

20th April 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 Head of Service: Andy Millard, Head of Planning and Growth		
Accountable Director: Steve Cox, Director of Environment and 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:** 16/01226/HHA

Location: 68 River View, Chadwell St Mary

Proposal: Drop kerb to front of property.

3.2 Application No: 16/01469/HHA

Location: 23 Manor Road, Stanford Le Hope

Proposal: First floor extension to side elevation, new timber frame. construction to existing front and rear dormers. Lantern installed to existing kitchen flat roof

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 15/01510/FUL

Location: 30 Whitehall Road, Grays

Proposal: Demolition of existing dilapidated garages at the rear of 30 Whitehall Road and construction of 2 No 2 bedroom dwellings

Decision: Appeal Allowed

Summary of decision:

4.1.1 The Inspector considered the main issues to be the effect of the dwellings on (a) the character and appearance of the area and (b) the living conditions of existing occupiers with particular regard to daylight and sunlight and the garden area of No.30 Whitehall.

4.1.2 In relation to (a), the Inspector did not agree with the Council and found that the roof design would not harm the character and appearance of the area.

4.1.3 In relation to (b) the Inspector gave significant weight to a daylight and sunlight report prepared by the appellant and concluded that the proposal would not have a harmful effect on the living conditions of existing occupiers. The Inspector consequently allowed the appeal.

4.1.4 The full appeal decision can be found [here](#)

4.2 Application No: 16/01270/HHA

Location: Mariner 55 Drake Road Chafford Hundred Grays

Proposal: First floor side and rear extension

Decision: Appeal Allowed

Summary of decision:

- 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 observed that the dwellings in this area do not have a uniform relationship with the street and in this context the proposal would not appear excessively dominant or obtrusive. The Inspector concluded that the proposal would not disrupt a spacious street scene and it would not conflict with the objectives of Annex 1 or CS Policies PMD1, PMD2 and CSTP22. The Inspector consequently allowed the appeal.
- 4.2.3 The full appeal decision can be found [here](#)

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	5	2	4	0	0	4	1	3	1	0	9	2	31
No Allowed	2	0	0	0	0	4	1	1	1	0	3	2	14
% Allowed													45%

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