

## SUMMARY OF APPEAL DECISION RECEIVED SINCE BEGINNING OF SEPTEMBER 2007

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 Blaithin Butler on (020) 8496 6138

### APPEAL UPDATE REPORT

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Ref no:	2006/0755
Location:	Rear of 99 Bulwer Road, Leytonstone E11
Development:	Erection of two x 2 bed single storey houses.
LBWF decision:	Refused
Appeal type:	Hearing
Appeal decision:	Dismissed
Commentary:	<p>The Inspector considered the proposals would:</p> <ol style="list-style-type: none"><li>1. Be prejudicial to the long term viability of a group of preserved trees, the subject of a TPO, contrary to UDP Policy ENV22.</li><li>2. Be detrimental to the established character of the area on account of its poor quality design, contrary to Policy BHE1.</li><li>3. Provide insufficient useable private amenity space contrary to Policy PSC2.</li><li>4. Harm the living conditions of nearby residents contrary to Policy BHE3.</li></ol>

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Ref no:	2006/1219
Location:	818 High Road, Leyton E10
Development:	Change of use of retail shop (A1) to restaurant and cafe (use class A3) involving the installation of extraction and electrostatic systems at rear.
LBWF decision:	Refused

Appeal type:	Written Representations
Appeal decision:	Refused
Commentary:	<p>The Inspector noted that the proposed development would result in an over concentration of non A1 uses in this terrace of units. It would also result in three consecutive non A1 uses. Both would be contrary to policy TRL5 of the 2006 UDP.</p> <p>Although there were examples of similar groupings in the surrounding area, there was no evidence provided by the appellant to suggest that these had been granted permission under current policies.</p> <p>The Inspector was not convinced that the ducting system proposed would be sufficient to meet the requirements for an extractor at ground floor level. This was an additional justification for refusal.</p>

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Ref no:	2006/1222
Location:	21 Rochdale Road, Walthamstow E17 8JF
Development:	Retention of conversion of dwellinghouse into two self-contained flats (2 x 1 bed).
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Refused
Commentary:	<p>This appeal relates to the conversion of a house below 105 sq metres floor area to two flats. Not only was the property below the threshold for conversions, but also it resulted in a substandard kitchen. In dismissing the appeal, the Inspector considered both factors justified refusal and indicated the property could provide good accommodation for a small family and its conversion would result in an undesirable reduction in the stock of such houses.</p>

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Ref no:	2006/1074
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Location:	23 Queens Road, Leytonstone E11
Development:	Formation of room in the roof with rear dormer windows and conversion of property into 3 self-contained flats (1 x 2 bed and 2 x 1 bed).
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	<p>1. The Inspector found that the ground floor flat failed to comply with the minimum room sizes for the kitchen and living room for 4 person unit, and agreed that it would result in poor living conditions for the occupiers.</p> <p>2. The Inspector considered that the bedroom window in the first floor one bedroom flat would overlook the first and second floor flat and result in a loss of privacy to the occupiers.</p> <p>3. It was found difficult to assess whether the third flat would provide satisfactory accommodation, as the submitted plans did not include a section drawing.</p> <p>4. The Inspector agreed that the proposed rear dormer window with a clearance of 400mm and 500mm away from the party walls would result in a dormer window too large for the house and so does not accord with policy PSC5.</p>
Ref no:	2006/1618
Location:	10 Cann Hall Road, Leytonstone E11
Development:	Formation of vehicular access at front.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed

Commentary:	The Inspector felt that the development would be likely to result in vehicles parked at the site overhanging and obstructing the pavement. Although sympathetic to the applicant's personal circumstances, the Inspector did not feel that they, or any other evidence presented, outweighed the need to preserve a clear and unobstructed highway.
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Ref no:	2007/0007
Location:	Land adj 29 Acacia Road, Walthamstow E17
Development:	Erection of 1 x 2 bed dwellinghouse.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	This proposal was for the erection of a house at the end of an existing terrace. Though the plot was wide enough at the front to accommodate a dwelling, it tapered to the rear. As a consequence, the proposal was considered to be cramped development and there was inadequate provision for private amenity space. Furthermore, the design of the rear elevation did not match the rest of the terrace and was therefore incongruous and the proposal was likely to adversely affect trees in a landscaping strip in Luther King Close. Planning permission was refused for these reasons. In dismissing the appeal, the Inspector noted that the proposal would make good use of previously developed land close to public transport and schools, shops, etc. Nevertheless, she considered that the harm to the character and the appearance of the area and living conditions of the new house occupiers outweighed this.

Ref no:	2006/1637
Location:	27 Lloyd Road, Walthamstow E17
Development:	Demolition of ground floor rear extension and erection of single storey rear extension.
LBWF decision:	Refused

Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	The Planning Inspector concluded that the proposed extension would be harmful to the living conditions of occupiers of 29 Lloyd Road. He rejected the appeal on the basis of conflict with UDP policy BHE3 and guidance in Supplementary Planning Guidance Note 4.

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