

PLANNING COMMITTEE

29 APRIL 2015

REPORT ON APPEAL DECISIONS JANUARY TO MARCH 2015

Report from: Robin Cooper, Director of Regeneration, Community and Culture

Author: Dave Harris, Head of Planning

Summary

This report informs Members of appeal decisions. The summary of appeal decisions is listed by ward in Appendix A.

A total of 14 appeal decisions were received during January to March 2015, of which 2 were allowed, 9 were dismissed, 2 Enforcement Notices were upheld with variations and one was quashed.

A summary of appeal cost decision summaries is set out in Appendix B and overall information on appeal costs is set out in Appendix C.

1. Budget and Policy Framework

1.1 This is a matter for the Planning Committee.

2. Background

2.1 When a planning application is refused, the applicant has the right to appeal. The timescale for lodging an appeal varies depending on whether the application relates to a householder matter, non householder matter or whether the proposal has also been the subject of an Enforcement Notice.

2.2 Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

2.3 Where the Council has taken enforcement action through the serving of an Enforcement Notice then an appeal can be lodged in relation to that. An appeal cannot be lodged though in relation to a breach of condition notice on the basis primarily that if the individual did not like the condition then they could have appealed against that at the time it was originally imposed.

2.4 The appeals are determined by Inspectors appointed by the Secretary of State and administered by the Planning Inspectorate, which informs Medway Council of the Inspector's decision.

3. Options

3.1 Not applicable.

4. Advice and analysis

4.1 Not applicable.

5. Consultation

5.1 Not applicable.

6. Financial and legal implications

6.1 An appeal may be determined after a Public Inquiry, a Hearing or written representations. It is possible for cost applications to be made either by the appellants against the Council or vice versa if it is alleged that either has acted in an unreasonable way. Powers have now been introduced for Inspectors to award costs if they feel either party has acted unreasonably irrespective of whether either party has made an application for costs.

6.2 It is possible for decisions made by Inspectors on appeal to be challenged through the courts but only if it is considered that an Inspector has erred in law, for instance by not considering a relevant issue or not following the correct procedure. A decision cannot be challenged just because an Authority does not agree with it. A successful challenge would result in an Inspector having to make the decision again in the correct fashion, e.g. by taking into account the relevant factor or following the correct procedure. This may lead ultimately to the same decision being made.

6.3 It is possible for planning inspectors to make a "split" decision, where they allow one part of an appeal but not another. This is not possible for the Council when it makes its original decision on the planning application other than for an advert application.

7. Risk Management

7.1 Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are being defended thoroughly and that appropriate and defensible decisions are being made by Committee and under delegated powers. The lack of any monitoring could lead to more decisions going contrary to the Council's decision possibly resulting in poorer quality development and also costs being awarded against the Council.

8. Recommendations

8.1 The Committee is asked to note the contents of the report.

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Background papers

Appeal decisions received from The Planning Inspectorate for the period January –
March 2015

APPEAL DECISION SUMMARIES

CUXTON & HALLING

29 Rochester Road, Halling, Rochester, Kent, ME2 1AQ (AG):

MC/14/0186 – Refused (24 March 2014) – Delegated

Engineering works to facilitate the construction of a detached double garage to front – resubmission of MC/13/2592

Allowed with conditions (19 March 2015)

Summary:

The main issue:

- The effect of the proposal on the character and appearance of the area.

The proposed garage would result in a large and exposed elevation fronting the highway, however the significant excavation would reduce the visual impact of the garage when viewed from the road frontage. Only the very top of the roof would be visible behind the boundary treatment when viewed directly from the highway frontage. The efforts to minimise the visual impact of the proposal would not result in harm to the street scene. The appeal is allowed subject to condition.

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision
2. The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: BLC/29 Rochester Road/01, BLC/29 Rochester road/02, unnumbered location plan.

