Collison on (020) 8496 6190

**APPEAL UPDATE REPORT**

Ref no:	2005/1836/ADV
Location:	Highway land outside 347 High Road, Leytonstone E11
Development:	Installation of two internally illuminated poster panels 1760mm x 1160mm forming an integral part of a bus shelter.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	<p>The Inspector noted that the main issues related to the visual impact of the proposed panels on the occupants of 347-349 High Road.</p> <p>The Inspector noted that the panels would be outside the frontages of two properties wholly converted to residential use, and that these houses had not protection from the pedestrian highway, and he accepted that the rear of the panels would be visible at close range, having an enclosing effect, together with the rest of the shelter on the views from the ground floor windows.</p> <p>Despite the commercial nature of the immediate area, the Inspector considered that the panels would be out of place and intrusive in this location.</p> <p>Although the conversion of the ground floor of 264 High Road had not been implemented, the Inspector accepted that once completed, the panels would intrude into the internal amenity of the future occupiers of the ground floor flat.</p>
Case officer:	Sonia Malcolm   Phone: (020) 8496 6068
Ref no:	2003/1542

Location:	50 Wood Street, Walthamstow E17
Development:	Retention of use as sandwich bar on part of ground floor and 2 self contained flats on ground floor and first floor.
LBWF decision:	Refused
Appeal type:	Inquiry
Appeal decision:	Dismissed
Commentary:	<p>The Inspector agreed with the Council's arguments at the Inquiry that the size of the shop would have a harmful effect on the viability and vitality of the Wood Street Centre. There was evidence that the shop had been occupied by a number of short-term tenants and that periods of vacancy with a dead frontage could have a damaging effect on neighbouring premises because of its negative impact and subsequent failure to contribute to the needs of the community and the economy of the area.</p> <p>He also accepted the Council's argument that there was insufficient provision for the storage of refuse given the restricted size and layout of the ground floor commercial area. This would mean that a commercial bin would have to be stored at the front of the premises which would be unsightly and could create a hazard on the public highway.</p> <p>In addition the Inspector considered that the self contained flat did not comply with the Council's guidance on flat conversions and provided a substandard and restricted level of amenity for the occupants.</p> <p>The appeal was dismissed. The decision supports the Council's continuing enforcement action to cease the use of the self-contained flat at the rear of the shop and for a change in the layout of the permitted flat at first floor.</p>
Case officer:	Jon Price   Phone: (020) 8496 6251
Ref no:	2005/1214/TC
Location:	Pavement between New Road (service road) and New Road, at junction of Grove Road and New Road Chingford, London E4 9SJ
Development:	An application for the prior approval of the Local Planning Authority - installation of one 9.7m high column and one equipment cabin.

LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>This appeal related to a proposal to erect a 9.7 metre high phone mast and associated equipment cabins on highway verge in front of houses. The proposal was for a “prior notification”, i.e. the mast was approved in principle but the Council could object to the design or siting. A previous prior approval had been granted for a taller mast on this site but the file indicated that planning issues had not been taken into account when this was granted. Thus officers did not consider this to be a precedent. The proposed mast was considered to be harmful to the amenity of the nearby houses and an alternative siting to the rear of the Harvester Public House opposite would be preferable. The Inspector, however, gave greater weight to the previous approval and considered the applicants had demonstrated this was likely to be the best available site. He therefore allowed the appeal.</p>
Case officer:	John Harrison   Phone: (020) 8496 6175
Ref no:	2005/0977
Location:	31 Lloyd Road, Walthamstow E17
Development:	Erection of single storey rear extension.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed

Commentary:	<p>During the appeal, the appellant submitted to the Inspectorate a revised plan showing the height reduced on the boundaries (by deleting a parapet wall) and setting the building within the site boundary.</p> <p>The Inspector considered the development to accord with the thrust of adopted policy; despite exceeding the 3 metre guideline, there was no material impact on neighbouring properties.</p> <p>The appeal was allowed subject to a condition relating to the revised plans.</p>
Case officer:	Ian Ansell   Phone: (020) 8496 6228

Ref no:	2005/1321
Location:	154 Northcote Road, Walthamstow E17
Development:	Conversion of a dwellinghouse into two self-contained flats ( 1x1 bed, 1x2bed).
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>This was an appeal relating to the conversion of a house to two flats refused by committee against officer recommendation. There were two reasons for refusal, the house being less than 105 sq metres and the conversion resulting in the loss of a family dwelling in an area of such houses which would have a detrimental impact on its character. Following the refusal it emerged that the floor area of the dwelling was just over 105 sq metres so no evidence was brought on the first objection. The Inspector considered the proposal complied with Policy HSG9 and would not lead to an over-concentration of converted accommodation detrimental to the area, especially as no neighbours had objected. The proposal would result in a marginal increase in parking requirement but considered the site well served by public transport and close to amenities. He therefore allowed the appeal.</p>
Case officer:	John Harrison   Phone: (020) 8496 6175

Ref no:	2005/0017/ENF
Location:	797 Forest Road, Walthamstow E17
Development:	Unauthorised change of use from shop (Use Class A1) to restaurant/takeaway (Use Class A3).
LBWF decision:	Enforcement
Appeal type:	Hearing
Appeal decision:	Dismissed
Commentary:	<p>This was an enforcement appeal against a change of use from retail to restaurant and takeaway use. No appeal was lodged on the ground that planning permission ought to be granted for the use, but appeals were lodged on the grounds that the steps to require compliance with the notice were excessive and a longer period for compliance was needed. The Inspector considered that the steps to achieve compliance with the notice needed to be more clearly set out in relation to what equipment had to be removed and also the period for compliance with the notice was increased from one ot three months.</p>
Case officer:	John Harrison   Phone: (020) 8496 6175