

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

PLANNING APPEAL DECISIONS

1. Executive Summary

1.1 One of the ongoing improvement measures for the Development Control service was a commitment to report to Members on Appeal Decisions on planning applications that had been determined by Planning Committee and subsequently appealed by the applicant. This is the second such report, which outlines a number of key Appeal Decisions that have been made by the Planning Inspector in relation to applications that have been considered by the Committee since the first of these Appeal Decisions reports was considered by Members on 22 October, 2009.

1.2 There are six decisions to report. Five of these decisions relate to applications where Planning Committee resolved to refuse planning permission contrary to officer recommendations of approval. One relates to an application with an officer recommendation of refusal which was subsequently supported and endorsed by the Planning Committee. The six appeal decisions relate to:

- **APP/2005/7749** - Siting of temporary marquee for 12 weeks per year and enclosure of existing bridge link at the Hillbark Hotel, Hillbark, Royden Park, Frankby;
- **APP/2008/6948** – Demolition of existing medical centre and erection of new medical centre plus associated car parking, landscaping and drainage works Heswall Medical Centre, 268 Telegraph Road, Heswall;
- **APP/2008/6961** – Variation of condition 2 of planning application 2000/6887 to change times of opening Sunday to Thursday 1500 hours til 2330 hours and Friday and Saturday 1500 hours til 0100 hours Royal Taste, 29 Pasture Road, Moreton;
- **APP/2009/5057** – Proposed demolition of existing building and 2 bed residential unit and erection of 3.5 storey building comprising 4no retail units, 8 no offices and a single residential unit (amended scheme) at 2A Village Road, Oxton;
- **APP/2009/5338** – Retention of a new garage at 2 Douglas Drive, Moreton;
- **APP/2009/5394** – Change of use of class A1 (retail) to class A4 (wine bar with food) and erection of awning and associated external

alterations at Former Griffiths Funeral Home Grange Bank Grange
Road West Kirby

A full copy of each decision is also appended to this report for
Members information.

- 1.3 There is also an update for Members on the Award of Costs ordered by the Inspector to be paid by the local planning authority in relation to APP/2009/5055 (Land south of Eastham Refinery, North Road, Eastham) which was an application seeking permission for the variation of conditions 6 & 8 on APP/2005/6494 to allow use of the site for overnight camping of competitors for 11 nights per year following the Inspector's decision to grant permission on 18 September, 2009, together with other recent Awards of Costs ordered against the local planning authority.

2. APP/2005/7749 – Hillbark House Hotel, Frankby

- 2.1 As Members will recall, this application sought permission for the siting of a temporary marquee (for 12 weeks per year) and the enclosure of an existing bridge link. This application was in fact, retrospective and was considered alongside a concurrent application for listed building consent for the same development (LBC/2005/7750). Both applications were considered by the Planning Committee on 30 April, 2009. Officer's had recommended the approval of these applications, subject to conditions. Members resolved to refuse the applications on the grounds that *"the site lies within the Green Belt and the development is in conflict with the principles of Green Belt control. The local planning authority does not consider that there are any very special circumstances in the present case to justify overriding Green Belt policy. The development is therefore contrary to Policy GB2 – Guidelines for Development in the Green Belt of the adopted Wirral Unitary Development Plan and guidance set out in Planning Policy Guidance Note 2 – Green Belt."* Further, Members added a second reason for refusal on the grounds that *"the development, by virtue of its materials, scale and siting adjacent to a grade II listed building, detrimentally affects the setting and integrity of that listed building to the prejudice of the visual amenities of the locality. The development is therefore contrary to Policy CH1 – Development Affecting Listed Buildings and Structures of the adopted Wirral Unitary Development Plan."* The move to refuse the application was made by Councillor Salter and seconded by Councillor Jennings and the vote in favour of refusal was carried unanimously 11:0 (the Chair, having declared an interest in this application, withdrew from the meeting whilst this application was determined).
- 2.2 The applicants lodged an appeal on 29 June, 2009. It was dealt with under the Written Representations procedure. The Inspector undertook his Site Visit on 10 November, 2009. The Inspector subsequently dismissed the Appeal and refused permission for both applications on 9 December, 2009.
- 2.3 In reaching his decision, the Inspector considered the main issues to be, firstly, whether the proposal would preserve the listed building or its

setting or any features of architectural or historic interest which it possesses and, secondly, (and more particularly in relation to the planning application as opposed to the application for listed building consent) whether the proposal would, in terms of PPG2 and relevant development plan policies, constitute inappropriate development in the Green Belt, and if so, whether the harm that would arise from inappropriateness, (and any other harm), was clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