GILLINGHAM NORTH

1 Milner Road, Gillingham, Kent, ME7 1RD (MSP):

MC/14/2857 – Refused (20 November 2014) – Delegated

Change of use from residential to cafe/hot food takeaway (Class A3/A5) including installation of a new shop front, roller shutters and extraction flue with associated external alterations

Dismissed (12 February 2015)

Summary:

The main issue:

- The effect of the proposals on the living conditions of the immediate neighbours, particularly in relation to noise and disturbance.

Milner road is predominantly terraced houses and in a densely populated area. The stand-alone nature of the appeal site would emphasise evening activity associated with the proposed use, and would also inevitably lead to significantly increased noise and disturbance from potential customers and traffic.

The proposed flu would, due to the site being lower than local properties, cause problems for the local residents from cooking fumes.

The proposal would result in significant harm to the living conditions of nearby residents.

PRINCES PARK

Land at 19 Ventnor Close, Princes Park, Chatham, Kent, ME5 7QN (MM):

ENF/13/0368 - Enforcement Notice dated 16 April 2014

Without the benefit of planning permission the (a) excavation of the front garden of the property; and (b) construction of chicken coop structure in the front garden of the property.

Succeeds in part and the enforcement notice is upheld as varied (25 March 2015)

Summary:

Preliminary Matters

In the absence of payment of the requisite fee, ground (a) appeal has lapsed. The planning merits of the development are therefore not within the remit of this appeal.

The site visit was due to be accompanied but the appellant did not attend. The front garden could be seen from the pathway leading to the front door and therefore, the visit was carried out unaccompanied. Both parties were notified and no objection received.

The chicken coop had been removed from the front garden and the area was being used as a garden and amenity area.

Ground (c)

The appellant states that the structure is permitted development and that measurements comply with all conditions stated in the Town and Country Planning Act 1996, however, no argument is made as to why the excavations might not require planning permission.

The council states that the chicken coop structure extends beyond a wall that fronts a highway and forms the principal elevation of the dwelling and that no permitted development rights exist for excavations in the curtilage of a dwellinghouse.

Both parties agreed that the principal elevation is the front of the property and that the front garden fronts a highway. The chicken coop was present in the front garden and therefore did not satisfy the requirements of Class A and therefore does not benefit from permitted development rights.

The appeal should not succeed on ground (c).

Ground (d)

The appellant stated the structure was erected more than four years ago, however, provided no supporting evidence. The engineering works were completed five years before October 2014, but again provided no supporting evidence.

The council provided a copy of an email from the appellant dated 8 October 2013, which states "we have had our chicken run for two years." This contradicts the appellant's statement.

The appeal on ground (d) therefore fails.

Ground (f)

Prior to the breach occurring, the appellant states that the land was dangerously uneven with a sharp incline and covered with bricks and rubble. The area was not previously grassed and therefore the requirement to reseed exceeds what is necessary to remedy the breach. The council provides no information about the prior condition of the land and maintains the requirements are not excessive and no practical solutions have been put forward by the appellant.

There is no evidence to suggest the land was grassed before the breach took place and in the absence of any other evidence, the appellant is best placed to know what the land looked like before the unauthorised development.

The notice is varied to require the land to be restored to its condition before the breach took place.

The appeal is allowed on ground (f) and the enforcement notice is varied by the deletion of the words 'reinstate the land levels of the property to match the level of the surrounding ground, cover with topsoil and reseed with grass' in paragraph 5(iii) of the notice and substitution of the words 'and restore the land to its condition

before the breach took place.’ Subject to this variation the enforcement notice is upheld.

RAINHAM CENTRAL

Rear of 75 London Road, Rainham, Gillingham, Kent, ME8 7RJ (PI):

MC/14/1949 – Refused (19 September 2014) – Delegated

Construction of a 4-bedroomed detached dwelling and detached garage (demolition of detached garage) Resubmission of MC/14/0133

Dismissed (14 January 2015)

Summary:

The main issue:

- Provision of acceptable living accommodation for future occupants in view of the proximity of the development to a protected tree.

