

# READING BOROUGH COUNCIL

## REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

|            |                                 |              |                               |
|------------|---------------------------------|--------------|-------------------------------|
| TO:        | PLANNING APPLICATIONS COMMITTEE |              |                               |
| DATE:      | 29 June 2016                    | AGENDA ITEM: | 5                             |
| TITLE:     | PLANNING APPEALS                |              |                               |
| AUTHOR:    | Kiaran Roughan                  | TEL:         | 0118 9374530                  |
| JOB TITLE: | Planning Manager                | E-MAIL:      | Kiaran.roughan@reading.gov.uk |

### 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: REDLANDS  
APPEAL NO: APP/E0345/W/16/3149280  
CASE NO: 152138  
ADDRESS: Wells Hall, Upper Redlands Road  
PROPOSAL: Application for approval of reserved matters (Appearance and appearance only) relating to Plots 23,24,25 and 26 following outline approval 12/01008/OUT (121820) as varied by permission 140858/VAR  
CASE OFFICER: Stephen Vigar  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 26.05.2016

WARD: KATESGROVE  
APPEAL NO: APP/E0345/D/16/3150501  
CASE NO: 160171  
ADDRESS: 121 Highgrove Street  
PROPOSAL: Part two storey and part single storey rear extension with loft conversion and internal alterations  
CASE OFFICER: Claire Ringwood  
METHOD: Householder Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 27.05.2016

WARD: MINSTER  
APPEAL NO: APP/E0345/D/16/3151293  
CASE NO: 160319  
ADDRESS: Sunwood Field Road  
PROPOSAL: Hip to gable roof extension to include rear pitched roof dormer window and single storey rear extension.  
CASE OFFICER: Claire Ringwood  
METHOD: Householder Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 08.06.2016

## APPENDIX 2

### Appeals Decided:

WARD: CAVERSHAM  
APPEAL NO: APP/E0345/W/16/3141701  
CASE NO: 150625  
ADDRESS: Land to rear of 47 Hemdean Road  
PROPOSAL: Proposed conversion and part demolition of storage building to form single new dwelling, incorporating 0.9m increase in ridge height.  
CASE OFFICER: Matthew Burns  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 20.05.2016

WARD: ABBEY  
APPEAL NO: APP/E0345/W/C/15/3137299  
CASE NO: CB/003017/sr  
ADDRESS: Land and building at 141 Cardiff Road  
PROPOSAL: The breach of planning control as alleged in the notice is without planning permission the change of use from a B2 (Industrial) Use to a place of religious worship  
CASE OFFICER: Jonathan Markwell  
METHOD: Written Representation  
DECISION: DISMISSED - ENFORCEMENT NOTICE UPHELD  
DATE DETERMINED: 08.06.2016

WARD: ABBEY  
APPEAL NO: APP/E0345/W/C/15/3138913  
CASE NO: CB/003017/sr  
ADDRESS: Land and building at 141 Cardiff Road  
PROPOSAL: The breach of planning control as alleged in the notice is without planning permission the change of use from a B2 (Industrial) Use to a place of religious worship  
CASE OFFICER: Jonathan Markwell  
METHOD: Written Representation  
DECISION: DISMISSED - ENFORCEMENT NOTICE UPHELD  
DATE DETERMINED: 08.06.2016

WARD: ABBEY  
APPEAL NO: APP/E0345/W/C/15/3138914 & 3138915  
CASE NO: CB/003017/sr  
ADDRESS: Land and building at 141 Cardiff Road  
PROPOSAL: Time given to comply with the enforcement notice is too short  
CASE OFFICER: Jonathan Markwell  
METHOD: Written Representation  
DECISION: VARIED FROM THREE MONTHS TO NINE MONTHS- ENFORCEMENT NOTICE UPHEAD  
DATE DETERMINED: 08.06.2016

### APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

- Land and Building at 141 Cardiff Road, Reading