

PLANNING COMMITTEE

Date 12 March 2024

REPORT TITLE:	Planning Appeals Update (November 2023 – February 2024)
REPORT OF:	Leigh Nicholson, Director – Place

REPORT SUMMARY

This report provides the committee with a summary of recent planning appeal decisions in the borough.

RECOMMENDATION

R1. That the Committee notes the summary of cases provided.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

1.1 The cases reported may be useful or relevant when considering future applications.

2.0 OTHER OPTIONS CONSIDERED

N/A

3.0 BACKGROUND INFORMATION

3.1 This report summarises recent appeal decisions received relating to sites in the borough. This report is regularly presented to the committee and was last reported on 21 November 2023 (summary of appeals between July and October, Item 246). Where the associated application was determined by the committee, the case is marked by a (C), though none were committee cases in the list reported this time.

4.0 APPEAL DECISIONS

4.1 The following fourteen appeal decisions were received between November and February. Out of those appeals, twelve were dismissed (85.7%) and two were allowed (14.3%).

Application No:	22/01376/HHA (NM)
Location:	14 Fryerning Lane Ingatestone Essex CM4 0DD
Proposal:	Rear facing mansard loft conversion with dormer window
Appeal Start Date:	13th April 2023
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Appeal Decision:	Appeal Allowed 19th December 2023
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The main issue is the development's effect on the character and appearance of the surrounding area, including the setting of a Grade II listed building and the Ingatestone High Street Conservation Area.

At the time of the site visit, a dormer window except a brick parapet wall was constructed. It was unclear to the Inspector whether this was permitted development. A lawful development certificate had been separately sought under application 23/00055/S192.

The Inspector did not consider that the dormer proposed was overly bulky or contrived in its design where the use of similar materials would assimilate with the existing roof. The alterations were not considered to be overly prominent and the road was identified to comprise a diverse mix of dwellings with various roof shapes and dormer windows of different sizes. Nor was it considered the dormer would affect public views into the conservation area due to its height and limited scale. Furthermore, the proximity of the development from the listed building ('Scotts', 10 Fryerning Lane) was considered to be acceptable to not result in harm to setting. The appeal was allowed subject to conditions.

Application No:	22/00980/PNCOU (NM)
Location:	Land Adjacent to Legh Cottage Horseman Side Navestock Romford
Proposal:	Prior notification Class Q for the conversion of existing agricultural storage building to one dwellinghouse.
Appeal Start Date:	31st May 2023
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Appeal Decision:	Appeal Dismissed 15th January 2024
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The main issue is whether the development is permitted by Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO').

The council provide dated aerial photographs, which the appellant provided evidence to the contrary which was considered by the Inspector as unclear. The evidence before the Inspector confirmed that the appeal building was not in situ on 28 April 2013 and therefore was constructed after this date, the building cannot have been used for agricultural purposes on or before 20 March 2013 and did not exist.

The Inspector confirms from the site visit there is no evidence the fields and surrounding area are used for agricultural purposes and at the site visit the building was used for the storage of mixed items; a tractor, logs, equipment used in association with greyhounds, an exercise machine, a trailer, an electric circular saw and various storage bins.

The Inspector concluded the conversion of the building to a dwelling cannot be permitted by the GPDO. Instead, the proposed development is that for which express planning permission is required.

Application No:	22/01300/FUL (NM)
Location:	South Lodge, Little Hyde Lane Ingatestone Essex
Proposal:	Demolition of existing house and construction of 'self-build' replacement dwelling.
Appeal Start Date:	26th July 2023
Appeal Decision:	Appeal Dismissed Costs Refused 10th January 2024

Costs:

The Inspector concluded on the costs submission that it has not been demonstrated that better communication by the Council could have avoided the need for the appeal all together or could have substantially reduced the issues to be resolved at appeal. And unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process, as described in the Planning Practice Guidance, has not been demonstrated.

Appeal:

The main issues of the appeal were:

- whether the proposal would be inappropriate development in the Green Belt having regard to relevant development plan policies and the Framework;
- the effect of the proposal on the character and appearance of the area;
- the effect of the proposal on a non-designated heritage asset; and
- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

The Inspector concluded that the development would result in inappropriate development within the Green Belt.

The Inspector reached a different decision on the impact of the development upon the character and appearance of the area by concluding that there would not be harm to the character of the area by the development proposed.