Front elevation of proposed property would be in close proximity to protected mature Copper Beech tree, resulting in this side of the house appearing dark and gloomy for future occupants, as light penetrating the canopy would be restricted. Outlook for two bedrooms (numbered 3 and 4) would appear enclosed and dark.

The distance between proposed dwelling and tree would be 2.2m suggesting the height and extent of the tree and its canopy would dominate the whole of the front of the house. The overbearing presence would result in an unsatisfactory relationship between it and occupants of the proposed dwelling.

Annual cycle of loss of leaves would likely cause nuisance for the occupants who may wish to have the tree removed altogether. Medway Council would resist removal of the tree.

The proposed dwelling would fail to provide satisfactory living conditions for future occupiers, arising from its proximity to the protected tree.

Land adjacent to 29 Shelden Drive, Rainham, Gillingham, Kent, ME8 8JH (MS):

MC/14/1235 – Refused (2 September 2015) – Committee

Construction of a detached bungalow with associated parking (demolition of existing garage).

Dismissed (24 March 2015)

Summary:

The main issue;

- The effect of the proposed development on the living conditions of future occupiers in respect of privacy and outlook.

As a result of the proximity of the appeal site to No. 14 Mierscourt Road, there would be direct views and overlooking from the first floor window of this property to the proposed rear garden. Half of the garden area as well as a majority of the patio area would be overlooked, resulting in an acceptable loss of privacy causing material harm to the living conditions of future occupiers.

The position of the window servicing the living room would mean that the view would be restricted, as the occupiers would be looking directly onto the boundary fence. It would also result in restricted daylight.

94 Woodside, Rainham, Gillingham, Kent, ME8 0PN (MM):

MC/14/1661 – Non-determination

Part retrospective application for the construction of a two bedroomed detached bungalow with attached double garage.

Dismissed (24 March 2015)

Summary:

Preliminary Matters

Planning permission for the bungalow was granted on appeal and the council indicated that had it determined the application, it would have refused permission.

The main issue:

- The effect on the character and appearance of the host dwelling and surrounding area.

The garage would be attached to the bungalow and the same height as the main part of the bungalow. The existing gap between the side of the bungalow and the rear boundary maintains a degree of visual and physical separation. The proposed garage would close this gap and result in an uncharacteristic degree of proximity between properties. The site would appear cramped and overdeveloped due to the close proximity of development on the respective plots.

Many dwellings along Woodside include integral garages, the majority of which appear subservient to the main dwelling, principally due to the lower roof height. The proposed garage would appear as an unbalancing and disproportionate addition to the existing dwelling and add to the perception of overdevelopment.

ROCHESTER EAST

5 Rochester Avenue, Rochester, Kent, ME1 2DW (MSP):

MC/14/0243 – Refused (24 April 2014) – Committee

Retrospective application for conversion of existing private dwelling to 2no self contained flats.

Allowed subject to condition (26 March 2015)

Summary:

The main issue:

- The effect of the development on the supply of family accommodation in the area and on the living conditions of future occupiers of the flats, with particular regard to the standard of amenities available to them.

Residential amenity and parking considerations are to be taken into account to protect the character and appearance of the surrounding area. There has been no change to the external appearance of the building and there has been no indication that the amenities of nearby residents have been adversely affected.

The parties disagree on the amount of floor area available for each flat. The council has calculated that the ground floor flat has an area of 58.5sqm and the first floor flat has an area of 48.9sqm. The appellant's figures differ in the various supporting documents, however in the grounds of appeal are said to be 63.7sqm and 50.3sqm respectively. Total area of the property 116.7sqm, which falls below the limit of 120sqm for conversion into flats.

There are exceptions where alternative methodologies can be used to demonstrate provision of adequate space standards. The appellant has submitted such plans for consideration and demonstrates sufficient space available for all the items that would normally be required for day-to-day living.

The proposal consequently complies with policy.

The site is in a sustainable location that is well served by public transport and the likelihood of occupants owning a car is consequently reduced. There is no reason to dismiss the appeal on grounds of inadequate parking space.

