

7 December 2017		ITEM: 6
Planning Committee		
Planning Appeals		
Wards and communities affected: All	Key Decision: Not Applicable	
Report of: Leigh Nicholson, Development Management Team Leader		
Accountable Assistant Director: Andy Millard, Assistant Director – Planning, Transport and Public Protection.		
Accountable Director: Steve Cox, Director of Place		

Executive Summary

This report provides Members with information with regard to planning appeal performance.

1.0 Recommendation(s)

1.1 To note the report

2.0 Introduction and Background

2.1 This report advises the Committee of the number of appeals that have been lodged and the number of decisions that have been received in respect of planning appeals, together with dates of forthcoming inquiries and hearings.

3.0 Appeals Lodged:

3.1 Application No: 17/00874/HHA

Location: 11 King George Vi Avenue, East Tilbury

Proposal: Two storey side extension with front porch and new style of windows to existing house and extension.

3.2 Application No: 17/00577/HHA

Location: Dame Elyns, Stanford Road, Stanford Le Hope

Proposal: Demolition of existing lean buildings adjoining house and erection of single storey extension infill between existing house and outbuilding

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 **Application No:** 17/00177/HHA
Location: Hollywood, Southend Road

Proposal: First floor extension with hipped roof extension to rear. Single storey rear extension to replace existing rear extension and conservatory.

Decision: **Appeal Dismissed**

4.1.2 The Inspector considered the main issues to be:

- I. Whether the proposal constitutes inappropriate development in the Green Belt;
- II. Its effect on the openness of the Green Belt and on the character and appearance of the local area; and
- III. If it is inappropriate development, whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations, amounting to the very special circumstances required to justify the proposal.

4.1.3 In relation to (I), the Inspector took the view that the proposal would amount to a disproportionate addition over and above the size of the original building. The Inspector concluded on this point that the extension would constitute inappropriate development in the Green Belt and conflict with CS Policy PMD6 and the NPPF.

4.1.4 In relation to (II), the Inspector found the extension to be generally well designed and did not find particular concern over the impact on the character and appearance of the area.

4.1.5 In relation to (III) the Inspector considered the applicants case (which focused on their desire to improve their home) but found that these factors were not sufficient to clearly outweigh the harm that would be caused to the Green Belt.

4.1.6 The full appeal decision can be found online.

4.2 **Application No:** 17/00128/FUL
Location: 15 Giffords Cross Avenue, Corringham

Proposal: Change of use of land to residential curtilage and retention of resited boundary fencing [Retrospective]

Decision: Appeal Dismissed

- 4.2.1 The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area.
- 4.2.2 The Inspector took the view that the relocation of the fence outwards towards the road, leaving a grass verge of only 1.3m wide would represent a serious encroachment into the grass verge and would cause significant harm to the spacious appearance of the road.
- 4.2.3 The Inspector observed that the character of the Frost Estate has been eroded in places however he concluded that the scheme was both harmful in isolation and would set a precedent for other similar schemes that would further erode the open spacious character of the original estate.
- 4.2.4 The full appeal decision can be found online.

5.0 Forthcoming public inquiry and hearing dates:

- 5.1 The following inquiry and hearing dates have been arranged:
- 5.2 None.

6.0 APPEAL PERFORMANCE:

- 6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	2	2	6	5	8	1	0	2					26
No Allowed	0	2	4	1	0	0	0	0					7
% Allowed													27%

7.0 Consultation (including overview and scrutiny, if applicable)

- 7.1 N/A

8.0 Impact on corporate policies, priorities, performance and community impact

- 8.1 This report is for information only.

9.0 Implications

9.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

There are no direct financial implications to this report.

9.2 Legal

Implications verified by: **Vivien Williams**
Principal Regeneration Solicitor

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry.

Most often, particularly following an inquiry, the parties involved will seek to recover from the other side their costs incurred in pursuing the appeal (known as 'an order as to costs' or 'award of costs').

9.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

There are no direct diversity implications to this report.

9.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

10. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: www.thurrock.gov.uk/planning. The planning enforcement files are not public documents and should not be disclosed to the public.

11. Appendices to the report

- None

Report Author:

Leigh Nicholson
Development Management Team Leader