- 2.4 In terms of the listed building, the Inspector's impression of Hillbark House was of a building that had been assembled organically over time, reinforced by the hand-crafted appearance of its timber framing and use of natural materials for walls and the roof. He considered that, in contrast, the marquee appeared modern in design (though he did conclude that a modern design could be a valid approach if done correctly) due to its "walls of modular construction, some fully glazed in heavy white frames, some of solid white panels." He concluded that because of its rigid framing and walls, the marquee had none of the soft lines of a traditional tented structure and that its appearance was more akin to a hi-tech building. Due to their fundamental difference in aesthetic, he felt the juxtaposition of the marquee and the house was disturbing. This was emphasised by the closeness of the marquee to the main building and its scale. Finally, he was highly critical of the proposed bridge link and felt that even if the marquee were acceptable, the link would not be so.
- 2.5 In terms of the arguments raised by the appellant regarding revenue generated from the use of the marquee being used to carry out essential repair and upkeep of the main building, the Inspector was not satisfied that this had been properly presented, and that a considered programme of repairs had been adequately set out. He was also concerned that details of alternative sources of funding (for the maintenance and repair works) had been satisfactorily explored (such as borrowing) or that a smaller, less harmful alternative had not been investigated.
- 2.6 Finally, in reaching his decision to dismiss the Appeal, the Inspector had regard to the fact that the proposals did not meet any of the identified categories (in PPG2 and UDP Policy GB2) for appropriate development in the Green Belt. He felt that the proposed marquee would have a substantial negative impact on the openness of the Green Belt, and whilst he stated he had no reason to doubt the revenue from the marquee was being used for maintenance and upkeep of the main house, without the specific details set out at 2.5 above, he did not feel this argument did not outweigh the inappropriateness of the development within the Green Belt and that very special circumstances had not been adequately demonstrated.
- 2.7 The Inspector concluded that the proposals were contrary to UDP Policy GB2 and to national policy guidance set out in PPG2. He found nothing of sufficient weight to alter his conclusions on the two main issues and consequently dismissed the Appeal.

- 3.0 APP/2008/6948** – Heswall Medical Centre, 268 Telegraph Road, Heswall.
- 3.1 This application sought permission for the demolition of the existing single storey medical centre on Telegraph Road and its replacement with a new 3-storey medical centre and associated car parking, landscaping and drainage works. It was reported to Planning Committee on 12 March, 2009 following a Committee Site Visit with an officer recommendation of approval, subject to conditions. Members resolved to refuse the application on the grounds that *“the Local Planning Authority considers that the proposed development would be of an inappropriate scale to surrounding development, would result in a detrimental change in the character of the area, and would cause nuisance to neighbouring uses particularly in respect of on street parking. Consequently, the proposed development would be contrary to the provisions of Unitary Development Plan Policy HS15.”* Further, the Committee moved a second reason for refusal, that *“the Local Planning Authority considers that the proposed development would be contrary to the interests of highway safety in that an inadequate provision has been made either near or within the site for the car parking needs likely to be generated near the site. Consequently, the proposed development would be contrary to the provisions of Supplementary Planning Document 4: Parking Standards.”* The move to refuse the application was made by Councillor Rowlands and seconded by Councillor Johnson and the vote in favour of refusal was carried 11:1.
- 3.2 The applicants lodged an appeal on 25 August, 2009. The Appeal was heard at a Public Inquiry which lasted 1 day on 12 January, 2010. The Inspector undertook his Site Visit on 13 January, 2010. The Inspector subsequently upheld the Committee’s decision and dismissed the Appeal on 1 February, 2010.
- 3.3 Prior to the Inquiry and on the advice of Counsel, the Council revisited its second reason for refusal and following a report to Planning Committee on 22 October, 2009 Members agreed that this reason should not be pursued at the Inquiry having regard to the Council’s own guidance on parking standards together with national advice.
- 3.4 The main issue at the Inquiry was the effect of the proposals on the character and appearance of the surrounding area. The Inspector noted that the proposed building would consist of single storey, 2-storey and 3-storey linked elements stepped up so that the highest part would be furthest away from adjacent residential properties in Heath Drive. Whilst the Inspector acknowledged that this stepped, modular design would break up the mass of the front elevation, he concluded that the 3-storey element would be of “considerable bulk being some 41 metres long, 12 metres wide and nearly 13 metres to the ridge of a monopitch roof.”
- 3.5 The Inspector went on to state that “the building would be a prominent feature intruding into views along the road. Its forward projection, height and massing in this location would be out of scale with neighbouring development.” He also considered that the elevation