The Inspector's view was that the building has a low level of significance in terms of both its architecture and its association with The Hyde Estate. The proposed demolition of the bungalow would result in the total loss of the asset. It is therefore necessary to make a balanced judgement having regard to the significance of the asset in accordance with Policy BE16(C) of the Local Plan and paragraph 209 of the Framework.

The Inspector considered the 'other considerations' and concluded the benefits together with the other considerations would clearly outweigh the harm to the Green Belt, including the limited harm to its openness, and the harm arising from the total loss of a Non designated heritage asset of low significance. The Inspector found there to be VSC and as very special circumstances exist, the proposal would accord with the relevant development plan policies and the Framework, and planning permission should be approved unless material considerations indicate otherwise.

However, the construction of the new dwelling, together with the large ancillary outbuilding that currently benefits from a lawful development certificate, would result in a level of harm to the openness of the Green Belt that would not be justified by the very special circumstances, particularly given that in this case the very special circumstances rely heavily upon the fallback position. The Inspector found that this could not be dealt with by condition and therefore the appeal was dismissed.

Application No:	22/01633/FUL (NM)
Location:	10 St Ninians Alexander Lane Hutton Essex
Proposal:	Proposed balcony extension
Appeal Start Date:	1st August 2023
Appeal Decision:	Appeal Dismissed 27th November 2023

The main issues are: i) the effect of the development on the character and appearance of the host building and area; and ii) the effect of the proposal on the living conditions of neighbouring residents on Rayleigh Road, having regard to privacy.

Enforcement action has previously been taken at the site, against the unauthorised erection of a balcony. That matter is separate to the proposed development.

Whilst projecting balconies were identified as a common feature within the locality, the appeal proposal was considered materially different. It would introduce 1.8m high obscure glazed panels to the side elevations extending beyond the height of the roof plane, creating an awkward relationship with the roofline of the host building. The balconies would appear 'boxy' and at odds with the more subtle features on the existing elevation. It would appear unsympathetic.

The Inspector concluded that even without publicly accessible views, that does not negate the need to secure high-quality design per local and national policy and guidance. The appeal site would be conspicuous from rear gardens and amenity areas, parking and other vehicle circulation areas. It would appear visually unattractive.

In terms of overlooking and privacy, the site is within an area where mutual overlooking is a common feature. Whilst the Inspector was mindful of perceived overlooking, they considered the balcony would be erected at a similar height to the existing and would be unlikely to have a material impact beyond the existing scenario on overlooking to the rear. Overlooking to the side could be mitigated through obscure glazing to the sides and those views were predominantly towards parking areas.

Limited information was provided regarding the existing external amenity space and whether suitable space was provided and therefore limited weight was attached to the increase of quantity of external amenity space for occupants of the host dwelling.

The appeal was dismissed.

Application No:	22/01204/OUT (NM)
Location:	Land Adjacent 5 St Vincents Hamlets Weald Road South Weald Brentwood
Proposal:	Outline application for the construction of 1 no. dwelling (All matters reserved).
Appeal Start Date:	13th September 2023
Appeal Decision:	Appeal Dismissed 8th December 2023

The main issues of the appeal were:

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies,
- the effect on the character and appearance of the area, and
- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

The Inspector agreed that the ribbon of development has neither the scale or cohesion generally associated with a village. The proposal falls outside the scope of paragraph 149e since the site is not within a village.

The Inspector agreed that the site does fall within the definition of previously developed land from the outbuildings present on site. The introduction of the smallest house that would comply within the minimum space standards would increase the volume of built development and the formation of a separate curtilage is also likely to

lead to an increase in residential paraphernalia which would adversely affect the openness of the Green Belt.

The Inspector concluded there would be some harm to the character and appearance of the area. That harm would be moderate in extent, given that the site has historically been garden land and is within an established ribbon of residential development. Nevertheless, the proposal would conflict with Policy BE14 of the BLP.

The Inspector considered the VSC put forward within the appeal statement and afforded them limited weight and concluded whether considered individually or cumulatively, the harm to the Green Belt, and other harm, is not clearly outweighed by those other considerations. In consequence, the very special circumstances necessary to justify the proposal do not exist.

Application No:	18/00799/COND/3 (NM)
Location:	Bishops Gate William Hunter Way Brentwood Essex
Proposal:	Discharge of condition 6 (Details of of materials - external surfaces) of application 18/00799/FUL (Construction of building to provide 5 residential accommodation units)
Appeal Start Date:	14th September 2023
Appeal Decision:	Appeal Dismissed 2nd January 2024

The appeal's main issues were the effect of the rubber roofing material on the surrounding area's character and appearance, including the adjacent Brentwood Town Conservation Area, of which the Inspector found that as the site is immediately outside the boundary of the Conservation Area, the unsatisfactory roofing material installed had no bearing on the main qualities of the conservation area and did not harm its setting.