The conversion results in 2 units that provide accommodation that is spacious enough for occupation by 2 and 3 persons respectively. There is a need for such flats and no harm would arise from the failure to meet all criteria of the policy.

The appeal should succeed and planning permission granted.

Condition

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. RA-100, RA-200 revision A, RA-210, RA-500 and the Design and Access statement received by the council on 28 January 2014 and 12 March 2014.

5 Rochester Avenue, Rochester, Kent, ME1 2DW (AM):

ENF/13/0473 – Enforcement Notice dated 4 June 2014

The conversion of a single dwelling into self-contained flats

Enforcement notice is quashed and planning permission is granted.

Granville Arms, 83 Maidstone Road, Rochester, Kent, ME1 1RL (MMC)

ENF/13/0281 – Enforcement Notice dated 9 July 2014

a. The removal of 6 traditional timber sash windows at the front and 6 traditional timber sash windows at the rear of the property and their replacement with UPVC windows; and b. The replacement of traditional timber cladding to the outshot at the rear of the property with UPVC cladding.

Enforcement Notice is varied and upheld (26 March 2015)

Summary:

The main issue:

- The effect of the development on the character and appearance of the Watts Avenue and Roebuck Road Conservation Area.

Ground (e)

The appellant suggests that not everyone with an interest in the land have been served with the Enforcement Notice. There was no evidence to confirm that these people do in fact have a separate interest in the property, distinct from the company ownership or of the details of the tenancy. If there are any other interested persons, they have not been prejudiced by not being directly served with the notice. The appeal has also been publicised and if they had wanted to comment they would have done so.

The appeal on ground (e) consequently fails.

Ground (b)

The appellant claims the outside at the rear of the building was clad in a mixture of traditional timber cladding and chipboard.

All the submitted photos of the outshot show the rear and one side clad in white boarding, which has now been replaced in the UPVC.

The appeal on ground (b) consequently fails.

Ground (a)

The appellant believes that the alterations have improved the appearance of the property and they match those that they have replaced.

The property, although not listed, makes a positive contribution to the street scene and the character of the conservation area. The UPVC windows detract from the surroundings.

The appellant claims that the profiles of the UPVC components are the same as the previous timber version; the photographs confirm that this is not the case. Overall they are cruder than their timber equivalents. This is particularly apparent in the outshot, which through PVC cladding, has lost much of its original character.

The UPVC windows and cladding on the outshot are unsympathetic modern insertions in an historic building where they harm its appearance and that of the conservation area. The public house stands out from nearby properties due to its size and architectural details and its elevated position makes the replacement windows even more prominent.

Although other properties in the area have UPVC windows, they have not set a precedent. The character of the conservation area will be gradually eroded by further unsuitable alterations.

Planning permission should not be granted and the appeal on ground (a) fails.

Ground (f)

No steps have been suggested to overcome objections to the development so the appeal on ground (f) must fail.

Ground (g)

The appellant has requested 6 months, rather than the 3 months stated in the enforcement notice, to allow time to commission the manufacture and fitting of the timber sash windows.

A reasonable period for compliance would be 6 months; therefore the Enforcement Notice is varied accordingly.

The appeal under ground (g) succeeds to that extent and planning permission is not granted.

STROOD NORTH

Commissioners Road, Strood, Kent (CS):

MC/12/2338 – Refused (14 November 2013) – Committee

Outline application with all matters reserved for the construction of 6,312 sq.m of commercial floorspace (Class B1 (a), (b) and (c) and B8) with access, parking and other ancillary works.

Dismissed (26 January 2015)

Summary:

The main issue:

- The loss of open space is acceptable in the context of policy L3 of the Medway Local Plan.

The site

Comprising the base and part of the walls of a former chalk quarry, measuring approximately 3.5ha at its base. Formerly used as a private football pitch but unused for more than 12 years. Quarry floor is currently rough grass with peripheral trees. Quarry face varies from 6-7m to 30m+ in height with piles of chalk rubble.

