

24 October 2019		ITEM: 6
Planning Committee		
Planning Appeals		
Wards and communities affected: All	Key Decision: N/A	
Report of: Jonathan Keen, Interim Strategic Lead of Development Services		
Accountable Assistant Director: Leigh Nicholson, Interim Assistant Director of Planning, Transport and Public Protection.		
Accountable Director: Andy Millard, Interim 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:** 19/00794/HHA

Location: 75 Mayflower Road, Chafford Hundred, Grays

Proposal: Loft conversion with two rear and one front dormer

3.2 **Application No:** 19/00530/FUL

Location: Party Crown Direct Ltd, 61 Lampits Hill, Corringham

Proposal: Erection of a single storey bungalow to rear of No.61 with associated hardstanding and landscaping along with parking area to the front of No.61.

3.3 Application No: 18/00984/FUL

Location: Land To North East Of St Cleres Hall, Stanford Road, Stanford Le Hope

Proposal: Erection of a terrace of 4no. residential dwellings with associated hardstanding and landscaping following demolition of existing buildings

3.4 Application No: 18/00540/FUL

Location: Town Centre Car Park, King Street, Stanford Le Hope

Proposal: Construction of a mixed use development comprising 159sq.m of retail/leisure/commercial units (within classes A1, A2, A3, A4, A5 and D2) at ground floor level and 47 residential units on upper floors together with an undercroft and surface car park (comprising 56 car parking spaces), access, landscaping and associated works.

3.5 Application No: 19/00703/FUL

Location: Cladding UK Ltd, 12 London Road, Stanford Le Hope

Proposal: Demolish rear garage block, and erect proposed two storey side extension, part single part two storey rear extension to form four self contained flats consisting of two 2 bed Units and two 1 bed units along with associated cycle and bin store, landscaping and car parking.

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 18/01802/FUL

Location: Beauchamp Place, Malvern Road, Grays

Proposal: Use of land to provide 5 pitches for Gypsy / Traveller families a total of 5 mobile homes, 5 touring caravans and 1 dayroom

Decision: Appeal Allowed

4.1.1 The Inspector considered the main issues to be: the effect of the proposals on the openness of the Green Belt, and on the purposes of including land within it; the effect of the proposal on the character and appearance of the

surrounding area; the need for and supply of gypsy sites within the area; the accommodation needs and personal circumstances of the proposed occupiers of the site and whether the harm to the Green belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances.

4.1.2 The Inspector found that there was harm to the Green Belt by reason of inappropriateness, and in relation to openness and the purposes of including land in the Green Belt. She did not find there to be any undue harm to the character and appearance of the area. The need for gypsy and traveller sites carried great weight in favour of the appeal; the personal circumstances of the families and the best interests of the children were also a primary consideration.

4.1.3 On the basis of the matters put forward, the Inspector concluded the appeal should be allowed.

4.1.4 The full appeal decision can be found online.

4.2 Application No: 19/00539/FUL

Location: Fouracres, Brentwood Road, Bulphan

Proposal: Demolition of existing dwelling garage and stable and the replacement of an existing dwelling

Decision: Appeal Dismissed

4.2.1 The Inspector considered the main issues to be whether the proposal constituted inappropriate development in the Green Belt and whether the effects of the proposed development would impact the openness character of the Green Belt.

4.2.2. The Inspector commented that the proposed height would be exacerbated as the building would be a full additional storey with rooms in the roof space increasing its size and bulk close to another substantially proportioned building. It was considered the demolition of the existing buildings would offer minimal benefit in terms of reducing openness.

4.2.3 By adopting the approach from the NPPF and the Council's Local Plan Policy PMD6, the Inspector concluded that the replacement dwelling would be materially larger than the than the existing building, and original building. Furthermore, the Inspector considered the design would appear at odds and incongruous to its context and that the design would jar visually alongside the adjacent garage which has a traditional agrarian character with barn hips to the roof.

4.2.4 On this basis, the appeal application was deemed inappropriate development in the Green Belt and harmful by definition. Furthermore, the impact to the

openness of the Green Belt and the character and appearance of the immediate area was considered to give rise to additional harm. No matters were put forward to amount to very special circumstances to justify inappropriate development in the Green Belt

4.2.5 The full appeal decision can be found online.

4.3 Application No: 19/00283/HHA

Location: Raglan, Central Avenue, Stanford Le Hope

Proposal: Two storey side extension

Decision: Appeal Allowed

4.3.1 The main issue in this appeal were the effect of the proposed side extension on the character and appearance of the street scene.

4.3.2 The Inspector considered that the proposal involved a relatively modest extension within the side garden that would be set down from the host dwelling’s roof, would respect its front building line and would not be built to the full depth of the existing building. As such, it would be a typical domestic extension that would not be of disproportionate scale to the host dwelling or otherwise incongruous

4.3.3 It was considered by the inspector that the proposed side extension would not have a harmful effect on the character and appearance of the street scene. Consequently, there was found to be no conflict with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

4.3.4 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	3	7	3	1	14	5							33
No Allowed	1	0	0	0	3	0							4
% Allowed	33.33%	0%	0%	0%	21.4%	0%							12.12%

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 Warren**
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