The Inspector considered that the roof is an important part of the overall composition, with the dark colour complementing the grey brick and light render and joinery of the block. However, the installed rubber roof, has a grainy, rippled appearance which spoils the overall development and lacks the crisp monotone appearance of zinc as installed on buildings within the vicinity, therefore fails to achieve the high quality expected.

The building, whilst located to the rear of the High Street, forms an important part of the townscape and in a prominent position of the periphery of the town centre, with the poor quality finish of the roof, detracting from the character and appearance of the surrounding area.

Paragraph 140 of the National Planning Policy Framework (revised in December 2023) warns against the quality of approved development being materially diminished due to changes made to the permitted scheme. Changes to approved details such as

materials are cited as one example of this. The proposal to retain the sub-standard roofing material falls precisely into this category. These national policy provisions are therefore a significant material consideration and count against allowing the appeal.

The roof covering in place was not approved and so those works were undertaken at risk. In any event, the possible consequences of rectifying what has been done, such as disruptions and inconvenience to residents, do not outweigh the harm caused to the locality's character and appearance, therefore, the appeal is dismissed.

Application No:	23/00273/HHA (NM)
Location:	57 Robin Hood Road Brentwood Essex CM15 9EL
Proposal:	New first floor & roof, first floor projecting front extension. Fenestration alterations.
Appeal Start Date:	28th September 2023
Appeal Decision:	Appeal Dismissed 28th November 2023

The main issue of the appeal was the effect on the character and appearance of the area.

The inspector referenced the character of the area comes from two-storey detached and semi-detached dwellings which include some Edwardian designs, but mainly includes a wide variety of designs. However, the inspector found the general form of the front elevation would not be detrimental to the character of the road.

The inspector stated that the main issue would be the developments relationship with the highway as it is set on the bend in the road and create extra prominence and found the resultant dwelling by way of its height and scale would not sit comfortably within its plot. The development would therefore be restricted in nature and create an irregular shape which would be apparent and present a cramped appearance.

Therefore, in considering the proposed development, the inspector concluded the proposal would be harmful to the character and appearance of the surrounding area, would be contrary to Policy BE14 of the Local Plan, and the NPPF.

Application No:	22/00903/OUT (M)
Location:	Ongar Garden Centre, Ongar Road, Kelvedon Hatch, Brentwood, Essex CM15 0LB
Proposal:	Demolition of the existing commercial units on site and erection of new replacement commercial buildings.
Appeal Start Date:	10th October 2023
Appeal Decision:	Appeal Dismissed 31 January 2024

The main issues are the effect of the proposed development on (a) highway safety and (b) flood risk.

In terms of preliminary matters, the Inspector for clarity considered the site location plan to be the document indicating the red outline (there were inconsistencies with other plans). Furthermore, all details shown except those relating to access are considered indicative. Finally, the Inspector has only assessed the documents submitted during the lifetime of the application, rather than any documents submitted with the second application (reference: 23/00296/OUT). This application remains pending consideration.

The main parties agree that the site constitutes previously developed land and that it is possible to ensure, given the outline nature of the proposal, that the redevelopment would not have a greater impact on the openness of the Green Belt than the existing development. Subject to suitable controls at the reserved matters stage relating to the scale and layout of new buildings, the Inspector had no reason to disagree.

In terms of highway safety, the application form indicates an uplift from 15 to 150 employees and the Inspector has assumed a maximum of 150 employees could be present on site – as there is no mechanism to control the number or whereabouts of people (i.e., the documents suggested some occasional working offsite). The Inspector raised concerns with figures quoted within the Transport Assessment in terms of trip generation for vehicles including heavy goods vehicles for the proposed development in comparison to the existing. Whilst they acknowledged that there is no evidence to suggest the existing access is unsafe, they found the supporting evidence lacking in terms of the likely effects on highway safety with the absence of details for how trips would be dispersed across the local road network and the impacts on existing road junctions. The proposal was considered contrary to local policies BE08, BE09 and BE12 and paragraph 115 of the NPPF.

