

Committee: Council

Date:

Title: Update on Appeal Decisions and Associated Costs since 1 May 2019

20 July 2021

Report Author: Gordon Glenday Assistant Director Planning (01799 510601)

Summary

1. Following a request from Councillor Barker, this report provides an update on the Planning Committee's decisions since 1st May 2019. This report is to update the position and, in particular, highlighting any appeal decisions and any associated costs relating to these appeals incurred by the Council.
2. That Council note the report.

Financial Implications

Costs awarded against UDC:

UTT/18/3369/FUL - £4,000;

UTT/18/2959/DFO - partial cost still waiting for the agreed amount.

UTT/20/0864/OP - Full award of costs against the Council - £8,651.90 plus VAT

UTT/18/0460/FUL - Full award of costs against the Council - to be agreed.

Officer time/QC/Consultants etc (not Stansted): Approx. £57,260

Stansted (to 28 June 2021) - £1,044,597.74

Background Paper

3. Details of the appeal process can be viewed - Full Council report 16 December 2019 - [Click Here](#)

Impact

- 4.

Communication/Consultation	
Community Safety	
Equalities	
Health and Safety	
Human Rights/Legal Implications	The legal framework for planning appeals is set out in the planning acts and related regulations

Sustainability	This is a key factor in determining the weight to be attached to material considerations in an appeal
Ward-specific impacts	All
Workforce/Workplace	Explained in the report

Situation

5. Since 1 May 2019, the Planning Committee has considered 167 applications (see Appendix 1).

Out of these 167 decisions:

- 41 were refused by the Planning Committee against the officer's recommendation.
- To date, the council has received 34 appeals from the Planning Inspectorate relating to decisions made at Planning Committee.

Of the 34 appeals there have been 21 decisions and 1 withdrawn:

- 9 Allowed following overturn at Committee
- 7 Dismiss following overturn at Committee
- 2 Allowed following non-determination by Committee
- 1 Dismissed following Non-Determination
- 2 Dismissed following Committee agreeing with Officer Recommendation.

