



Planning Management Committee – 08 March 2017

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 09 January 2017 to 27 January 2017

1.0 Introduction

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from Appeal decisions from 09 January 2017 to 27 January 2017 and analyses the decisions made by the Planning Management 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: Rhys Bradshaw, Planning Development Manager ☎ 01832 742180 ✉ rabradshaw@east-northamptonshire.gov.uk					
Date: 22 February 2017					
CFO		MO		CX	

East Northamptonshire Council

DC Appeal Results

For Period from: 09 January to 27 January 2017

Officer

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

Written Representations

16/00919/FUL	Blenheim Realty Ltd - Construction of four three bedroom semi detached houses and two one	Amenity Area Smithfield Court Smithfield	Against Refusal 19/01/2017	Dismissed M
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This application for four three bedroomed semi-detached dwellings and two one bedroomed flats on a Council owned amenity greenspace at Smithfield Place was considered by officers to have addressed residential amenity and arboricultural concerns raised during a previous (withdrawn) scheme. Nevertheless, Members felt that the loss of the open space was unacceptable and had concerns that the design and layout of the dwellings along with their small sloping gardens would subject the new occupants to unsatisfactory living conditions. The application was therefore refused on those grounds. In considering the appeal, the Inspector found no conflict with policies relating to open space, however he noted that the dwellings would fall short of the National Space Standards and that *'by any reasonable measure, the size and quality of amenity spaces proposed to these family sized dwellings would be inadequate.'* The appeal was consequently dismissed on the basis of the harm to future occupiers.

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Decided Appeals Withdrawn :	0	0.00%	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