In terms of flood risk, the site area exceeds 1 hectare and is predominantly within Flood Zone 1 whilst the access road and northern boundary within Flood Zone 2 near to the River Roding. The Inspector identified that a site specific flood risk assessment (FRA) is required alongside the incorporation of appropriate sustainable drainage systems (SuDS) i.e., a surface water drainage strategy. The submitted FRA was a single page concentrating on fluvial flood risk with scant references to other potential sources. It was not demonstrated that the sequential test had been reviewed or satisfied. There was also little detail on how risk would be managed or whether climate change had been considered. Indeed, the site access is within Flood Zone 2, and it is unclear whether safe access and egress would be possible in the event of a flood. Insufficient information had been provided contrary to local policies BE14, NE09 and BE05.

In terms of other matters, only moderate weight was given to economic benefits arising from the proposal given the existing garden centre provides jobs and retail services to the local community. Whilst they were aware of local opposition,

particularly in respect of the lease, that specific issue was a private matter between the relevant parties and not a material planning consideration.

Paragraph 123 of the NPPF promotes effective use of land, but as it was not demonstrated the site was under-utilised, or that it is suitable for redevelopment given the findings on the main issues, only limited weight to these benefits was given.

Only moderate weight was given to the delivery of ecological benefits i.e. improved landscaping and habitats areas for various species, including any biodiversity net gain. These could be secured through condition and the reserved matters stage. Little weight was given to the potential for the new buildings to be more aesthetically pleasing as the details had not been secured given the outline nature of the proposal.

Consequently, the appeal was dismissed.

Application No: 21/02125/FUL (M)
Location: Land at Spital Lane, Brentwood, Essex
Proposal: Erection of 12 affordable apartments, including new vehicular access and associated parking and landscaping.

Appeal Start Date: 3 October 2023

Appeal Decision: Appeal Dismissed 12 February 2024

The site is in the green belt and the Inspector considered that the proposal was inappropriate development in the green belt and therefore reliant on very special circumstances. He also stated that the development would cause harm to the openness of the green belt.

In considering the survey information provided by the appellant he saw that it indicated some level of local need for affordable housing, though it had gaps and weaknesses and was further compromised by a very low (10%) response rate. Nonetheless, he took the view that the need for affordable housing in South Weald had been adequately demonstrated and that it was related to the scale of the proposal. He considered that the proposal did not fall with the NPPFs definition of 'community led' and that such a development would rarely if ever be applicable to the green belt. He was not persuaded by the appellants claim that the Council will fail to meet its targets for affordable housing provision set out in the development plan and noted that some of the allocated sites in South Weald ward are expected to provide affordable housing.

In paragraphs 21 and 22 he made a similar statement to those often made in officer reports concerning green belt:

"21. However, NPPF paragraph 153 makes it clear that, for 'very special circumstances' to exist, the combined weight of the harms to the GB must be clearly outweighed by other considerations. In other words, for inappropriate

development to be permitted in the green belt it is necessary for the benefits of the scheme to be shown to outweigh the harm, not merely on balance, but 'clearly'.

22. In the present case, despite the significant benefits that would arise from the provision of affordable housing, I find that the harm to the GB, with the substantial weight that such harm must carry, is not clearly outweighed. The necessary 'very special circumstances' have therefore not been demonstrated."

He finished by concluding that in the absence of very special circumstances, the proposed scheme clearly conflicts with Policy MG02, and therefore with the development plan as a whole. The appeal was dismissed.

Application No: 21/01793/FUL (NM)
Location: Stable Field, Doddinghurst Road, Pilgrims Hatch
CM15 0SG
Proposal: temporary planning permission for the siting of a
mobile
home for a period of three years..

Appeal Start Date: 18 April 2023

Appeal Decision: Appeal Dismissed 16 November 2023

Application No: 23/00391/FUL (NM)
Location: 240 Hatch Road, Pilgrims Hatch, Essex CM15 9QR
Proposal: demolition of existing dwelling and outbuildings,
removal of containers and hardstanding and the
construction of 4 new residential dwellings.

Appeal Start Date: 30 October 2023

Appeal Decision: Appeal Dismissed 15 February 2024

The main issues of the appeal were:

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
- the effect of the proposal on the openness of the Green Belt;
- the effect on the character and appearance of the area; and
- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

The Inspector set out that whilst it was agreed between the Council and appellant that plots 1 and 2 (dwellings fronting Hatch Road) would constitute 'limited infilling' (para 154(e)), the appeal scheme had to be considered as a whole. Consequently, this exception would fall away. In terms of para 154 (g), the proposal relates to previously developed land but even were the Inspector to agree with the appellant regarding containers not being considered as temporary buildings, there would be notable increase in volume and footprint which would result in materially greater impacts upon openness in spatial terms. This would not be ameliorated by repositioning of built form. On that basis, there is conflict with local policy MG02 and very special circumstances would need to be demonstrated.