Loss of open space

The policy advises that only in exceptional circumstances will development be permitted on areas of protected open space. There are 5 exception criteria listed in the policy, which have all been considered. Criterion 1, 3, 4 & 5 were not sufficiently met. Criterion 2 was considered in depth.

It appears that sports field use of the site had already ended and was not identified in the Medway Playing Pitch and Outdoor Sports Facilities Study. No public access is permitted and it currently makes no contribution to either public or private outdoor sport and recreation. There is no intention to commit expenditure to bring the site back into use as a sports pitch or allow public access.

The period of non-use for recreational purposes is a relevant consideration, however, its full potential to provide for such use should be considered as the Strood and Rural sub-area lacks in outdoor sport provision. It is important to note that the potential contribution to meeting local open space requirements that the site could make would be lost with the proposed development.

The planning obligation includes a contribution towards facilitating the provision of formal sports pitches within 5km of the site. The contribution could be used to help make good the local deficit in youth and mini football pitch provision through conversion of over-provided adult football pitches. However, the offer cannot properly be regarded as a suitable alternative due to the size, location and potential of the appeal site along with the lack of detail on what would be secured.

It is determined that Criterion 2 has not been met.

Visual amenity

Due to the substantial local objection to the proposal, it is evident that the site is valued for its visual amenity. The visual amenity provided by the quarry is primarily related to the exposed cliff faces, surrounding vegetation and sense of openness.

The landscape of the quarry itself would change considerably with the introduction of buildings and infrastructure. The main landscape features of the quarry cliff walls and surrounding vegetation would be unaffected and the change accommodated without serious harm to the landscape resource.

13 viewpoints are considered in the visual impact assessment and in most of these, due to the effects of topography and distance, the impact of the proposal would be negligible. With replacement views of a grassed quarry floor by built structures, there would be tangible visual harm from the reduction in natural greenery. This adverse effect would be of relatively minor importance due to the limited perception of it and the strong retained visual amenity elements.

The Local Plan designation of the site pre-dates most of the long period of disuse, thus the designation is not entirely up to date which is a material consideration in assessing the proposal. However, given the history of the site, its potential open space and consideration of visual amenity, it is appropriate to treat the site as open space protected under the terms of the policy.

Proposed commercial use

There is substantial surplus of employment land against overall requirement for business floorspace, however much of the identified land is at Grain and Kingsnorth where there has been minimal take up due to unattractiveness of locations. There are clearly important locational elements to the employment land requirement. The site is located immediately adjacent to Medway City Estate, evidently successful and suited to small to medium sized enterprises. Evidence of the current strong level of interest in accommodation on the Estate and a low vacancy rate indicates that there is high demand for the existing employment site.

The loss of the existing open space is to be taken into the overall balance, but the consistency of the proposal with the objectives of the Framework, the contribution to the local economy and employment are potential benefits that can be accorded significant weight despite an absence of identified intended occupiers for the development.

Heritage assets

To the north of the quarry is Frindsbury and Manor Farm Conservation Area, which includes the Grade II* All Saints Church and churchyard. The element of setting that contributes to the Church's significance would be remain.

Highways

The transport assessment indicates that traffic generated by the proposal would be a relatively limited addition to existing flows. The anticipated main effect would be on Commissioners Road and Banks Road. A financial contribution put forward to be used towards traffic calming measures to address concerns about traffic speeds and encourage the appropriate routing of HGVs. Also towards improving bus services and pedestrian accessibility to encourage sustainable travel modes. Adequate parking would be provided within the development site.

Other impacts

Ecological investigations have been carried out and conditions could be used to deal with residual impacts along with the creation of an ecological area within the site to enable gains to biodiversity.

Agreed conditions could also deal appropriately with noise and drainage matters.

Overall balance

The proposal does not accord with the policy and although the site has not been in recreational use for a long time, the policy retains relevance.

The proposal would provide significant economic benefit in a sustainable location, environmentally bring the land into use with some gains to biodiversity and new employment would bring social benefits. However, the social role also includes recreation and open space is of important value to communities. The proposal does not amount to sustainable development and other considerations therefore do not outweigh the conflict with the development plan.

