

<b>Report to</b>	Planning applications committee 17 January 2013	<b>Item</b>
<b>Report of</b>	Head of planning services	<b>8</b>
<b>Subject</b>	Performance of the Development Management Service: Appeals: 1 October to 31 December 2012 (Quarter 3 2012-13)	

---

## **Purpose**

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

## **Recommendation**

That the contents of the report be noted.

## **Corporate and service priorities**

The report helps to meet the corporate priority a prosperous city and the service plan priority working to improve quality of life for residents, visitors and those who work in the city now and in the future.

## **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

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 seven planning appeals pending or awaiting decision. Four of these appeals were delegated officer decisions where the application was refused. The remaining three appeals (application number 12/01120/VC for moorings at King Street; application number 12/01245/F for 126 Cambridge Street and application number 12/01487/F for 66 Wellington Road) were all cases where members overturned the officer's recommendation and refused the application.
4. There were two appeals dismissed during this quarter (Appendix 1B). The cases being application number 11/00735/O (Land to the south-west of 1-9 Catton View Court) and application number 12/00377/F (1 City Road). Both of these cases were delegated officer decisions where the application was refused.
5. There was one appeal Allowed during this quarter (Appendix 1C). Application number 11/01717/F (16 Wensum Street). This case was a delegated officer decision where the application was refused for the creation of two flats adjoining The Lawyer PH. Insufficient information was submitted to enable the amenity of future occupants to be properly assessed and the application was refused. The inspector stated that the National Planning Policy Framework advises that government's key objective is to increase the delivery of new homes and encourages council's "to look for solutions rather than problems" and "the use of conditions where otherwise unacceptable development could be made acceptable by the use of conditions".
6. In this particular case he considered that adequate noise mitigation could be achieved. "Although not absolutely evident from my inspection, it would appear that the wall between the public house and the appeal premises is not a party or common wall and that the adjoining buildings have separate structures. However, even if this were not to be the case there are still measures available which could mitigate the noise and vibration caused within the public house premises, sufficient enough to ensure that the living conditions of occupants would be protected."
7. An application for costs was made in that the council had acted unreasonably. the inspector concluded that the council "could and should have worded a condition in such a way as to ensure that the information submitted dealt with its concerns". The council's approach "seems to have relied upon a fear of what might not be achievable, rather than requiring that sufficient information be provided to indicate that the environmental health officer's concerns could be overcome".

## Planning Appeals in Progress – Quarter 3 (1st October to 31st December) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00012/REF  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.	21st August 2012	Written Reps.	In Progress

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00013/REF  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.	2nd October 2012	Written Reps.	In Progress

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00015/REF  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.	16th October 2012	Written Reps.	In Progress

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00014/REF  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.	23rd October 2010	Written Reps.	In Progress
12/00016/REF  Planning Application No. 11/00198/F	APP/G2625/A/12/2187633/ NWF	Site Of Proposed UGP Recycling Unit In Front Of 119 Prince Of Wales Road Norwich	Refusal of planning permission for Siting of 1 No. Urban Green Point recycling unit comprising of seven separate containers.	22nd November 2012	Written Reps.	In Progress

<b>Application Ref No</b>	<b>Planning Inspectorate Ref No</b>	<b>Address</b>	<b>Proposal</b>	<b>Date Appeal Valid</b>	<b>Type of Appeal</b>	<b>Decision</b>
12/00017/REF  Planning Application No. 12/01245/F	APP/G2625/A/12/2188709/NWF	126 Cambridge Street Norwich NR2 2BE	Demolition of existing single storey extension and erection of single and two storey extension to rear of dwelling.	21st December 2012	Written Reps.	In Progress
12/00018/REF  Planning Application No. 12/01487/F	APP/G2625/A/12/2189636/NWF	66 Wellington Road Norwich NR2 3HT	Erection of rear first floor extension and alterations to windows and doors on front and side elevations.	28th December 2012	Written Reps.	In Progress

### Planning Appeals Dismissed – Quarter 3 (1st October to 31st December) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00008/REF  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.	24th April 2012	Written Reps.	Dismissed
12/00009/REF  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/Distri bution to Hand Car Wash and Valeting involving partial demolition.	22nd May 2012	Written Reps.	Dismissed



### Planning Appeals Allowed – Quarter 3 (1st October to 31st December) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00010/REF	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).	27th June 2012	Written Reps.	Allowed