

24th November 2016		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:** 16/00036/FUL

Location: Stables Adjacent 81 Love Lane, Aveley

Proposal: Removal of existing caravan and replacement with one bedroom mobile home for the applicant to live on site

3.2 **Application No:** 16/00057/FUL

Location: Five Acres, 66 Church Lane, Bulphan

Proposal: Retention of a 3 bedroom detached family annexe.

3.3 Application No: 16/00740/FUL

Location: Westfield, Recreation Avenue, Corringham

Proposal: Utilisation of garden shed/hobby room/garage for age dependant relative accommodation

3.4 Application No: 16/00361/FUL

Location: 6 Tennyson Avenue, Grays

Proposal: Conversion of existing 5 bedroom house to 3 one bedroom apartments

3.5 Application No: 10/00248/UNAUSE

Location: Burrows Farm, Brentwood Road, Bulphan

Proposal: Unauthorised use of land.

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1.1 Application No: 16/00333/HHA

Location: Willow Cottage, Southend Road, Corringham

Proposal: Loft conversion and the insertion of 5 roof lights within the roof plan.

Decision: Appeal Allowed

Summary of decision:

4.1.2 The Inspector considered the main issues to be:

- I. Whether the proposal would be inappropriate development in the Green Belt;
- II. The effect of the proposal on the openness of the Green Belt;
- III. Whether the harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

4.1.3 In allowing the appeal the Inspector agreed with the Council in that the development would conflict with Green Belt planning policy but found there to be no harm arising to the openness or open character of the Green Belt as a result of the proposal. The Inspector attached significant weight to their findings in that there would be no demonstrable impact upon openness.

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

4.2.1 Application No: 16/00278/HHA

Location: 32 Archates Avenue, Grays

Proposal: Two storey side/rear extension

Decision: Appeal Dismissed

Summary of decision:

4.2.2 The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area.

4.2.3 In dismissing the appeal, the Inspector considered the development would result in an extension which would dominate this particular part of the streetscene which would be out of character with the current spacious feel of the property within the site and would cause visual harm as a result.

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

4.3.1 Application No: 15/01531/TPO

Location: Land Adjacent 7 8 9, Addison Gardens, Grays

Proposal: Group 1, 5 London planes. Reduce all trees by 50% approx 17 meters and shape.

Decision: Appeal Dismissed

Summary of decision:

4.3.2 The Inspector considered the main issues to be the impact of the proposed reduction works on the character and appearance of the area and whether sufficient justification has been demonstrated for the proposed works.

4.3.3 The Inspector concluded that the trees make a strong and positive contribution to the mature and verdant landscape of the streetscape and locality. The Inspector considered the appellants case for the works but found there to be no substantive evidence to justify the work proposed. The Inspector concluded that the proposed reduction of these important trees

would result in significant harm to the character and appearance of the area and insufficient information has been provide to justify the level of works proposed.

4.3.4 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	0	0	0	0	19
No Allowed	2	0	0	0	0	4	1	1	0	0	0	0	8
% Allowed													42%

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