Land at 35 Powlett Road, Strood, Rochester, Kent, ME2 4RD (IS):

MC/14/1695 – Refused (11 September 2014) – Committee

Construction of a detached 4 bedroomed house to rear with off road parking, accessed via Basi Close, along with the creation of additional off road parking to the front accessed from Powletts Road (resubmission of MC/14/0161)

Dismissed (07 January 2015)

Summary:

Preliminary matters

There's a land ownership issue as access to the site is over part of No 12 Basi Close's driveway; relying on this could prevent development of the site

The main issues:

- Satisfactory access to the site can be achieved
- Effect of the proposed development on the character and appearance of the street scene and area

Site access

The proposed development relies on access via part of No 12 Basi Close's driveway. The occupiers of No 12 have stated that they will not allow a right of way

Character and appearance

The appeal site would be set some way in from the junction where it would not be highly visible. There would be enough similarities in terms of height, scale and set back which would allow the proposal to assimilate with the character and appearance of the Close, and the proposal would respect the scale, appearance and visual amenities of the surrounding area. It would not harm the character and appearance of the street scene.

Other matters

The siting and layout of the proposal along with its distance from other properties would prevent any unacceptable impact on the levels of light and privacy enjoyed by existing neighbours. Planning conditions would be suitable for any other disturbance issues

Conclusion

The Inspector is in favour in terms of character and appearance in the area but must dismiss the appeal due to lack of satisfactory access to the site.

119 Weston Road, Strood, Rochester, Kent, ME2 3HB (AW):

MC/14/2165 – Refused (22 September 2014) – Delegated

Construction of a two-storey side extension and a single storey front extension (demolition of existing ground floor bathroom, toilet and conservatory)

Dismissed (17 February 2015)

Summary:

The main issue:

- The effect of the proposals on the living conditions of 37 Brompton Lane with particular regard to outlook and sunlight.

The appeal property is a two storey dwelling and the rear elevation runs along the side boundary of 37 Brompton Farm Road and the outlook from the dining room and the first floor bedroom is already curtailed by the appeal site.

The proposed extension would significantly increase the bulk of the appeal building and would have an overbearing effect to number 37.

The proposed extension would be to the south of the affected windows and would lead to a loss of sunlight. The area of the garden which would be affected is the most intensively used part, which is closest to the house.

The proposal would have a harmful effect on the living conditions of No 37 because of loss of outlook and sunlight.

Other Matters

Number 37 has not objected, but the absence of an objection does not amount to a positive point in favour of the proposal.

There is nothing to suggest the proposal would lead to a significant enhancement of the area.

The appellant feel the proposal would improve the bathroom facilities, but there is no evidence that the property has sub-standard facilities

81 Church Green, Rochester, Kent, ME2 4HE (SF):

MC/14/0154 – Refused (24 April 2014) – Planning Committee

Application for the use of a detached building as a 2-bedroomed house with associated detached garage

Dismissed (16 February 2015)

Summary:

The main issue:

- Firstly, whether the development would provide satisfactory accommodation for future occupiers and secondly, the effect of the development on the character and appearance of the area.

WATLING

27 Cleave Road, Gillingham, Kent, ME7 4AY (MSP):

Application under Article 4 for the installation of replacement windows to front.

Dismissed (28 March 2015)

Summary:

The main issue:

- The effect of the proposal on the character and appearance of the Gillingham Park Conservation Area

The Gillingham Park Conservation Area is characterised primarily by Edwardian dwellings that are two storey terraced and semi-detached properties of uniform layout and design. The appeal property lies within a row of properties of uniform design where the original windows would have been wooden sash windows. Many front windows have been replaced with either UPVC or Aluminium windows of various design which do not preserve the character or appearance of the Conservation Area. They significantly adversely detract from the traditional character and appearance and do not support good reason to allow similar development.

In the wider Conservation Area, there are many examples of traditional sash windows, which provide a positive contribution to the character and appearance. As such, the loss of the traditional windows and replacement with UPVC or similar would further erode the character and appearance of the area.

