



Development Control Committee – 16 January 2013

Appeal Decision Monitoring Report

Purpose of report

Update on appeal decisions from the Planning Inspectorate and an analysis of the main issues, to monitor consistency between the council's and Planning Inspectorate's decisions.

Attachment(s)

Appendix 1 - Appeal decisions from 3 December 2012 to 21 December 2012.

1.0 Introduction

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from 3 December 2012 to 21 December 2012 and analyses the decisions made by the Development Control Committee and officers under delegated authority. Details of costs awarded against the council (if any) are also given.

2.0 Equality and Diversity Implications

2.1 There are no equality and diversity implications arising from the proposals.

3.0 Legal Implications

3.1 There are no legal implications arising from the proposals.

4.0 Risk Management

4.1 There are no significant risks arising from the proposals.

5.0 Financial implications

5.1 There are no financial implications arising from the proposals, except for those decisions where costs have been awarded against the council.

6.0 Corporate Outcomes

6.1 The report supports priority outcomes set out in the Corporate Plan - Effective Management; and Value for Money.

6.2 The report is submitted for information.

Legal	Power: Planning and Compulsory Purchase Act 2004				
	Other considerations: None				
Background Papers: Office Files					
Person Originating Report: Sue Wheatley - Development Control Manager 01832 742227 sjwheatley@east-northamptonshire.gov.uk					
Date: 2 January 2013					
CFO		MO		CX	

East Northamptonshire Council

DC Appeal Results

For Period from: 03 Dec 2012 to : 21 Dec 2012

Officer

Procedure			
Case Ref. No.	Appellant	Location	Appeal Type
Proposal			Date Decided Decision

Anne Dicks

Written Representations

12/00718/FUL	Mr S Singh	48 Brook Street Raunds Northamptonshire	Against Refusal
	Roller shutters for front window and door - Retrospective.		17/12/2012 Dismissed

Reason for refusal:

- Solid appearance of external roller shutters and externally mounted shutter box
- Positioning on the building
- The colour (red), design and materials
- Detrimental to existing shop front
- Unacceptable impact on street scene

The appeal was dismissed for the following reasons:

- Although appellant states that the shutter is perforated, it materially affects external appearance of shop frontage, due to its colour and design
- Solid look of shutter gives impression of a place in decline
- Shutter's appearance and externally-mounted box has detrimental effect on architectural design of shop frontage• Design out of keeping with layout of traditional shop fronts in this part of street scene
- Shutter box stands proud of the façade
- Type and nature of materials in combination with positioning of the box renders the development visually intrusive
- Shutter gives the appearance of a monotonous and unattractive frontage which reinforces the fear of crime
- Fails to comply with the CSS – Policy 13, the NPPF (high standard of design), and is at odds with SPD: “Shop Front Design” (adopted February 2011)

Summary of appeal decision:

Having considered all the reasons above and “all other matters” the Inspector concluded that:

“...(the) roller shutter has a harmful effect upon the character and appearance of the shop front and that of the street scene”

Decided Appeals Dismissed :	1	100.00%	
Decided Appeals Allowed :	0	0.00%	M Denotes Member
Decided Appeals Withdrawn :	0	0.00%	Decision against
Decided Appeals Total :	1	100.00%	Officer advice