Whilst it was accepted that the removal of current hardstanding and shipping containers, which the Inspector regarded as temporary buildings, would be beneficial to openness, they ascribed limited weight as the containers were not permanent structures. In terms of the historical function of the site (commercial use), it was accepted the impact would be comparable when considering all aspects including general paraphernalia associated with the use, but this was a neutral consideration.

In pure design terms, the inspector considered the style and appearance of the dwellings was acceptable. However, plots 3 and 4 would constitute backland development which conflicts with the prevailing pattern of homes in the area. Most backland development comprises ancillary residential outbuildings or commercial uses. These were identified as organically arising from long rear gardens or not formed as a new housing development. Therefore, the proposal would conflict with policies NE07 and BE14.

The harm to the Green Belt was not clearly outweighed by the considerations identified. Furthermore, paragraph 11(d)(i) of the Framework was not considered to be engaged due to the conflict with Green Belt policies within the Framework.

Consequently, the appeal was dismissed.

Application No: 22/01395/FUL (NM)

Location: 7A Hallsford Bridge Industrial Estate, Ongar Road,
Stondon Massey, Ongar, Essex CM5 9RB

Proposal: Removal of condition 6 (vehicle charging) from
permission for Change of temporary planning
permission (20/01144/FUL) to permanent Change of
Use from motor vehicle parking to motor vehicle
parking and storage of empty skips.

Appeal Start Date: 14 November 2023

Appeal Decision: Appeal Allowed 14 February 2024

The main issue is whether the condition is reasonable or necessary in the interests of maximising the use of electric and low emission vehicles. The application primarily concerns the application of local policy BE11 (Electric and Low Emission Vehicles).

The appeal site comprises a compound located on the opposite of the appellants main offices and depot. Permission was granted on a permanent basis following a temporary use. The appellant did not consider that a condition for electric vehicle parking within the compound would be reasonable due to a lack of electricity supply. However, the Inspector considered that a condition for electric vehicle charging within the office and depot car park would be possible.

As the proposal would lead to a potential increase in the intensity of the appellant's operations, with a commensurate increase in the number of employees and visitors, they considered it would be feasible to provide at least a charging point on the main site.

The Inspector concluded therefore that whilst it was not reasonable or necessary to include a condition with regard to vehicles used in the operation of the site (the compound), including commercial vehicles or HGVs, the maximising of charging facilities for staff and visitors of the main site (which falls within the blue line) would be acceptable.

Condition 6 was therefore replaced with a condition to this effect. The planning permission was varied and the appeal was allowed.

Application No:	22/01420/PADD (NM)
Location:	Wingrave Court, Wingrave Crescent, Brentwood, Essex CM14 5PB
Proposal:	erection of an additional floor on an existing 3 storey block of flats.
Appeal Start Date:	8 November 2023

Appeal Decision:	Appeal Dismissed 15 February 2024
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This appeal relates to an application under paragraph A.2 of Part 20, Class A of the General Permitted Development Order which requires the prior approval of the local planning authority. The main issues concern the external appearance of the building (paragraph A.2(1)(e)) and impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light (paragraph A.2(1)(g)).

The Inspector did not share the Councils concern regarding the location of a bicycle store and whether this would be on land forward of a wall fronting a highway as it only addresses a minor, or internal, access (paragraph A.1(n)(iii)).

Wingrave Court comprises a detached three-storey block of nine flats. It is set within a small estate of C20 homes which include two and three-storey terraced houses and four-storey detached flat blocks. Wingrave Court is the only flat block of three floors. Therefore, the Inspector considered that the increased height would not appear at-odds with the character of the wider estate.

However, the roof form (mansard roof and protruding dormers) was considered to be markedly different and quite jarring in this context. The form would not harmonise with the distinct and simple vernacular of the existing building, nor read well with the other roof forms of other flat blacks nearby or pitched roofs of terrace homes. For these reasons, the proposal would fundamentally alter the architectural composition of the building.

Despite the increased height, the Inspector did not consider this would be dominating insofar as it relates to the occupants of nearby premises' living conditions. There is ample space surrounding the building and the supporting Daylight and Sunlight Report confirms little overshadowing would occur. Nor would the windows result in a material increase of overlooking.