Appendix 1

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/17/2100/FUL	Great Canfield	APPROVE	APPROVED	05-Jun-19			
UTT/18/3293/FUL	Newport	APPROVE	REFUSED	05-Jun-19			
UTT/19/0673/HHF	Elsenham	APPROVE	APPROVED	05-Jun-19			
UTT/19/0004/FUL	Quendon & Rickling	APPROVE	REFUSED	05-Jun-19	ALLOWED	£2,325.00	
UTT/19/0484/OP	Farnham	APPROVE	APPROVED	05-Jun-19			
UTT/18/3518/FUL	Saffron Walden	APPROVE	APPROVED	05-Jun-19			
UTT/19/0043/FUL	Saffron Walden	APPROVE	APPROVED	05-Jun-19			
UTT/18/2523/FUL	White Roding	APPROVE	APPROVED	26-Jun-19			
UTT/19/0362/FUL	Quendon & Rickling	APPROVE	REFUSED	26-Jun-19	DISMISSED	£2,325.00	
UTT/19/0671/FUL	Thaxted	APPROVE	APPROVED	26-Jun-19			
UTT/19/0311/LB	Quendon & Rickling	APPROVE	APPROVED	26-Jun-19			
UTT/19/0966/FUL	Henham	APPROVE	APPROVED	26-Jun-19			
UTT/19/0946/FUL	Aythorpe Roding	REFUSE	REFUSED	26-Jun-19	DISMISSED	£2,325.00	
UTT/19/0551/FUL	Thaxted	APPROVE	APPROVED	26-Jun-19			
UTT/18/3369/FUL	Clavering	APPROVE	REFUSED	26-Jun-19	DISMISSED	£2,325.00	£4,001.00
UTT/19/0293/FUL	Henham	APPROVE	REFUSED	24-Jul-19	DISMISSED	£2,325.00	
UTT/19/0427/FUL	Barnston	APPROVE	APPROVED	24-Jul-19			
UTT/19/0391/FUL	Newport	APPROVE	REFUSED	24-Jul-19			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/0829/FUL	Saffron Walden	APPROVE	APPROVED	24-Jul-19			
UTT/16/3565/OP	Hatfield Broad Oak	APPROVE SUBJECT TO S106	REFUSED	21-Aug-19			
UTT/19/0514/HHF	Great Chesterford	APPROVE	APPROVED	21-Aug-19			
UTT/19/0957/FUL	Saffron Walden	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	21-Aug-19			
UTT/18/3529/OP	Felsted	APPROVE	NON DETERMINATION	21-Aug-19	ALLOWED	£2,325.00	
UTT/19/1389/FUL	Saffron Walden	APPROVE	APPROVED	21-Aug-19			
UTT/19/1115/FUL	Stansted	APPROVE	APPROVED	21-Aug-19			
UTT/18/1827/FUL	Newport	APPROVE	REFUSED	18-Sep-19	DISMISSED	£2,325.00	
UTT/18/2959/DFO	Saffron Walden	APPROVE	REFUSED	18-Sep-19	ALLOWED	£2,325.00	TBC
UTT/18/2297/OP	Saffron Walden	APPROVE	REFUSED	18-Sep-19	DISMISSED	£2,325.00	
UTT/19/0899/FUL	Henham	APPROVE	APPROVED	18-Sep-19			
UTT/19/0900/LB	Henham	APPROVE	APPROVED	18-Sep-19			
UTT/19/1054/OP	Debden	REFUSE	REFUSED	06-Oct-19	DISMISSED	£2,325.00	
