

10 March 2016		ITEM: 6
Planning Committee		
Planning Appeals		
Report of: Leigh Nicholson, Development Management Team Leader		
Wards and communities affected: All	Key Decision: Not Applicable	
Accountable Head of Service: Andy Millard, Head of Planning and Growth		
Accountable Director: Lyn Carpenter, Chief Executive		
This report is Public		
Purpose of Report: For Information		

Executive Summary

This report provides Members with information with regard to planning appeal performance.

1. Recommendations:

1.1 That the Planning Committee note the report.

2. 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. Appeals Lodged:

3.1 Application No: 15/00510/FUL

Officer: Nick Westlake

Location: Land Part of Fiddlers Reach (Eastern Side), Wouldham Road, Grays.

Proposal: The development of a waste-wood fuelled combined heat and power station to generate heat and energy from biomass, comprising: a main building that contains the fuel reception and storage area, gasification and oxidation area, the boiler, flue gas treatment facility, stack; a building containing steam turbine and water treatment facilities, control room, and staff facilities; an auxiliary boiler house and associated stack; air cooled condenser; steam offtake pipe; and associated ancillary buildings and infrastructure including external hardstanding for vehicle manoeuvring / parking, weighbridges, an electricity substation and transformers, generators and associated diesel tank, air blast coolers, fire break water tanks and associated pumping building, cycle / motorbike store, surface water and foul drainage infrastructure, landscaping, fencing and security gates.

3.2 Application No: 15/00917/HHA

Officer: Modupeola Aleshinloye
Location: 8 Felipe Road, Chafford Hundred.
Proposal: Proposed loft conversion with rear dormer.

3.3 Application No: 15/01199/HHA

Officer: Zoe McAden
Location: 2 Marie Close, Corringham.
Proposal: Retention and completion of extension and modification to outbuilding to rear of property.

4. Appeal Decisions:

The following appeal decisions have been received:

4.1 Application No: 15/00472/HHA

Officer: Nigel Dyer
Location: 142 Hamble Lane, South Ockendon.
Proposal: Demolition of existing conservatory and construction of two storey side extension & front porch re-built.

Appeal Decision: Delegated Decision / Appeal Dismissed

Summary of decision

The Inspector considered the main issue to be the effect that the proposed development would have on the character and appearance of the surrounding area.

The Council raised no concern to the re-building of the front porch and the Inspector concurred with the Council's findings. The Inspector did however find the proposed two storey extension to be unacceptable because it would unbalance the appearance of the hipped roof terrace. The Inspector concluded that the development would be harmfully out of keeping with the existing streetscene and dismissed the appeal.

- 4.2 Application No: 15/00701/HHA**
Officer: Jackie Ford
Location: Casa Mia, 5 The Green, West Tilbury.
Proposal: Two storey side extension, shed and front porch
Appeal Decision: Delegated Decision / Appeal Dismissed

Summary of decision

The Inspector considered the main issue to be whether the proposed development would be inappropriate development in the Green Belt, and, if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The Inspector found that the host property had already been extended by the addition of '2 reasonably sized rooms' [in accordance with LDF CS Policy PMD6] and concluded that any further extension would amount to 'inappropriate development'. In accordance with the NPPF, substantial weight should be given to this factor.

The Inspector concluded that the development was unacceptable and found no very special circumstances to justify the proposal.

- 4.3 Application No: 15/00528/HHA**
Officer: Nadia Houghton
Location: Bushy Bit House, Back Lane, Purfleet.
Proposal: Single storey rear extension
Appeal Decision: Delegated Decision / Appeal Allowed

Summary of decision

The Inspector considered the main issue to be whether the disputed conditions were reasonable, necessary and relevant to the development.

In the appeal decision letter the Inspector set out his appreciation of the Council's concerns regarding the cumulative impact of extensions and its planning objectives in imposing the two disputed conditions (conditions 4 & 5). The Inspector concluded however that the effect of the conditions were disproportionate to the scale of the development permitted, and allowed the appeal.

- 4.4 Application No:** 14/01089/CLOPUD
- Officer: Jonathan Keen
- Location: Manor House Farm, Brentwood Road, Bulphan
- Proposal: Proposed outbuilding
- Appeal Decision:** Delegated Decision / Appeal Dismissed

Summary of decision

In dismissing the appeal, the Inspector found the development to fall outside of Class E because it would not be reasonably 'required' for an incidental purpose connected with the residential property. In coming to this conclusion the Inspector considered the height and position of the building, its use and floorspace and other available space within the site. In relation to the latter, the Inspector suggested that the presence of rooms contained within the large garage consented in 2009 should not be ignored and could be utilised by the applicant for the storage of his collectables, negating the considerable scale of the outbuilding proposed.

5.0 Forthcoming Public Inquiry And Hearing Dates:

5.1 The following inquiry and hearing dates have been arranged:

None

6.0 Appeal Performance:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals. The target is 31% (lower is better). This is no longer a National Performance Indicator, but it is considered that it is important to continue to monitor appeal decisions.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	0	3	1	0	9	0	0	3	0	0	1	4	21
No Allowed	0	1	0	0	5	0	0	1	0	0	0	1	8
% Allowed													38%

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**
Director of Corporate Finance and IT

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. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

- None

BACKGROUND PAPERS USED IN PREPARING THIS REPORT (include their location and identify whether any are exempt or protected by copyright):

The planning files relating to any application mentioned in this report are available from Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL. The planning enforcement files are not public documents and should not be disclosed to the public.

Appendices to This Report:

- None

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