

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	11 November 2015	AGENDA ITEM:	5
TITLE:	PLANNING APPEALS		
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1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

3. INFORMATION PROVIDED

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision

reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. EQUALITY IMPACT ASSESSMENT

6.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. FINANCIAL IMPLICATIONS

8.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 "Cost Awards in Appeals and other Planning Proceedings".

9. BACKGROUND PAPERS

9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: THAMES
APPEAL NO: APP/E0345/X/15/3134833
CASE NO: 140831
ADDRESS: Chiltern College School, 14A - 16 Peppard Road
PROPOSAL: Certificate of lawfulness for existing use as a private day school
CASE OFFICER: Richard Eatough
METHOD: Public Inquiry
APPEAL TYPE: Refusal to grant a Certificate of Lawful Use for the above land to be used as a school
APPEAL LODGED: 30.09.2015

WARD: BATTLE
APPEAL NO: APP/E0345/W/15/3132720
CASE NO: 151076
ADDRESS: 1A Elm Park Road
PROPOSAL: Change of Use from mixed use B1(a) B1(c) and B8 to C3 and conversion of building to create 4 x 2 bedroomed flats and 2 x 1 bedroomed flats
CASE OFFICER: Stephen Vigar
METHOD: Written Representations
APPEAL TYPE: Refusal of Planning Permission
APPEAL LODGED: 05.10.2015

WARD: PEPPARD
APPEAL NO: APP/E0345/W/15/3130890
CASE NO: 141868
ADDRESS: 11 Blackwater Close
PROPOSAL: Outline application for the erection of additional 1-bedroom self-contained dwelling house (access, appearance, layout and scale) (resubmission of 140476/OUT)
CASE OFFICER: Matthew Burns
METHOD: Written Representations
APPEAL TYPE: Refusal of Planning Permission
APPEAL LODGED: 20.10.2015

APPENDIX 2

Appeals Decided:

WARD: THAMES
APPEAL NO: APP/E0345/X/15/3134833
CASE NO: 140831
ADDRESS: Chiltern College School, 14A - 16 Peppard Road
PROPOSAL: Certificate of lawfulness for existing use as a private day school
CASE OFFICER: Richard Eatough
METHOD: Public Inquiry
DECISION: WITHDRAWN
DATE DETERMINED: 07.10.2015

WARD: ABBEY
APPEAL NO: APP/E0345/W/15/3005377
CASE NO: 141698
ADDRESS: 51 Watlington Street
PROPOSAL: Single storey rear extension and addition of a 2nd floor
CASE OFFICER: Richard Eatough
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 19.10.2015

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

No reports available this time.