

SUMMARY OF APPEAL DECISION RECEIVED SINCE BEGINNING OF JANUARY 2008

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

Ref no:	2007/0845
Location:	823-857 Lea Bridge Road, Walthamstow E17
Development:	Demolition of existing petrol station and garage buildings and residential redevelopment comprising erection of part 4 and part 5 storey building containing 43 self-contained flats - 14 x 1 bed, 28 x 2 bed and 1 x 3 bed. Provision of basement car park for 31 spaces.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed

Commentary:

The Inspector agreed with the Council's concerns that an appropriate level and mix of affordable housing would not be provided by the appeal proposal. In addition he agreed that the inclusiveness of design and accessibility in the context of lifetime homes standards and the provision of wheelchair units had not been fully achieved. He also considered that in the absence of an appropriate risk assessment and the implementation of measures to successfully treat identified contamination (in light of the use of the site as a petrol filling station) that there would be an unacceptable risk of pollution of controlled waters. On these grounds alone he dismissed the appeal. However he did not agree with the Council's other fundamental concerns about the proposed density, scale and design of the development.

On the issue of comprehensiveness of development whilst there would be clear advantages if the adjoining premises at 817 Lea Bridge Road could be combined with the appeal site the absence of a comprehensive scheme should not be a reason for dismissing the proposal. He concluded that the intensity of the development would not be excessive given the character of the area. He was satisfied that the height of the development would relate satisfactorily with adjacent development and that the scale and footprint of the scheme would not appear excessively bulky or dominant. In terms of design he considered that the contemporary design would be appropriate and would enhance the character and appearance of the area.

In relation to planning standards he considered that amenity space provision was acceptable and he recognised the additional benefits of Epping Forest reasonably close by. However he did comment that the matter of private garden space would have to be revisited in any revised scheme which might include a greater proportion of family housing. He considered that single aspect flats are commonplace in higher density schemes and that there would be adequate daylight to all units. He considered that the level of parking: 31 spaces for 43 flats would be reasonable and not lead to undue parking stress in this location. In addition he considered that highway safety would not be prejudiced by the proposed location to the basement car park.

Ref no:

2006/1431/CLE

Location:

23 Colworth Road, Leytonstone E11

Development:	Use of property as two self contained flats.
LBWF decision:	Refused
Appeal type:	Inquiry
Appeal decision:	Withdrawn
Commentary:	The appeal was withdrawn as a new application of CLRE was submitted and approved. The applicant was able to submit sufficient level of documentation to support the existence of two self contained flats at 23 Colworth Road for last four years.
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Ref no:	2007/0534
Location:	153 Grove Road, Walthamstow E17
Development:	Conversion of dwellinghouse into three self-contained flats.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>The proposal was for conversion of a dwelling into 3 self-contained flats. The application had been refused on the grounds of inadequate standard of conversion and overdevelopment of a limited site.</p> <p>The Inspector found that although some of the rooms would be substandard when assessed against Supplementary Planning Guidance Note 2 it would still provide for an acceptable standards of conversion and would not have a material impact upon the amenities of adjoining occupiers.</p>
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Ref no:	2007/1255
Location:	65 Fladgate Road, Leytonstone E11
Development:	Conversion of dwelling to three self-contained flats with rear dormer window and enlargement of existing rear single storey extension.
LBWF decision:	Refused – Committee reversed officers' recommendation.

Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>The Inspector did not feel that the development would result in unacceptable living arrangements due to the split level nature of the development.</p> <p>He felt that adequate measures could be put in place to prevent disturbance to adjacent occupiers.</p> <p>He felt that issues of layout etc were matters of personal choice and did not affect the consideration of the proposal.</p>

Ref no:	2007/1002
Location:	264 Hoe Street, Walthamstow E17
Development:	Erection of external awning to form new smoking area in the existing yard.
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>Permission was refused on the grounds that use of the shelter would cause disturbance to residents in adjoining flats due to noise and the drift of cigarette smoke, that the slope of the site made it difficult for disabled people to access the area. The Inspector concluded that given the location of the site on a busy main road, noise and general environmental conditions would not be significantly affected. The Inspector noted the gradient in the yard but did not consider this precluded use by disabled customers.</p>

Ref no:	2007/0124
Location:	Beaumont Arms, 31 Beaumont Road, Leyton E10
Development:	Development of existing building and erection of 4 storey building comprising 7 x 2 bed and 3 x 1 bed flats including provision of 5 car parking spaces on ground floor.

LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Dismissed
Commentary:	The Planning Inspector agreed with the Council's view that the site should be considered in conjunction with the adjacent former car park site. He concluded that both sites should be redeveloped comprehensively and in the context of the wider regeneration of the Beaumont Road Estate. This is supported by the fact that both sites are owned by the Housing Trust. The Inspector also concluded that the detailed design of the scheme did not encourage informal supervision of car parking areas, thereby increasing opportunities for crime.
Ref no:	2007/0958
Location:	24 Fladgate Road, Leytonstone E11
Development:	Erection of part single, part two storey rear extension and loft conversion with rear dormer window. Conversion of dwellinghouse into three self-contained flats (1 x 2 bed, 2 x 1 bed).
LBWF decision:	Refused
Appeal type:	Written Representations
Appeal decision:	Allowed
Commentary:	<p>The Inspector felt that the imposition of conditions requiring sound insulation and the provision of a refuse bin store would be sufficient to ensure that the development would not have a detrimental impact on the amenities of future occupiers, or on the character of the site.</p> <p>He also felt that the dormer window would be acceptable given that it would be shielded by the two storey rear wing of the property.</p>