The proposal would be contrary to policy.

APPENDIX B

Appeal Cost Decision Summaries

There were no cost decisions for this quarter.

APPENDIX C

Report on Appeal Costs

Appeals prior to 2011/12					
Ref.	Site	Proposal	Decision type	Costs	Comment
MC/05/0263	Trenchmanns Wharf Cuxton (Cuxton & Halling Ward)	Re-use of land as wharf : siting of prefab building, 2 cranes, lighting and new access road to Rochester Road	Delegated	For	Dividend paid by administrators. <u>£4,034.66</u> received
ENF/12/0006	28A East St, Chatham (Chatham Central Ward)	Demolition of garage premises + construction of a 3 bedroomed mid terrace house		Against	<u>£25,500 paid</u> as final settlement (2 instalments January and May 2014)
COMP/ 07/0012	Thameside Terminal Cliffe (Strood Rural)	Construction of roadway, buildings, change of use of land by subdivision to 9 plots for storage, transport and haulage and Portacabin businesses – all with no planning permission	Enforcement	For	Legal pursuing costs from Panther Platform Rentals and Britannia Assets (UK) Ltd. High Court Judgement obtained

Appeals 2011/12					
Ref.	Site	Proposal	Decision type	Costs	Comment
ENF/11/0094	113 Imperial Rd Gillingham (Gillingham South Ward)	Conversion to 2 x 2 bed flats with no planning permission	Enforcement	For (partial)	Legal applied for High Court costs order - received March 2014. Pursuing payment

Appeals 2011/12

Ref.	Site	Proposal	Decision type	Costs	Comment
MC/10/1737	Forge Cottage, 214 Bush Rd, Cuxton (Cuxton & Halling Ward)	Outline for 3 bed detached dwelling	Delegated	For (partial)	Costs of <u>£90.42 paid in full 30/04/2012</u>
COMP/09/0154	Medway Manor Hotel 14-16 New Rd Rochester (River Ward)	Erection of wooden outbuilding on site without planning permission	Enforcement	For (partial)	Costs of <u>£217.91 paid in full 20/01/2012</u>

Appeals 2012/13

Ref.	Site	Proposal	Decision type	Costs	Comment
ENF/11/0282	2 Livingstone Circus Gillingham (Watling Ward)	Change of use of ground floor to mixed use resi and A1 retail use without permission	Enforcement	For (partial)	Costs of <u>£243.36 paid in full 20/11/2013</u>
ENF/10/0141	Riverview Manor Rochester (Rochester West Ward)	Planning breach : mixed use of resi, recovery, repair and storage of vehicles and storage of catering van and container	Enforcement	For	Costs of <u>£872.04 paid in full over 3 instalments (final instalment received 09/09/2014)</u>
MC/13/0280	Plot 1, Merryboys Stables, Cliffe Woods (Strood Rural Ward)	Construction of shed to side of dwelling (resubmission of MC/12/0818)	Delegated	For	Costs of <u>£276 paid in full 30/12/2013</u>

Appeals 2014/2015

Ref.	Site	Proposal	Decision type	Costs	Comment
MC/13/2031	48 Hoath Lane, Rainham (Wigmore Fish Bar)	Construction of 4 dwellings	Committee over turn of officer recommendation	Against (partial)	Costs limited to defending reasons 1 and 3 of decision. <u>£1,946.50 paid</u> to cover 50% costs.
ENF/12/0473	Buttercrook Wharf, Vicarage Lane, Hoo	Construction of a commercial building with landscaping, parking and internal infrastructure without the benefit of planning permission	Enforcement	For (partial)	Costs incurred limited to preparation to refute the claim that the new commercial building erected was the implementation of a valid planning permission <u>Costs of £1,517.50 paid in full 27/08/2014</u>
MC/14/0326	Land north side of Cross St (r/o 77-87 James St), Gillingham	Construction of 2 storey blocks comprising of 4 x 1 bed flats	Delegated	Against	