fronting onto Telegraph Road consisted of large areas of blockwork and brickwork and lacked any active frontage which presented an austere and rather oppressive appearance particularly to someone on foot. He also considered that the view from Puddydale open space would be unsatisfactory because the resulting building with its unrelenting ridge line and roof slope would jar with the current setting of the suburban landscape.

- 3.6 The Inspector acknowledged that the building would serve an important public function but was not convinced that its impact would be positive. He considered that such a large building would be an unacceptable intrusion into the open green corridor along this part of Telegraph Road. He concluded that the proposal would have a seriously detrimental effect on the character and appearance of the surrounding area and would be contrary to UDP Policy HS15. He also concluded that the proposed development conflict with the principles of Planning Policy Statement 1: *Delivering Sustainable Development* in that the design was inappropriate within its context and failed to take the opportunities available for improving the character and quality of the area.
- 3.7 In reaching his conclusions, the Inspector made reference to the living conditions of local residents. However, in his view, he did not consider that the proposal would have a significantly adverse effect on the living conditions of neighbouring occupiers in relation to privacy, outlook or noise and disturbance.
- 3.8 Finally, the Inspector acknowledged that the development would provide a high quality local health facility in a sustainable location, and whilst the proposals would not impact on living conditions and on traffic and car parking (which he considered would, with appropriate conditions, be acceptable) he did not consider that these favourable findings outweighed the serious visual harm that would be caused by the bulk and prominence of the 3-storey building that projected forward of the established building line and as such, he concluded that the Appeal should fail and dismissed it.

4.0 APP/2008/6961 – Royal Taste, 29 Pasture Road, Moreton

- 4.1 This application sought permission for the variation of Condition 2 of Planning Permission APP/2000/6887 to change the times of opening on Sundays to Thursdays to 1500 hours until 2330 hours and on a Friday and a Saturday to 1500 hours until 0100 hours. The application was reported to Planning Committee on 12 March, 2009 with an officer recommendation of refusal. Members resolved to endorse that recommendation and the application was refused on the grounds that *“the variation of condition 2 of planning permission APP/2000/6887 will result in an unacceptable loss of amenity to the occupiers of the surrounding properties that is contrary to UDP policy SH1 and associated SPD3. No supporting information has been submitted with the application to demonstrate a change in circumstances to justify approval contrary to UDP policy SH1.”*

- 4.2 The applicants lodged an appeal on 27 July, 2009. It was dealt with under the Written Representations procedure. The Inspector undertook his Site Visit on 12 October, 2009. The Inspector subsequently dismissed the Appeal and refused permission for the variation of the condition on 29 October, 2009.
- 4.3 The Inspector considered that the main issue was the implications for neighbours' living conditions with particular reference to noise and disturbance of opening until 0100 hours on Fridays and Saturdays.
- 4.4 The Inspector noted that the objectives of development plan policy is to ensure that the activities of a hot food takeaway do not adversely effect the living conditions of nearby residents through, amongst other things, noise and disturbance.
- 4.5 He concluded that he did not consider that the proposed variation of hours would result in unacceptable disturbance in the flats above the premises from *internally generated noise* and similarly, given the degree of separation to the houses on Barnston Lane from the appeal premises, he concluded that the extended hours would not have any material effect on the residents of those properties. His main concern related to external noise sources.
- 4.6 The Inspector noted that there are 2 other hot food takeaways in the immediate area and assumed that their opening hours to be broadly similar to those at The Royal Taste (the Appeal site). He considered there were no other late night 'attractions' in the vicinity. In his experience, takeaways that stay open into the early hours tend to attract patrons from a wider area, most of who would arrive by car. He concluded that this would result in increased noise and disturbance from conversations, the opening and closing of car doors, music from car radios and the revving of engines immediately in front of Nos. 17 to 29 Pasture Lane at a time when background levels would be low. For these reasons, he concluded that the extension of opening hours would unacceptably affect the living conditions of residents above through noise and disturbance and therefore, dismissed the appeal.