UTT/18/2820/FUL	Saffron Walden	APPROVE	APPROVED	16-Oct-19			
UTT/19/1253/FUL	Stansted	APPROVE	APPROVED	16-Oct-19			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/1870/HHF	Wendens Ambo	APPROVE	APPROVED	16-Oct-19			
UTT/19/2398/TCA	Great Dunmow	NO OBJECTION	NO OBJECTION	16-Oct-19			
UTT/19/1869/HHF	Wendens Ambo	APPROVE	APPROVED	16-Oct-19			
UTT/19/1583/FUL	Takeley	APPROVE	APPROVED	16-Oct-19			
UTT/19/1995/FUL	Saffron Walden	APPROVE	APPROVED	16-Oct-19			
UTT/19/0761/FUL	Saffron Walden	APPROVE	REFUSED	16-Oct-19			
UTT/19/1725/FUL	Great Chesterford	APPROVE	REFUSED	16-Oct-19	DISMISSED	£2,325.00	
UTT/19/1411/FUL	Littlebury	APPROVE	REFUSED	16-Oct-19			
UTT/18/1027/FUL	Newport	REFUSE	REFUSED	06-Nov-19			
UTT/19/1524/FUL	Hatfield Broad Oak	APPROVE	REFUSED	06-Nov-19	ALLOWED	£2,325.00	
UTT/19/1932/FUL	Broxted	APPROVE SUBJECT TO S106	APPROVED	06-Nov-19			
UTT/18/3399/FUL	Saffron Walden	APPROVE	APPROVED	06-Nov-19			
UTT/19/1527/FUL	Hatfield Broad Oak	APPROVE	REFUSED	06-Nov-19			
UTT/19/1301/FUL	Quendon & Rickling	APPROVE	APPROVED	06-Nov-19			
UTT/19/1463/FUL	Thaxted	REFUSE	REFUSED	06-Nov-19			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/0437/OP	Elsenham	APPROVE SUBJECT TO S106	REFUSED	06-Nov-19	ALLOWED	£4,520.00	
UTT/19/2340/HHF	Stansted	APPROVE	APPROVED	06-Nov-19			
UTT/19/1823/FUL	Saffron Walden	APPROVE	APPROVED	06-Nov-19			
UTT/19/2342/FUL	Stebbing	APPROVE	APPROVED	18-Dec-19			
UTT/19/2545/FUL	Elsenham	APPROVE	REFUSED	18-Dec-19	ALLOWED	£2,325.00	
UTT/19/0476/OP	Stebbing	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	18-Dec-19			
UTT/19/2022/FUL	Wimbish	APPROVE	APPROVED	18-Dec-19			
UTT/19/2442/FUL	Little Chesterford	APPROVE	APPROVED	18-Dec-19			
UTT/19/2613/NMA	High Easter	APPROVE	APPROVED	18-Dec-19			
UTT/19/2606/LB	High Easter	APPROVE	APPROVED	18-Dec-19			
UTT/19/1864/FUL	Thaxted	APPROVE	APPROVED	15-Jan-20			
UTT/19/1166/OP	Little Canfield	APPROVE SUBJECT TO S106	REFUSED	15-Jan-20	WITHDRAWN	£11,538.60	
UTT/19/2557/FUL	Aythorpe Roding	APPROVE	REFUSED	15-Jan-20			
UTT/19/1064/DFO	Newport	APPROVE	APPROVED	15-Jan-20			
UTT/18/0460/FUL	Stansted	APPROVE SUBJECT TO S106	REFUSED	29-Jan-20	ALLOWED	£1,044,597.74	TBC