Whilst the Inspector considered locally expressed concerns, these did not lead them to a different overall conclusion. The appeal was therefore dismissed.

Application No:	23/00102/FUL (NM)
Location:	Stonywood, Mill Lane, Fryerning, Essex CM4 0HU
Proposal:	erection of a new dwelling. Amended scheme to include a basement.'
Appeal Start Date:	5 October 2023
Appeal Decision:	Appeal Dismissed 21 February 2024

The main issues of the appeal were:

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
- the effect of the proposal on the openness of the Green Belt; and
- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Within the appellants statement, they refer to the term 'disproportionate' and the Inspector gave consideration to exception para 154 (c) which relates to extensions or alterations provided they do not result in disproportionate additions over and above the size of the original building. This is a matter of planning judgement.

Whilst the proposal is for a new dwelling, it essentially forms an amendment to a previous permission – that change being the addition of a basement. The enlargement was considered to add approximately 177.5sqm of floor area, the full footprint of the dwelling with rear sunken courtyard to provide a lightwell to the basement rooms.

The extent of physical built development is a question of fact whether considering the original (now demolished dwelling) or recently approved scheme as the baseline. There would be a significant uplift in floorspace.

The Inspector also considered exception para 154(d) concerning replacement buildings provided they are with the same use and not materially larger than the one they are replacing. The uplift of the floorspace would be materially larger than the one it replaces.

When considering openness, the Inspector considered there were some glimpsed views from Mill Lane and private vantage points and that the openness of the Green Belt was readily apparent in this location. Despite the basement itself not visible, it would result in additional built form which does not presently exist. It would inevitably lead to a physical loss of openness, albeit to a limited extent.

Other considerations, including other examples nearby, were considered neutral in the determination of the appeal and afforded them limited weight. The appellants fallback position was also afforded limited weight.

The harm identified was not clearly outweighed by other considerations. It would therefore not accord with local policy MG02 or the Framework. The appeal was dismissed.

5.0 FINANCIAL IMPLICATIONS

Name & Title: Tim Willis, Director – Resources (and Section 151 Officer)

Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk

5.1 There are no financial implications arising from this report. The cost of defending appeals is covered by the Development Management budget. Lost appeals can result in additional financial implications if costs are awarded, for instance. This is projected and considered when setting the budget.

6.0 LEGAL IMPLICATIONS

Name & Title: Claire Mayhew, Acting Joint Director – People & Governance (and Monitoring Officer)

Tel & Email 01277 312500 / Claire.mayhew@brentwood.rochford.gov.uk

6.1 There are no legal implications arising from this report.

7.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

7.1 None

8.0 RELEVANT RISKS

8.1 None

9.0 ENGAGEMENT/CONSULTATION

9.1 Formal consultation takes place as part of individual planning applications.

10.0 EQUALITY & HEALTH IMPLICATIONS

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health

Tel & Email: 01277 312500 / kim.anderson@brentwood.gov.uk

10.1 There are no equality & health implications arising from this report. Health impact assessments may be required for individual planning applications.

11.0 ECONOMIC AND CLIMATE IMPLICATIONS

Name & Title: Leigh Nicholson, Interim Director - Place

Tel & Email: 01277 312500 /

Leigh.nicholson@brentwood.rochford.gov.uk

11.1 There are no direct economic implications arising from the report. Individual development schemes subject to the appeals process may deliver local economic benefits.

REPORT AUTHOR:

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APPENDICES

None

BACKGROUND PAPERS

The application documents and the appeal decisions are available to view on the Council's website at www.brentwood.gov.uk/planning and via Public Access.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Planning Committee, Item 246, 'Planning Appeals Update (December 2022 – February 2023)'	21/11/2023
Planning Committee, Item 319, 'Planning Appeals Update (September – December 2022)'	17/01/2023
Planning Committee, Item 164, 'Planning Appeals Update (June – August 2022)'	29/09/2022
Planning Committee, Item 60, 'Planning Appeals Update (February – May 2022)'	28/06/2022
Planning and Licensing Committee, Item 294, 'Planning Appeals Update (December 2021 – January 2022)'	22/02/2022
Planning and Licensing Committee, Item 253, 'Planning Appeals Update (July – November 2021)'	15/12/2021
Planning and Licensing Committee, Item 90, 'Planning Appeals Update (February – July 2021)'	27/07/2021