5.0 APP/2009/5057 – 2-2A Village Road, Oxton

- 5.1 This application sought permission for the demolition of the existing building and 2-bedroom residential unit and the erection of a 3.5 storey building comprising 4 retail units, 8 offices and a single residential unit. It was reported to Planning Committee 21 May, 2009 (following a Committee Site Visit) with officer's recommending approval, subject to conditions. Members resolved to refuse the application on the grounds that "*the proposed development would result in an un-neighbourly form of development by reason of its size, height and siting which the Local Planning Authority considers would be detrimental to the amenities which adjoining residents could reasonably expect to enjoy. The development, if approved, would be contrary to policy HS15 of the adopted Wirral Unitary Development Plan.*" The move to refuse the application was made by Councillor Redfern which was seconded by Councillor Johnson and the vote in favour of refusal was carried 11:1.

- 5.2 The applicants lodged an appeal on 22 June, 2009. The Appeal was heard at an Informal Hearing lasting half a day on 29 September, 2009. The Inspector undertook his Site Visit after closing the Hearing on the same day. The Inspector subsequently dismissed the Appeal and refused planning permission on 13 October, 2009.
- 5.3 In reaching his decision, the Inspector considered that the main issues related to whether the proposals would enhance or preserve the character or appearance of Oxtou Conservation Area and whether, by virtue of its size, height and siting the proposal would result in an unneighbourly form of development thereby harming the living conditions of neighbouring residents.
- 5.4 The Inspector considered this is a sensitive site within the conservation area, both in terms of its significance at the heart of the historic and attractive retail area and its relationship with adjoining land uses. He considered that the nature of the scheme would be appropriate to the character of the retail and commercial area within the conservation area. However, despite the stagger and slightly lower level to the proposed building adjacent to 4 Village Road, in his judgement the height and massing of the proposal would fail to provide sufficient visual transition to the much lower residential properties along Village Road and Jarrow Close, thereby creating significant discontinuity in the street scene in juxtaposition to the adjacent residential properties.
- 5.5 The Inspector considered that there would be harm to neighbouring residents' living conditions especially by reason of the overbearing effect of the development, particularly so for the occupiers of 2 Jarrow Close. Though the building would be some 16 metres from the common boundary with this property this would not adequately compensate for the adverse effect of the height and massing of the building on the outlook from the garden and conservatory of 2 Jarrow Close. For this reason, he concluded that the development would be unneighbourly and that living conditions to 2 Jarrow Close (and to a lesser degree 4 Village Road) would be harmed by the overbearing effect of the proposals. Accordingly, he concluded that the appeal should not succeed and dismissed it.

6.0 APP/2009/5338 – 2 Douglas Drive, Moreton

- 6.1 This retrospective application sought permission for the retention of a domestic garage. It was reported to Planning Committee on 13 August, 2009 (following a Committee Site Visit) with officers recommending approval. On a motion by Councillor Mountney which was seconded by Councillor Jennings the application was refused by Members on the grounds that *“the proposal would result in an unneighbourly form of development in that it would be over-dominant to the adjoining properties and detrimental to the amenities which the occupiers of the adjoining properties could reasonably expect to enjoy.”* The vote in favour of refusal was 12:0.
- 6.2 The applicants lodged an appeal on 9 September, 2009. It was dealt with under the Written Representations procedure. The Inspector undertook her Site Visit on 1 December, 2009 and subsequently

allowed the Appeal on 23 December, 2009. She also considered an application for an Award of Costs against the local planning authority and subsequently ordered that the application should be allowed, ordering the Council to meet all of the costs of the appeal proceedings.

