

## READING BOROUGH COUNCIL

### REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

<b>TO:</b>	PLANNING APPLICATIONS COMMITTEE		
<b>DATE:</b>	11 <sup>th</sup> January 2023		
<b>TITLE:</b>	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 creating a sustainable environment with active communities and helping the economy within the Borough as identified as the themes of the Council's Corporate Plan:

1. Healthy Environments
2. Thriving Communities
3. Inclusive Economy

## **5. ENVIRONMENTAL AND CLIMATE IMPLICATIONS**

- 5.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2 The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. As a team we have also reduced the amount of resources (paper and printing) we use to carry out our work.

## **6. COMMUNITY ENGAGEMENT AND INFORMATION**

- 6.1 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.

## **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 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.

## **8. LEGAL IMPLICATIONS**

- 8.1 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.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 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”.

## **10. BACKGROUND PAPERS**

- 10.1 Planning Appeal Forms and letters from the Planning Inspectorate.

## APPENDIX 1

### Appeals Lodged:

WARD: CAVERSHAM HEIGHTS  
APPEAL NO: APP/E0345/W/22/3305239  
CASE NO: 220587  
ADDRESS: St Peters Hill, Caversham, Reading  
PROPOSAL: Application for prior notification of proposed development by telecommunications code systems operators.  
CASE OFFICER: Beatrice Malama  
METHOD: Written Representation  
APPEAL TYPE: REFUSAL  
APPEAL LODGED: 05.12.22

## APPENDIX 2

### Appeals Decided:

WARD: EMMER GREEN  
APPEAL NO: APP/E0345/W/22/3303138  
CASE NO: 220638  
ADDRESS: Grove Road, Emmer Green  
PROPOSAL: Application for prior notification of proposed 'slim line' Phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works by telecommunications code systems operators(amended description).  
CASE OFFICER: Beatrice Malama  
METHOD: Written Representation  
DECISION: DISMISSED  
DATE DETERMINED: 23.12.2022

## APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

- 220638/TEL - Grove Road, Emmer Green