

Report for Information

Report to Planning Applications Committee
21 July 2011

Report of Head of Planning Services

Subject Performance of the Development Management Service:
Appeals: 1st April to 30th June 2011
(Quarter 1: 2011 – 2012)

Item
7

Purpose

To report the performance on planning appeals to members of the Committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future” and the implementation of the planning improvement plan.

Contact Officers

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Background Documents

None.

Report

Background

1. On 31 July 2008 Planning Applications Committee considered a report regarding the improved working of the Committee which included a number of suggested changes to the way the Committee operates. In particular it suggested performance of the development management service be reported to the Committee and details of appeals provided.
2. This report is in relation to the Appeals aspect only of the service. Appendix 1a, 1b and 1c provide details of appeals lodged which are pending and determined. The paragraphs below briefly summarise the information.
3. It can be seen from Appendix 1a that there are four planning appeals pending or awaiting decision. All four are due to be determined by written representation. Two of which will be dealt with through the Householder written representation process. Three of the appeals were delegated officer decisions; one appeal was a Committee decision where members have refused planning permission contrary to the officer's recommendation.
5. The application which was refused planning permission contrary to the officer's recommendation is in relation to 8 Redwell Street and is an application for the change of use from shop (Class A1) to drinking establishment (Class A4) with minor external alterations to create new fire exit. The reasons for refusing the application were that the proposal would have a detrimental impact on the character of the City Centre Conservation Area; the lack of a smoking shelter would have detrimental impact on the amenity of the area and highway safety; the proposal would create increased noise and activity on the site; there are inadequate servicing and refuse storage arrangements and due to a lack of an adequate acoustic assessment it was considered there was insufficient information to make a reasoned assessment of the proposal.
6. You will see from Appendices 1b and 1c that there have been five appeals determined in Quarter 1. The Planning Inspectorate has Dismissed three of these appeals and Allowed two appeals.
7. In respect of the appeals Dismissed; one is a delegated officer decision; one is a Committee decision where members have refused the application in accordance with the officer's recommendation and one is a Committee decision where members have refused planning permission contrary to the officer's recommendation.
8. Both of the two appeals Allowed were Committee decisions where members had refused planning permission contrary to the officer's recommendation. A building plot for a dwelling at the rear of 111 Newmarket Road was determined early in the quarter and was reported verbally at the time of the last quarterly report.

6. The two appeals for Stretton School at 1 Albemarle Road concern the removal of conditions which were granted to allow the use of the ground floor of the existing dwelling as a Nursery school and a later first floor extension to the Nursery school building, for the benefit of Mrs. Y Barnett only. Upon her discontinuance of residence at the premises the use would be discontinued and revert back to its former use as a residential dwelling.
7. The reasons for refusing the removal of the conditions application were that the continued use as a Nursery school would have a detrimental impact on the residential amenity in respect of noise and traffic congestion and the illegal parking of vehicles visiting the school at peak times; the Nursery school is out of keeping with the predominantly residential area; inadequate servicing provision for drop off / collection of children from the school and there was no Travel Plan submitted with the application.
8. The Inspector dismissed one appeal as it was effectively irrelevant as the main house was not currently in use as part of the school. The Inspector noted that removal of the condition on the other application for the school would not seek to extend the school or intensify its use and which was the thrust of the objections raised relating to traffic and parking issues. He stated that the original condition was no longer justified and imposed a new condition requiring that the occupancy be restricted to "a person or persons (and their family) having a close connection with the adjoining nursery school (Stretton School) by virtue of employment by the school, or as owner of the school". Since the removal of the condition has no impact on traffic conditions, there was no justification for a Travel Plan to be submitted.

Planning Appeals in Progress – Quarter 1: (1st April to 30th June) 2011 / 2012

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00002/REF	APP/G2625/H/11/2145542	Toys R Us 75 - 95 Westwick Street Norwich NR2 4SZ	Refusal of advertisement consent for Display of 1 No. internally illuminated fascia sign.	3rd February 2011	Written Representation	In Progress
11/00011/REF	APP/G2625/A/11/2145533/ NWF	8 Redwell Street Norwich NR2 4SN	Refusal of planning permission for Change of use from shop (Class A1) to drinking establishment (Class A4) with minor external alterations to create new fire exit.	2nd February 2011	Written Representation	In Progress

APPENDIX 1A

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00021/REF	APP/G2625/A/11/2150267/WF	Land Adjoining And South Of 16 Grasmere Close Norwich	Refusal of planning permission for Erection of single detached dwelling.	6th April 2011	Householder Written Representation	In Progress
11/00022/REF	APP/G2625/D/11/2151974	35 Denton Road Norwich NR3 4DP	Refusal of planning permission for Two-storey side extension.	26th May 2011	Householder Written Representation	In Progress

Planning Appeals Dismissed – Quarter 1: (1st April to 30th June) 2011 / 2012

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
10/00019/REF	APP/G2625/A/10/2138479/ NWF	31 St Stephens Road Norwich NR1 3SP	Refusal of planning permission for Change of use from shop (Class A1) to restaurant/cafe (Class A3) including the installation of an extraction flue system to the rear.	15th October 2010	Written Representation	Dismissed
11/00020/REF	APP/G2625/A/11/2144752/ NWF	Store And Premises The Loke Dereham Road Norwich NR5 8QG	Refusal of planning permission for Demolition of commercial building and erection of 4 new dwellings.	21st January 2011	Written Representation	Dismissed

APPENDIX 1B

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00015/REF	APP/G2625/A/11/2146513/ NWF	Stretton School 1 Albemarle Road Norwich NR2 2DF	Refusal of planning permission for Removal of Condition 2 - The permission hereby granted shall operate for the benefit of Mrs Y Barnett only and on the discontinuance of her occupancy of the premises the use hereby granted shall be discontinued and the Council as Local Planning Authority hereby grants permission for the use of the said premises thereafter for residential purposes of	15th February 2011	Written Representation	Dismissed

APPENDIX 1B

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00015/REF (Cont'd.)			previous planning permission (App. No. 35678) 'The use of the ground floor of the existing dwelling as a Nursery School at 1 Albemarle Road'.			

Planning Appeals Allowed – Quarter 1: (1st April to 30th June) 2011 / 2012

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
10/00015/REF	APP/G2625/A/10/2133082/WF	111 Newmarket Road Norwich NR2 2HT	Refusal of planning permission for Sub-division of curtilage to accommodate the erection of a four bedroom detached two storey dwelling and double garage with access from Kinver Close.	30th July 2010	Written Representation	Allowed

APPENDIX 1C

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00016/REF	APP/G2625/A/11/2146511/ NWF	Stretton School 1 Albemarle Road Norwich NR2 2DF	Refusal of planning permission for Removal of Condition 4 - The permission hereby granted shall operate for the benefit of Mrs Y Barnett only, and on her discontinuanc e of residence at the premises, the use hereby permitted shall be discontinued. The premises shall then return to its former use as	15th February 2011	Written Representation	Allowed

APPENDIX 1C

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
			a residential dwelling of previous planning permission 09/00672/F 'First floor extension to office'.			