- 6.3 The Inspector considered the main issue was the effect of the development on the living conditions of the occupiers of 4 Douglas Drive and 47 Digg Lane in Moreton, particularly with regard to outlook. The Inspector noted that the garage contained a utility room as well as the main car space and took account of the overall measurements of the building. She noted that the ridge of the garage roof was similar to the height of the existing house extension. However, she commented that she did not consider the garage to be unduly obtrusive or an incongruous feature.
- 6.4 Considering the impact on 47 Digg Lane, she noted that there was a door and some small, secondary windows along the elevation facing the garage. She concluded however that the occupiers do not have much opportunity to look out onto the garage given the nature of these windows and had consideration to the fact that a garage, albeit a smaller one, had previously been present in the location of the one being considered at the Appeal.
- 6.5 Turning her attention to 4 Douglas Drive, she noted the garage would be visible from the rear elevation of that house but felt that it was not sufficiently large or close enough to have a significantly over-dominant impact on the outlook from that property.
- 6.6 Finally, she considered the garage to be appropriate to the size of the plot and did not dominate the existing dwelling. She did not feel it to be so extensive as to be unneighbourly and therefore concluded that it was compliant with Policy HS11 of the Wirral UDP.
- 6.7 She did consider the residents' concerns with regards to the use of the garage and vehicles at or visiting the property but she was clear in so much that her role was to consider only the proposals before her, i.e. a domestic garage and that the matters raised relating to a potential business operation must be separate from her decision. She also noted the concerns of some residents that the application was retrospective but highlighted that she could attach limited weight to that matter. For the reasons outlined above, she concluded that the Appeal should be allowed and granted planning permission without conditions.
- 6.8 When considering the application for an Award of Costs against the Council, she had regard to the relevant circular (03/2009) which advises that irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused unnecessary or wasted expense in the appeal process. She was very clear in stating that whilst local planning authorities should consider the views of local residents, the extent of local opposition is not in itself a reasonable ground for resisting development. The Inspector felt that the Council's refusal did not result from any objective appraisal of the scheme in front of it but that it relied heavily on local opposition to support its decision.

- 6.9 Whilst the officer's report appraised the proposals and set out the reasons for recommending approval, the Inspector considered that the single reason for refusal put forward by Members was imprecise and not specific, the main issue being the impact on living conditions of neighbouring occupiers. However, this reason for refusal was unsubstantiated and the Inspector considered therefore that the Council acted unreasonably in refusing planning permission. She thereby ordered the Council to pay the appellant the costs of the appeal. I can advise Members that the appellant's costs have been paid and amounted to £794-55.
- 7.0 APP/2009/5394** – Former Grange Bank Funeral Home, Grange Road, West Kirby.
- 7.1 This application sought permission for the change of use of the former Grange Bank Funeral Home to Class A4 (Wine Bar with food) and the erection of an awning and associated external alterations. It was reported to Planning Committee on 21 May, 2009 with officers recommending approval. Following a motion by Councillor Rowlands that was seconded by Councillor Johnson, the application was subsequently refused by the Committee on the grounds that *“the proposed development would be located within 40m of residential properties which would be likely to result in a loss of amenity to these properties which would be contrary to SPD 3 Hot Food Takeaways, Restaurants, cafes and drinking establishments and Policy SH1 of the adopted Wirral Unitary Development Plan.”* The vote in favour of refusal was carried 7:5.
- 7.2 The applicants lodged an appeal on 7 August, 2009. It was dealt with under the Written Representations procedure. The Inspector undertook his Site Visit on 12 October, 2009 and subsequently allowed the Appeal on 28 October, 2009. He also considered an application for an Award of Costs against the local planning authority and subsequently ordered that the application should be allowed, ordering the Council to meet all of the costs of the appeal proceedings.
- 7.3 The Inspector considered that the main issue was the implications for neighbour's living conditions with particular reference to noise and disturbance. He considered the location of the appeal property within West Kirby's town centre. He also considered the Council's SPD on Hot Food Takeaways but since he did not consider it part of the development plan he attached substantially reduced weight to the document. He also considered the SPD as guidance and not as a rule that must be applied inflexibly. He concluded that each site must also be considered within the nature of its surroundings.
- 7.4 The Inspector acknowledged that there had been, from time to time, disturbance from existing late night uses in the area. However, on the evidence provided to him (including a noise assessment) he felt there was nothing to support the assertions that the proposed use would materially add to noise levels in the area. Moreover, he felt any potential for noise and disturbance could be acceptably mitigated by imposing appropriately worded planning conditions. He thereby

concluded that the appeal should be allowed and granted planning permission with conditions accordingly.