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/2159/FUL	Hatfield Heath	APPROVE	APPROVED	19-Feb-20			
UTT/19/2355/DFO	Saffron Walden	APPROVE	REFUSED	19-Feb-20	ALLOWED	£2,325.00	
UTT/19/2793/LB	Saffron Walden	APPROVE	APPROVED	19-Feb-20			
UTT/19/0573/OP	Little Chesterford	APPROVE	APPROVED	19-Feb-20			
UTT/19/2993/OP	Henham	APPROVE	APPROVED	19-Feb-20			
UTT/19/2118/OP	Felsted	APPROVE	APPROVED	19-Feb-20			
UTT/19/2809/FUL	Thaxted	APPROVE	APPROVED	19-Feb-20			
UTT/18/3524/FUL	Takeley	NON DETERMINATION	NON DETERMINATION	19-Feb-20	DISMISSED	£2,325.00	
UTT/18/3525/LB	Takeley	NON DETERMINATION	NON DETERMINATION	19-Feb-20	ALLOWED	£2,325.00	
UTT/19/1802/OP	Great Dunmow	REFUSE	REFUSED	19-Feb-20			
UTT/20/0136/NMA	Little Chesterford	APPROVE	APPROVED	19-Feb-20			
UTT/19/2777/FUL	Stansted	APPROVE	REFUSED	18-Mar-20	DISMISSED	£2,325.00	
UTT/19/2288/FUL	Great Chesterford	APPROVE	APPROVED	18-Mar-20			
UTT/19/2875/FUL	Saffron Walden	APPROVE	APPROVED	18-Mar-20			
UTT/18/2508/OP	Felsted	APPROVE	APPROVED	20-May-20			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/20/0552/TPO	Saffron Walden	APPROVE	APPROVED	20-May-20			
UTT/20/0707/HHF	Saffron Walden	APPROVE	APPROVED	20-May-20			
UTT/20/0670/FUL	Saffron Walden	APPROVE	APPROVED	03-Jun-20			
UTT/19/3068/DFO	Saffron Walden	APPROVE	APPROVED	03-Jun-20			
UTT/20/0672/LB	Saffron Walden	APPROVE	APPROVED	03-Jun-20			
UTT/20/1081/NMA	Saffron Walden	APPROVE	APPROVED	03-Jun-20			
UTT/20/0187/HHF	Newport	APPROVE	APPROVED	03-Jun-20			
UTT/19/3113/OP	Debden	APPROVE	APPROVED	17-Jun-20			
UTT/20/0522/HHF	Wimbish	APPROVE	APPROVED	17-Jun-20			
UTT/19/1508/FUL	Great Dunmow	APPROVE	APPROVED	17-Jun-20			
UTT/20/0029/FUL	Widdington	APPROVE	APPROVED	17-Jun-20			
UTT/20/0386/FUL	Takeley	APPROVE	APPROVED	01-Jul-20			
UTT/20/0757/DFO	Felsted	APPROVE	APPROVED	22-Jul-20			
UTT/20/1143/FUL	Saffron Walden	APPROVE	APPROVED	22-Jul-20			
UTT/20/1306/FUL	Saffron Walden	APPROVE	APPROVED	22-Jul-20			
UTT/19/2852/FUL	Clavering	APPROVE	APPROVED	22-Jul-20			
UTT/20/1108/DFO	Elmdon	APPROVE	APPROVED	22-Jul-20			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/18/2574/OP	Great Dunmow	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	19-Aug-20			
UTT/20/1529/TPO	Great Chesterford	APPROVE	APPROVED	19-Aug-20			
UTT/19/1219/FUL	Great Dunmow	REFUSE	APPROVED	19-Aug-20			
UTT/20/1685/TCA	Thaxted	NO OBJECTION	NO OBJECTION	19-Aug-20			
UTT/19/2900/DFO	Newport	APPROVE	APPROVED	19-Aug-20			
UTT/19/3124/FUL	Little Easton	APPROVE	REFUSED	19-Aug-20	VALID		
UTT/19/3125/LB	Little Easton	APPROVE	REFUSED	19-Aug-20	VALID		
UTT/19/2354/OP	Great Dunmow	APPROVE	REFUSED	09-Sep-20	VALID		
UTT/20/1082/FUL	Elsenham	APPROVE	APPROVED	09-Sep-20			
UTT/20/1032/HHF	Great Dunmow	APPROVE	APPROVED	09-Sep-20			
UTT/19/0904/OP	Takeley	APPROVE	APPROVED	09-Sep-20			
UTT/20/0765/OP	Takeley	APPROVE	APPROVED	09-Sep-20			
UTT/19/2692/OP	Henham	APPROVE	APPROVED	30-Sep-20			
UTT/19/1437/FUL	Great Dunmow	APPROVE	APPROVED	30-Sep-20			
UTT/20/0028/DFO	Felsted	APPROVE	APPROVED	30-Sep-20			
UTT/20/1270/HHF	Debden	APPROVE	APPROVED	30-Sep-20			
UTT/20/0336/DFO	Great Hallingbury	APPROVE	APPROVED	30-Sep-20			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/1585/FUL	Stansted	APPROVE	REFUSED	30-Sep-20			
UTT/20/2158/TCA	Saffron Walden	NO OBJECTION	NO OBJECTION	30-Sep-20			
UTT/20/1603/FUL	Newport	APPROVE	REFUSED	30-Sep-20	ALLOWED	£2,325.00	
