



Planning Management Committee – 11 July 2018

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 26 February 2018 to 25 May 2018

1.0 Introduction

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from Appeal decisions from 26 February 2018 to 25 May 2018 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: Rosalind Hair, Interim Planning Development Manager ☎ 01832 742045 ✉ rhair@east-northamptonshire.gov.uk					
Date: 28 June 2018					
CFO		MO		CX	

East Northamptonshire Council

DC Appeal Results

For Period from 28 May 2018 to 22 Jun 2018

Officer

Procedure

Case Ref. No. Appellant
Proposal

Location

Appeal Type

Date Decided Decision

Amie Baxter

Householder Appeal

17/02331/FUL Mr M Watts 5 Parklands Stanwick Wellingborough Against Refusal
Replace existing lean to roof with first floor ensuite bedroom to side extension 01/06/2018 **Dismissed**

The application was refused under delegated powers due to the negative impact upon the character and appearance of the host dwelling, the semi-detached pair and the streetscene, and the effect on the occupiers of an adjacent dwelling with respect to an overbearing impact. The council's concerns regarding the overbearing impact were the stronger of the two refusal reasons and the impact would be exacerbated by the difference in land levels between the application site and the affected neighbouring dwelling, which is positioned side on to the proposed extension with its garden in between.

The Inspector disagreed with the council that the proposed extension would have an overbearing impact due to there being a distance of 9 metres between the extension and the neighbouring property and as there would not therefore be a loss of light.

The Inspector focussed upon concerns raised in terms of design and agreed that the proposed extension would not reflect the design of the main dwelling or the streetscene because of the proposal to include a single gable. The asymmetrical appearance of the extension would also give a discordant appearance and the significantly different architecture would draw attention to the lack of symmetry with the semi-detached pair, which would harm the streetscene. The Inspector did not agree that the extension is overly prominent or bulky, as cited by the council.

Anna Lee

Written Representations

17/00835/OUT Mrs Pamela Houghton Spenwood Alexandra Road Rushden Against Refusal
Outline: Four bedroom dormer style dwelling (all matters reserved except 30/05/2018 **Allowed**

The application was refused because the proposal would introduce a 6th dwelling onto a private access contrary to the Local Highway Authority's (LHA) adopted Standing Advice. The existing access was considered to be narrow, would not provide adequate space for emergency vehicles and would be unsuitable for further intensification of use in the absence of the access improvement works.

The Inspector considered the volume of pedestrian and vehicular traffic on the road to be very low and the condition of the road would mean that vehicle speeds are slow and the straight alignment would provide good visibility. As such, he considered that it would be unlikely that conflict between vehicles and pedestrians would be common or dangerous. In addition, he noted that there is a verge on the side of the access that would allow refuge for pedestrians if vehicles are passing and waste vehicles already use the access road for collection.

Wayne Cattell

Householder Appeal

17/02583/FUL Mr D Marshall 2 Belmont Gardens Raunds Wellingborough Against Refusal
Part demolition of existing garage and construction of two storey side 08/06/2018 **Allowed**

This application was refused because it involved a large two storey side extension to one of a very narrow pair of semi detached houses and officers felt it would have been over dominant in the surroundings particularly as it would be visible from the front, rear and side. The Inspector noted that the site for the extension already has a single storey garage on it and did not share the concerns about the dominance of the extension. He therefore allowed the appeal.

Written Representations

17/02300/FUL Mr F Langley F and The Carriage House 13 Market Square Higham Against Refusal
Proposed offices and associated parking including demolition part remaining 30/05/2018 **Dismissed**

This application was refused on the grounds of highway safety due to unacceptable site access points and lack of on site parking provision. The refusal had the support of the County Highway Authority. The Inspector agreed with the highway safety concerns and therefore dismissed the appeal. In doing this, he noted the concerns about a lack of on site parking. However, due to the location of the site near to town centre car parking in Higham Ferrers, he did not support the refusal on this ground.

Decided Appeals - Dismissed:	2	50.00%	M Denotes Member Decision against Officer advice
Decided Appeals - Allowed:	2	50.00%	
Decided Appeals - Withdrawn:	0	0.00%	
Decided Appeals - Total:	4	100.00%	