7.5 The Inspector also considered an application for an Award of Costs against the Council. In doing so, he had regard to the officer's report and recommendation to Planning Committee and the lack of any objection from Environmental Health Officers. He considered that despite being aware of a noise assessment that had been provided by the applicant, the Committee acted unreasonably when refusing planning permission for the proposed change of use. He concluded that the Committee could not substantiate their reason for doing so in light of the noise assessment and the lack of an objection for Environmental Health Officers. He therefore considered that a full award of costs was justified and thereby ordered the Council to pay the appellant the costs of the appeal. I can confirm that the appellants costs in relation to this Appeal have been confirmed at £4,197-77 and that this amount has now been paid to the appellant in line with the Inspector's decision.

8.0 Update on Recent Awards of Costs Against the Council following Appeal of APP/2009/5055 (Land south of Eastham Refinery, North Road, Eastham).

8.1 As Members will recall, this Appeal was heard at a two day Public Inquiry on 11 & 12 August, 2009. The Appeal was allowed and planning permission was granted. An Award for Costs was also successful and the Council was ordered to pay the appellant the costs of the appeal. Given that the appeal was heard by means of an Inquiry, this involved paying the costs of the appellant's barrister's fees (£4,628-75), the expert witnesses fees (£2,415-00) and the fees of the appellants planning consultants (including the production of Proofs of Evidence, time spent on preparing such documents etc) which amounted to £6,538-53. In total, the Council paid £13,582-28 in relation to the appellants costs regarding this appeal.

8.2 In addition to those costs, the Council was ordered to meet the costs in relation to the Enforcement Notice that was served and the subsequent Enforcement Appeal, which had to be withdrawn following the Inspector's decision to grant permission. The Council was required to pay the appellant an additional £2799-00 in this regard.

8.3 The total cost to the Council arising from this Appeal is £16,381-28.

8.4 The total cost to the Council in relation to these 3 Awards of Costs determined in 2009/10 amount to £21,373-60.

9.0 Conclusions.

9.1 In making any decisions pursuant to planning legislation, Members are asked to note that other relevant appeal decisions that have dealt with similar issues can be material considerations. Whilst such decisions are not to be regarded as binding, as each individual application should be considered on its own merit, nevertheless there is a well recognised

interest in seeking to achieve consistency in decision making on planning applications.

9.2 Both officers and Planning Inspector's have acknowledged that elected Members are properly entitled to take opposing views to their officers when reaching decisions on planning applications but in doing so, they should not act so 'unreasonably' as to warrant an award of costs against the Council. What constitutes unreasonableness has already been set out for Members in the report on Changes to the Appeal Processes brought to Committee on 30 April, 2009 and Members are asked to have regard to these when debating planning applications and reaching decisions.

9.3 Members are asked to consider the Appeal Decisions appended to this report and to have regard to them when considering similar issues in the determination of similar planning applications that may be brought to them for a decision.

10.0 Financial and Staffing Implications

10.1 As set out at 8.4 above, there has been significant financial implications involved with the award of costs against the Council with regards to the decisions made at the Eastham Go-Kart Track and the Former Grange Bank Funeral Home in West Kirby. Such costs have covered such matters as Counsel's fees, the fees of the appellants' agent and expert witnesses, together with any other costs associated with these appeals.

11.0 Equal Opportunity Implications / Equality Impact Assessment

11.1 There are no implications arising directly from this report under this heading.

12.0 Health Implications / Impact Assessment

12.1 There are no implications arising directly from this report under this heading.

13.0 Community Safety and Local Agenda 21 Implications

13.1 There are no implications arising directly from this report under this heading

14.0 Anti-Poverty Implications

14.1 There are no implications arising directly from this report under this heading

15.0 Social Inclusion Implications

15.1 There are no implications arising directly from this report under this heading

16.0 Human Rights Implications

16.1 There are no implications arising directly from this report under this heading

17.0 Local Member Support Implications

17.1 Whilst this report is likely to be of interest to all Members of the Council, it will be of specific interest to Ward Members within the Hoylake & Meols, Heswall, Oxton, Moreton West & Saughall Massie, Greasby, Frankby & Irby and Eastham Wards.

18.0 Background Papers

18.1 Appeal Decision documents have been used in the preparation of this report and appended for Members information.

19.0 Recommendation

19.1 Members are asked to note the contents of this report and to consider the attached decisions of the Planning Inspectorate and the details of the costs awarded against the Council where applicable.

D Green

Director of Technical Services

This report was prepared by Matthew Davies of Development Control who can be contacted on 606 2246