

Report for Information

Report to Planning Applications Committee
4 February, 2010

Item

7

Report of Head of Planning Services

Subject Performance of the Development Management Service:
Appeals: 1 October 2009 to 31 December 2009 (Quarter 3)

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.

Performance of the development management service

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 attempt to briefly summarise the information.
3. It can be seen from Appendix 1a that there are two planning appeals pending or awaiting decision, these were both lodged in Quarter 3 2009/10 and are both due to be determined by written representation. Neither of the two appeals pending are instances where members have refused planning permission contrary to the officers' recommendation.
4. You will see from Appendix 1b and 1c that there have been five appeals determined in Quarter 3. Of these the Planning Inspectorate has dismissed the appeals in four cases and upheld the appeal in one case.
5. The upheld case related to the erection of one single and two-storey dwelling with car port. This was advertised in the Press and on site and neighbours were consulted. There were no objections or representations from neighbours. The Norwich Society sent one representation and had no objections. The application was refused under the Head of Planning's delegate powers. At appeal the Inspector considered the two main issues to be the effect of the proposal upon the appearance of the locality and upon the living conditions for neighbouring and prospective occupiers. The Inspector noted that planning permission had been granted for a detached bungalow at the appeal site in 2007. The Inspector's view was that the principle for the development of this land had therefore already been established.
6. With regard to the effect on the appearance of the locality, it was the Inspector's view that the Council had already accepted the prospect of a significant visual change at the junction. The Inspector said "To my mind the site offers little by way of visual relief to the built-up nature of the locality". The Inspector went on to say "The frontage wall has been breached, the site used for the fly-tipping of rubbish and that the immediate setting of the site is stark, uninteresting and uses poor quality materials". The Inspector thought the only features of any merit were three rowan trees and shrubs in the raised planting areas. He was of the view that "Taken in its entirety, I am certain that the proposal has all of the attributes to add to the overall quality and appearance of the streetscene and to make a significant contribution to the interest of the road frontage hereabouts".

7. With regard to the effect upon the living conditions for neighbouring and prospective occupiers of the proposed dwelling the Inspector considered “the accommodation has been specifically designed to a high accessibility standard, and is orientated to make best physical and visual use of the garden area as opposed to the public domain at the front”. It was the Inspector’s view that “the proposal represented a satisfactory introduction of a dwelling specifically designed to accommodate a tenant and full-time carer into a mixed residential community” and contrary to the Council’s view he did not regard this as “a poor living environment for any future occupier”.
8. The Inspector also acknowledged that some overlooking of parts of the rear amenity space of number 35 would be possible but this would be from a first floor bedroom window. He regarded this as acceptable in a relatively dense residential area which is close to the City Centre. The Inspector therefore considered the proposed development would not be detrimental to the living conditions of the present occupiers at No. 35 or for that of future occupiers. The appeal decision was subsequently issued with a standard time condition; conditions relating to details of materials; boundary treatments; landscaping and car parking.

Planning Appeals In Progress at 31st December 2009

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00019/REF	APP/G2625/H/09/2117043	Street Cabinet In Front Of 120 Thorpe Road Norwich	Refusal of advertisement consent for Display of non-illuminated poster advertisement on telecommunications street cabinet.	18th November 2009	W	INPROG Written Representation
09/00020/REF	APP/G2625/A/09/2117205/ NWF	St Williams House 1A St Williams Way Norwich NR7 0AH	Refusal of planning permission for Sub-division of curtilage and erection of a pair of semi-detached houses.	20th November 2009	W	INPROG Written Representation

W= Written statements only

I = Informal Hearing

P = Public Inquiry

Date Produced: Wednesday, 27 January 2010

Decision Codes – ALLOW = Allowed, DISMISS = Dismissed, PTAPD=Part allowed part dismissed, INPROG = In progress

Planning Appeals Dismissed – Quarter 3: 2009 / 2010

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00013/REF	APP/G2625/A/09/2102311/ NWF	88 - 94 Mile Cross Lane Norwich NR6 6SH	Refusal of planning permission for Erection of 370sqm building to be used in Class B1, B2 or B8 use.	21st April 2009	W	DISMISS 10th November 2009
09/00012/REF	APP/G2625/A/09/2101741/ WF Conjoined with APP/G2625/C/09/210819	8 St. Mildreds Road Norwich NR5 8RJ	Refusal of planning permission for Replacement of passageway, shed and conservatory with 'lean-to' passageway link and shower room.	14th April 2009	W	DISMISS 9th November 2009

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H = Householder (On-Line)

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Appendix 1b

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00016/REF	APP/G2625/A/09/2106202/NWF	21 Suffolk Square Norwich NR2 2AA	Refusal of planning permission for Change of use from bakery and shop (Class A1) to hot food takeaway (Class A5).	12th June 2009	W	DISMISS 27th October 2009
09/00018/REF	APP/G2625/D/09/2115142	47 Caddow Road Norwich NR5 9PQ	Refusal of planning permission for Two-storey side extension.	21st October 2009	H	DISMISS 17th December 2009

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Planning Appeals Upheld – Quarter 3: 2009 / 2010

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00017/REF	APP/G2625/A/09/2106631/ WF	Corner Plot Adjacent To 35 Orchard Street Norwich	Refusal of planning permission for Erection of one single and two storey dwelling with car port.	18th June 2009	W	ALLOW 27th October 2009

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