

<b>18 October 2018</b>		<b>ITEM: 6</b>
<b>Planning Committee</b>		
<b>Planning Appeals</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable	
<b>Report of:</b> Leigh Nicholson, Strategic Lead - Development Services		
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director – Planning, Transportation and Public Protection.		
<b>Accountable Director:</b> Steve Cox, Corporate Director - 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: 18/00606/HHA**

Location: Woodside, Kirkham Road, Horndon On The Hill

Proposal: New pitched roof over existing single storey rear extension and loft conversion incorporating rear dormer windows and roof lights.

#### **3.2 Application No: 18/00735/HHA**

Location: 68 Chestnut Avenue, Grays

- Proposal: Single storey rear extension and roof extensions following demolition of existing conservatory.
- 3.3 Application No: 17/00818/FUL**
- Location: Land Adjacent 94 Fobbing Road, Corringham
- Proposal: Proposed footpath/paving, low level walls, shed, temporary caravan and temporary hard standing
- 3.4 Application No: 18/00186/CV**
- Location: Hazelmere, Orsett Road, Horndon On The Hill
- Proposal: Application for the variation of condition no 8 (Removal of Permitted Development Rights) of planning permission ref 17/00402/FUL(Demolition of existing garage and out building, construction of new dwelling)
- 3.5 Application No: 18/00005/FUL**
- Location: 3 Lenthall Avenue, Grays
- Proposal: Proposed Two-Bedroom House at the Land Adjacent to 3 Lenthall Avenue
- 3.6 Application No: 18/00474/OUT**
- Location: Hill Cottages, Stifford Hill, North Stifford
- Proposal: Replace existing building with new single storey bungalow to rear of plot to exact footprint and size of existing building. Sharing existing access and dividing wall to separate plots.
- 3.7 Application No: 18/00316/FUL**
- Location: Montrose, 168 Branksome Avenue, Stanford Le Hope
- Proposal: Demolition of the existing bungalow and the construction of 7 new dwellings
- 3.8 Application No: 18/00177/FUL**
- Location: 122A Bridge Road, Grays

Proposal: Retrospective consent for the change of use from a garage to a residential property

**3.9 Application No: 17/01593/FUL**

Location: 25 Dawley Green, South Ockendon

Proposal: Erection of a new dwelling in the garden of 25 Dawley Green, South Ockendon, Thurrock

**4.0 Appeals Decisions:**

The following appeal decisions have been received:

**4.1 Application No: 17/00976/CLEUD**

Location: 41 Leicester Road, Tilbury

Proposal: Retention of the house as two separate flats.

**Decision: Appeal Dismissed**

The Inspector took the view that the evidence submitted by the applicant failed to demonstrate the living arrangements or the pattern and nature of the occupancy of the property necessary to satisfy the relevant tests to deem the use lawful. The inspector accordingly dismissed the appeal.

Since the appeal, a planning application (ref 18/01428/FUL) has been submitted seeking planning permission for the conversion of the single dwelling to 2 flats.

The full appeal decision can be found online.

**4.2 Application No: 18/00416/HHA**

Location: 1 Tudor Avenue, Stanford Le Hope

Proposal: Erection of two storey part single storey side extension.

**Decision: Appeal Allowed**

The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the surrounding area and pedestrian and highway safety.

The Inspector took into account the plans and the materials to be used and found that the proposal would not have a harmful effect on the character of

the area. The Inspector found there to be sufficient distance between the footway and the extended property to retain a spacious appearance.

The Inspector noted that the applicant had removed gates and lowered the height of fencing to the front of the property from earlier iterations of the proposal and accordingly found the proposal to have an acceptable impact on pedestrian and highway safety.

The full appeal decision can be found online.

**5.0 Forthcoming public inquiry and hearing dates:**

**5.1 Application No: 17/00390/CUSE - 17/00076/CLEUD**

Location: Hovels Farm, Vange Park Road

Proposal: Unauthorised use of the land.

Dates: 13<sup>th</sup> November 2018

**5.2 Application No: 16/01512/FUL**

Location: Land Adjacent Astons Villa and Appletons, Brentwood Road, Bulphan

Proposal: Change of use of land to residential use for Romani Gypsy family and stationing of one caravan and one camper van for residential occupation with ancillary works comprising modified access and area of hardstanding.

Dates: To be confirmed.

**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	5	0	4	2	0	2							13
No Allowed	0	0	0	1	0	1							2
% Allowed													15.3%

**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: **Laura Last**  
**Management Accountant**

There are no direct financial implications to this report.

### **9.2 Legal**

Implications verified by: **Benita Edwards**  
**Interim Deputy Head of Law (Regeneration)**  
**and Deputy Monitoring Officer**

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: **Natalie Warren**  
**Strategic Lead Community Development**  
**and Equalities**

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](http://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