

Report to	Planning applications committee 8 November 2012	Item
Report of	Head of planning services	7
Subject	Performance of the Development Management Service: Appeals: 1 July to 30 September 2012 (Quarter 2 2012 - 13)	

Purpose

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

Recommendation

That the report be noted.

Corporate and 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.

Financial implications

There are no direct financial implications arising from this report.

Ward/s: All

Cabinet member: Councillor Bremner – Environment and development

Contact officers

Graham Nelson, Head of planning services 01603 212530

Ian Whittaker, Planning development manager 01603 212528

Background documents

None

Report

Background

1. This is one of a series of reports that have been produced regularly since 2008. The purpose of this report is to ensure members are aware of the outcome of planning appeals.
2. Appendix 1a provides details of appeals lodged which are pending. There are eight planning appeals pending or awaiting decision. Seven of these appeals were delegated officer decisions where the application was refused. The remaining one appeal (application number 12/01120/VC for moorings at King St) was a case where members overturned the officers' recommendation and refused the application.
4. There was one appeal dismissed during this quarter (Appendix 1b). The case was a delegated officer decision which was approved and the appellant appealed against conditions imposed on the planning permission.
5. As shown in Appendix 1c there have been two appeals allowed. Both cases were delegated officer decisions where the application had been refused.
6. Application 11/00193/F was for an "urban green point" on-street recycling device at the junction of Ipswich Road and Ipswich Grove. The Inspector considered the impact on the character and appearance of the area and highway safety. He did not consider that there was "an adverse effect on views into and out of the conservation area and would not materially harm the character and appearance of the ... streetscene". In terms of highway safety he did not consider there was any harm as the proposal is aimed at pedestrians and unlikely to attract car traffic and parking and as the footway would be unimpeded by its installation.
6. Application 11/01332/RM related to reserved matters of appearance landscaping, layout and scale of consent for a restaurant. The main issues were the effect on trees and the proposed cycle parking. As the appellant submitted an Arboricultural Implications Assessment (AIA) at the appeal stage and the council regarded this as satisfactory then the council withdrew 2 of the reasons for refusal. The council then accepted that the third reason (cycle parking) could be dealt with by condition. The council submitted a claim for costs against the appellant as it considered that their behaviour was unreasonable and caused the council to incur or waste expense unnecessarily. The need for an AIA was identified at a very early stage and their agent specifically request requested that the application be validated as they considered that the tree information was sufficient to determine the application. The Inspector decided that the "it is the applicant's responsibility to ensure that it has submitted the necessary information as part of a planning application and thus the council did not act unreasonably in refusing permission in advance of the 8 week date" without the AIA. Costs were awarded against the appellant.

7. Since 30 September two of the appeals in progress have also been decided. These are 1 City Road (application no. 12/00377/F) and Land to the south-west of 1-9 Catton View Court (application no. 11/00735/O) which were both dismissed.

Planning Appeals in Progress – Quarter 2 (1 July to 30 September) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00010/REF Planning Application No. 11/01717/F	APP/G2625/A/12/2177301/ NWF	16 Wensum Street Norwich NR3 1HY	Refusal of planning permission for Conversion from shop (Class A1) with dwelling above to shop (Class A1) and two flats (one at rear of ground floor and first floor; one on second floor) (Revised).	27 June 2012	Written Reps.	In Progress
12/00008/REF Planning Application No. 11/00735/O	APP/G2625/A/12/2173073/ NWF	Land to the South-West of 1 – 9 Catton View Court Norwich	Refusal of planning permission for erection of 3 no. two bedroom flats with car parking.	24 April 2012	Writtens Reps.	In Progress (Dismissed on 05.10.2012)

Appendix 1A

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00009/REF Planning Application No. 12/00377/F	APP/G2625/A/12/2176401/NWF	1 City Road Norwich NR1 3AJ	Refusal of planning permission for Retrospective change of use from Warehouse/Distribution to Hand Car Wash and Valeting involving partial demolition.	22 May 2012	Written Reps.	In Progress (Dismissed on 23.10.2012)
12/00011/REF Planning Application No. 12/00753/VC	APP/G2625/A/12/2177902/NWF	1 Blackberry Court Sweet Briar Retail Park Norwich NR6 5DH	Refusal to vary a condition for Variation of condition 2 of previous planning permission 4/1993/00743/F 'Formation of two self-contained retail shop premises from within existing retail shop' to allow the sale of food goods.	18 July 2012	Inquiry	In Progress

Appendix 1A

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00012/REF Planning Application No. 12/01011/T	APP/G2625/A/12/2181507/NWF	1A Portersfield Road Norwich NR2 3JT	Refusal of prior approval for Installation of 15m high telecoms tower incorporating 3 No. 2G/3G antennas within GRP shroud, 1 No. equipment cabinet; 1 No meter pillar and ancillary development.	21 August 2012	Written Reps.	In Progress
12/00013/REF Planning Application No. 12/00658/F	APP/G2625/A/12/2183900/NWF	Georgian House Hotel 30 - 34 Unthank Road Norwich NR2 2RB	Refusal of planning permission for Erection of a marquee at rear of site to be used for functions in association with the hotel.	2 October 2012	Written Reps.	In Progress

Appendix 1A

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00015/REF Planning Application No. 12/01120/VC	APP/G2625/A/12/2184830/NWF	Land And Buildings On The North East Side Of King Street Norwich	Refusal to remove a condition for Removal of Condition 9 of planning permission (App. No. 04/00274/F) for the provision of moorings and amendment of the S106 agreement associated with 04/00274/F to remove the requirement for provision of public access to the River.	16 October 2012	Written Reps	In Progress

Appendix 1A

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00014/REF Planning Application No. 12/01423/F	APP/G2625/A/12/2185186/NWF	3 Wakehurst Close Norwich NR4 6JL	Refusal of planning permission for Erection of two bedroom detached bungalow with accommodation in roof space, associated car parking and landscaping.	23 October 2010	Written Reps.	In Progress

Appendix 1B

Planning Appeals Dismissed – Quarter 2 (1st July to 30th September) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00004/COND Planning Application No. 11/01053/F	APP/G2625/A/12/2169664/ NWF	Little Timbers 2 South Park Avenue Norwich NR4 7AX	Grant Planning Permission for the development subject to conditions to which you object for Erection of replacement dwelling with associated parking area.	21February 2012	Written Reps.	Dismissed

Appendix 1C

Planning Appeals Allowed – Quarter 2: (1 July to 30 September) 2012-2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00007/REF Planning Application No. 11/00193/F	APP/G2625/A/12/2172406/ NWF	Site Of Proposed UGP Recycling Unit Ipswich Grove Norwich	Refusal of planning permission for Siting of 1 No. Urban Green Point recycling unit comprising seven separate containers.	19 March 2012	Written Reps	Allowed
12/00006/REF Planning Application No. 11/01332/RM	APP/G2625/A/12/2172454/ NWF	Proposed Class A3 Restaurant South Side Of Blackberry Court Sweet Briar Retail Park Norwich	Refusal to approve matters reserved under an outline planning permission for Reserved matters of appearance, landscaping, layout and scale of previous outline planning	20th March 2012	Written Reps.	Allowed

Appendix 1C

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
			permission 07/01129/O 'Erection of restaurant and associated works'.			