UTT/20/0835/FUL	Wimbish	APPROVE	APPROVED	28-Oct-20			
UTT/20/0561/FUL	Aythorpe Roding	APPROVE	APPROVED	28-Oct-20			
UTT/20/1596/OP	Felsted	APPROVE	APPROVED	28-Oct-20			
UTT/20/2284/HHF	Saffron Walden	APPROVE	APPROVED	28-Oct-20			
UTT/20/1711/HHF	Saffron Walden	APPROVE	APPROVED	28-Oct-20			
UTT/20/1208/PIP	High Easter	REFUSE	REFUSED	28-Oct-20			
UTT/20/0083/FUL	Broxted	APPROVE	APPROVED	28-Oct-20			
UTT/20/0084/FUL	Broxted	APPROVE	APPROVED	28-Oct-20			
UTT/20/0864/FUL	Saffron Walden	APPROVE	REFUSED	18-Nov-20	ALLOWED	£10,976.90	£8,651.90
UTT/19/2149/OP	Great Canfield	APPROVE	REFUSED	18-Nov-20	INPROG		
UTT/20/1334/FUL	Newport	APPROVE	REFUSED	18-Nov-20			
UTT/20/1753/FUL	Farnham	APPROVE	REFUSED	18-Nov-20			
UTT/20/2686/TCA	Great Chesterford	NO OBJECTION	NO OBJECTION	16-Dec-20			
UTT/20/1937/FUL	High Easter	APPROVE	REFUSED	16-Dec-20	INPROG		
UTT/20/1676/FUL	Wimbish	APPROVE	APPROVED	16-Dec-20			
UTT/20/2169/FUL	Stebbing	APPROVE	REFUSED	16-Dec-20	VALID		
UTT/20/2624/FUL	Thaxted	APPROVE	APPROVED	20-Jan-21			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/20/2655/DFO	Debden	APPROVE	APPROVED	20-Jan-21			
UTT/20/2450/FUL	Ashdon	APPROVE	APPROVED	17-Feb-21			
UTT/20/0921/DFO	Saffron Walden	APPROVE	APPROVED	17-Feb-21			
UTT/20/2299/FUL	Hatfield Heath	APPROVE	REFUSED	17-Feb-21	VALID		
UTT/20/2541/FUL	Henham	APPROVE	APPROVED	17-Feb-21			
UTT/20/3263/FUL	Great Chesterford	APPROVE	APPROVED	17-Feb-21			
UTT/20/0604/OP	Henham	APPROVE	REFUSED	17-Feb-21	INPROG		
UTT/20/2653/FUL	Newport	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	17-Feb-21			
UTT/20/2220/DFO	Great Dunmow	APPROVE	APPROVED	17-Feb-21			
UTT/20/2009/FUL	Ashdon	APPROVE	REFUSED	17-Feb-21	VALID		
UTT/20/2148/DFO	Little Dunmow	APPROVE	APPROVED	17-Feb-21			
UTT/20/3419/DFO	Great Dunmow	APPROVE	APPROVED	17-Mar-21			
UTT/20/3473/FUL	Wimbish	APPROVE	APPROVED	17-Mar-21			
UTT/19/1744/OP	Saffron Walden	REFUSE	REFUSED	17-Mar-21			
UTT/19/1789/FUL	Little Dunmow	APPROVE	APPROVED	17-Mar-21			
UTT/21/0615/HHF	Chrishall	APPROVE	APPROVED	01-Apr-21			
UTT/20/2486/FUL	Elmdon	APPROVE	APPROVED	14-Apr-21			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/19/2266/OP	Ugley	APPROVE	REFUSED	14-Apr-21	INPROG		
UTT/20/2175/DFO	Saffron Walden	APPROVE	REFUSED	14-Apr-21	VALID		
UTT/21/0410/HHF	Saffron Walden	APPROVE	APPROVED	14-Apr-21			
UTT/20/3016/FUL	Widdington	APPROVE	APPROVED	14-Apr-21			
UTT/20/0422/FUL	Hatfield Heath	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	14-Apr-21			
UTT/20/0050/FUL	Takeley	APPROVE	DEFER	12-May-21			
UTT/20/0051/LB	Takeley	APPROVE	DEFER	12-May-21			
UTT/20/0264/OP	Debden	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	12-May-21			
UTT/21/0079/OP	Felsted	REFUSE	REFUSED	12-May-21	VALID		
UTT/21/0692/FUL	Great Hallingbury	APPROVE	APPROVED	12-May-21			
UTT/20/3101/HHF	Great Dunmow	APPROVE	APPROVED	12-May-21			
UTT/20/2639/OP	Clavering	APPROVE SUBJECT TO S106	APPROVE SUBJECT TO S106	12-May-21			
UTT/20/1744/FUL	Great Dunmow	APPROVE	REFUSED	09-Jun-21			
UTT/20/3226/FUL	Great Sampford	APPROVE	APPROVED	09-Jun-21			
UTT/21/1147/HHF	Stansted	APPROVE	APPROVED	09-Jun-21			

Reference	Parish	Officer Recommendation	Actual Decision	Date of Committee	Appeal Decision	Appeal Cost	Cost Awards
UTT/20/3354/FUL	Saffron Walden	APPROVE	DEFER	09-Jun-21			
UTT/20/2601/HHF	Great Canfield	APPROVE	APPROVED	09-Jun-21			
UTT/21/0757/DFO	Felsted	APPROVE	APPROVED	09-Jun-21			