

Report for Information

Report to Planning Applications Committee
22 October 2009

Item

7

Report of Head of Planning Services

Subject Performance of the Development Management Service:
Appeals 1 July 2009 to 30 September 2009

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 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. All other performance statistics will be reported to the next Planning Applications Committee. Appendix 1a, 1b and 1c provide details of appeals lodged pending and determined. The paragraphs below attempt to briefly summarise the information.
3. It can be seen from Appendix 1a that there are some 4 planning appeals pending or awaiting decision, of these 2 were lodged in quarter 1, 2009/10 and 2 in quarter 2, 2009/10. All 4 appeals are due to be determined by written representation. Of the 4 appeals pending none are instances where members have refused planning permission contrary to officers' recommendation.
4. You will see from Appendix 1b and c that there have been 5 appeals determined in quarter 2. Of these the Planning Inspectorate has dismissed the appeals in 4 cases and upheld the appeal in 1 case.
5. The upheld case related to the installation of a 10 metre imitation 'telegraph pole' incorporating 3 No. antennas, an equipment cabinet at ground level and ancillary development. This was advertised in the Press and on site and neighbours were consulted. There were no objections or representations and the application was refused under the Head of Planning's delegated powers. At appeal the Inspector amended the description to reflect the plans which indicated there were two cabinets and a meter cabinet proposed. The Inspector considered the two main issues to be the effect on the character and appearance of the Newmarket Road Conservation Area and the effect of the proposal on the living conditions of occupiers of nearby dwellings with particular regard to outlook. With regard to the effect on the character of the Conservation Area the Inspector considered that 'the poles location and visual impact would be limited particularly because the proposed mast would be constructed to give resemblance to a genuine telegraph pole. It would have a similar slim profile to the existing street lamps and would be seen from Newmarket Road against a backdrop of high mature trees'. She was of the view that 'the pole and cabinets would appear as items of normal street furniture' and that therefore the 'pole and associated cabinets would be readily assimilated into the street scene without appearing unduly cluttered and would thus preserve the character and appearance of the surrounding Conservation Area'. In terms of the amenity of nearby residential properties she considered that there would be very limited views of the installation with 'glimpses through the trees of the upper part of the pole'. She therefore considered that the

proposal would not have an adverse effect on the residential amenities of the occupiers of nearby dwelling in terms of outlook. The appeal decision was subsequently issued with a standard time condition.

6. One significant appeal has recently been withdrawn and the Council is investigating the opportunity for reclaiming costs from the Appellant. The site is 73 Whiffler Road and the proposal was for the redevelopment of the Gei Autowrappers site to provide a non-food retail warehouse (A1) and 3 no. industrial units (B1, B2 and B8) together with access and servicing arrangements and landscaping. This was refused by Planning Applications Committee in July 2008.
7. A further appeal which has been withdrawn is at the site of 6A Albion Way, formally Woolworths. The application was for the creation of 3,779 sq.m of additional retail floorspace at Mezzanine level. The appeal was withdrawn following approval of a revised scheme in August this year.

Planning Appeals in Progress at 30th September 2009

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00012/REF	APP/G2625/A/09/2101741/ WF Conjoined with APP/G2625/C/09/2101819	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	INPROG Written Representation
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	INPROG Written Representation

W= Written statements only

I = Informal Hearing

P = Public Inquiry

Date Produced: Tuesday, 13 October 2009

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

Appendix 1a

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	INPROG Written Representation
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	INPROG Written Representation

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Planning Appeals Dismissed – Quarter 2: 2009 / 2010

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
07/00030/NONDET	APP/G2625/A/08/2090773/NWF	1 And 1a City Road And 2a Bracondale Norwich Norfolk	Refusal of planning permission for Demolition of existing paint distribution centre and erection of six flats with car parking.	27th November 2007	P	DISMISS 2nd July 2009
09/00002/ADVT	APP/G2625/H/09/2096427	55 Earlham Road Norwich NR2 3AD	Refusal of advertisement consent for Erection of one internally illuminated free standing double sided display unit.	30th January 2009	W	DISMISS 4th September 2009

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Appendix 1b

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00011/REF	APP/G2625/A/09/2101197/WF	26 Riverside Road Norwich NR1 1SR	Refusal of planning permission for Conversion of four bed dwelling to form 2 No. two bed flats.	6th April 2009	W	DISMISS 2nd July 2009
09/00014/REF	APP/G2625/A/09/2101366/NWF	55 London Street Norwich NR2 1HL	Refusal of planning permission for Change of use from shop (Class A1) to adult gaming centre (Class Sui Generis).	6th April 2009	W	DISMISS 1st July 2009

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Planning Appeals Upheld – Quarter 2: 2009 / 2010

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00009/REF	APP/G2625/A/09/2098833/ NWF	Highway Land In Front Of 47 - 69 Newmarket Road Norwich	Refusal of planning permission for The installation of a 10 metre imitation 'telegraph pole' incorporating 3 No. antennas, an equipment cabinet at ground level and ancillary development.	5th March 2009	W	ALLOW 3rd July 2009

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