

7 January 2021		ITEM: 6
Planning Committee		
Planning Appeals		
Wards and communities affected: All	Key Decision: Not Applicable	
Report of: Jonathan Keen, Interim Strategic Lead - Development Services		
Accountable Assistant Director: Leigh Nicholson, Assistant Director – Planning, Transportation and Public Protection.		
Accountable Director: Andy Millard, 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:** 20/00848/FUL

Location: 37 Sanderling Close, East Tilbury

Proposal: Change of use from landscape setting to residential curtilage and erection of 1.8m high fence.

3.2 **Application No:** 20/00595/HHA

Location: Lilly Cottage, Kirkham Shaw, Horndon On The Hill

- Proposal: Demolition of existing conservatory and erection of single storey side and rear extensions with rooflights
- 3.3 Application No: 20/00600/HHA**
- Location: 15 Alfred Road, Aveley
- Proposal: Single storey side extension
- 3.4 Application No: 20/00123/HHA**
- Location: 225 Princess Margaret Road, East Tilbury
- Proposal: (Retrospective) Erection of front and side wall with railings and gates.
- 3.5 Application No: 20/00490/HHA**
- Location: 6 Nutberry Close, Grays
- Proposal: Single storey rear extension with three roof lights.
- 3.6 Application No: 20/00813/HHA**
- Location: Martins Cottages, Church Lane, Bulphan
- Proposal: Two storey rear extension, alterations to windows and front canopy
- 3.7 Application No: 19/01229/OUT**
- Location: Sable House, Horndon Road, Horndon On The Hill
- Proposal: Outline Planning Application (All Matters Reserved) for the erection of a two bedroom bungalow
- 3.8 Application No: 20/00452/HHA**
- Location: 12 Balmoral Avenue, Corringham
- Proposal: Single storey rear extension
- 3.9 Application No: 20/00396/HHA**
- Location: 194 Southend Road, Stanford Le Hope

Proposal: Two storey side extension and enclosed lobby area to main entrance with roof lantern

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 19/01390/FUL

Location: The Bungalow, Bells Hill Road, Vange

Proposal: New 2 bedroom dwellinghouse

Appeal Decision: Appeal Dismissed

4.1.1 The Inspector considered the main issues to be whether the proposal constituted inappropriate development, and if so whether the case of very special circumstances overcame the harm in principle and any actual harm to the Green Belt.

4.1.2 The Inspector noted the site lay outside of any residential areas or established residential frontage and was therefore inappropriate development by definition.

4.1.3 It was found that no very special circumstances had been put forward to overcome the harm to the Green Belt and accordingly the appeal was dismissed as being contrary to Policies PMD6 and CSSP4 of the Core Strategy and the NPPF.

4.1.4 The full appeal decision can be found online.

4.2 Application No: 19/01565/FUL

Location: 97 Sabina Road, Chadwell St Mary

Proposal: Development of a 3-bedroom residential dwelling house adjoining an existing, 2-bedroom residential unit on the land known as 97 Sabina Road, Chadwell St. Mary

Appeal Decision: Appeal Dismissed

4.2.1 The Inspector considered the appeal on the basis of: i) the effect of the proposed dwelling on the character of the area and on the street scene; ii) its effect on the living conditions of adjoining occupiers (the host dwelling, No.97); iii) the adequacy of the amenity space proposed for the new and host

dwelling; and iv) the adequacy of the vehicular access and provision for parking cars, and highway safety.

4.2.2 In relation to i) the Inspector found that the proposed house would sit awkwardly on its site, and that its massing and appearance would be incongruous in its context. Added to this is the fact that the proposal would reduce the openness that is a characteristic at the end of terraces. Thus the proposal was considered to be detrimental to the character of the area and the street scene, and failed to accord with the requirements of Policy PMD2 of the Core Strategy and Policies for the Management of Development (2015).

4.2.3 In relation to matters ii – iv there was not found to be such harm as to warrant refusal on these grounds.

4.2.4 The full appeal decision can be found online.

5.0 APPEAL PERFORMANCE:

5.1 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	4	5	4	7	0	4	3	0				32
No Allowed	1	0	2	2	0	0	3	1	0				9
% Allowed	20.00%	0%	40.00%	50.00%	0%	0%	75.00%	33.33%	0%				28.13%

6.0 Consultation (including overview and scrutiny, if applicable)

6.1 N/A

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

7.1 This report is for information only.

8.0 Implications

8.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no direct financial implications to this report.

8.2 Legal

Implications verified by: **Tim Hallam**
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').

8.3 Diversity and Equality

Implications verified by: **Natalie Smith**
Strategic Lead Community Development and Equalities

There are no direct diversity implications to this report.

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

None.

9.0. 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.

10. Appendices to the report

- None