Report for Information

Report to	Planning Applications Committee 23 August 2012 (deferred from 19 July 2012)	**Item** 7
Report of	Head of Planning Services	
Subject	Performance of the Development Management Service: Appeals: 1st April 2012 – 30th June 2012 (Quarter 1 2012 - 2013)	

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. This is one of a series of reports that have been produced regularly since 2008. Their purpose is to ensure members are aware of decisions made under delegated powers, provide information about the overall performance of the service and about the outcome of planning appeals.

2. This report is in relation to the appeals aspect of the planning service. Appendix 1a provides details of appeals lodged which are pending.

3. It can be seen from Appendix 1a that there are four planning appeals pending or awaiting decision. All four of these appeals were delegated officer decisions where the application was refused.

4. There were five appeals dismissed during this quarter. One of these appeals, 94 Appleyard Crescent, was a householder appeal. Three were Delegated Officer Decisions which were refused. One appeal is a Committee decision where members decided to refuse the application. This case relates to the proposed telecommunication mast opposite 161B Bowers Avenue.

5. Since the 30th June, the appeal against the refusal of planning permission at 2 South Park Avenue has also been dismissed. Although there were no appeals allowed during this quarter, the appeal against condition 2 of the planning permission for Blackberry Court, Sweet Briar Road was upheld on the 4th July 2012. This case was somewhat unusual as it related to the reserved matters attached to an application relating to a unit on the retail park. The applicant had not submitted an Arboricultural Impact Assessment (AIA) despite being requested to do so and it being required under our validation checklist. As part of the appeal one was submitted and was considered acceptable by officers. An additional reason for refusal relating to cycle parking was capable of being dealt with by condition. The Inspector upheld the appeal and as part of its submissions the Council applied for costs against the appellant because it regarded the appeal to have been unnecessary.

6. The Inspector concluded that “it appears to me very likely that it (the Council) would have approved the reserved matters application had the assessment been submitted at the application stage. On this basis the appeal would have been avoided. I conclude that Eskmuir Properties acted unreasonably in relying on new evidence it did not submit at the planning application stage and that thus the Council’s costs in responding to the appeal were unnecessarily incurred. An award of costs against Eskmuir Properties is thus justified.”

Appendix 1a

Planning Appeals in progress – Quarter 1: (1st April to 30th June) 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.	19th March 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.	24th April 2012	Written Reps	In Progress

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.	22nd May 2012	Written Reps	In Progress
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).	27th June 2012	Written Reps	In Progress

Appendix 1b

Planning Appeals Dismissed – Quarter 1: (1st April to 30th June) 2012/2013

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
11/00026/ADVT Planning Application No. 11/01495/A	APP/G2625/H/2166432	St Johns House 33 King Street Norwich NR1 1PD	Refusal of advertisement consent for Display of 1 No. non illuminated mesh banner canvas sign on eastern elevation.	13th December 2011	Written Reps	Dismissed
11/00028/ADVT Planning Application No. 11/01843/A	APP/G2625/H/11/2167568	7A Albion Way Norwich NR1 1WR	Refusal of advertisement consent for Display of 1 No. non-illuminated fascia sign.	30th December 2011	Written Reps	Dismissed

Appendix 1b

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00002/ADVT Planning Application No. 11/01930/A	APP/G2625/H/12/2168565	56 - 72 St Stephens Street Norwich NR1 3SL	Refusal of advertisement consent for Retrospective consent for the display of 1 No. internally illuminated high level vertical sign.	17th January 2012	Written Reps	Dismissed
12/00001/REF Planning Application No. 11/01768/T	APP/G2625/A/11/2167563/ NWF	Proposed Telecommunications Mast Opposite 161B Bowers Avenue Norwich	Refusal of prior approval for Installation of 13.8m streetworks column supporting 3 No. 3G antennas, 1 No. equipment cabinet and ancillary development.	30th December 2011	Written Reps	Dismissed

Appendix 1b

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
12/00005/REF Planning Application No. 11/01840/F	APP/G2625/D/12/2172685	94 Appleyard Crescent Norwich NR3 2QH	Refusal of planning permission for Erection of two storey (pitch roof) extension to the rear of the property.	23rd March 2012	Householder	Dismissed