



Planning Management Committee – 23 October 2019

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 24 September 2019 to 4 October 2019

1.0 Introduction

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from Appeal decisions from 24 September 2019 to 4 October 2019 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.

3.0 Legal Implications

3.1 There are no legal implications.

4.0 Risk Management

4.1 There are no significant risks.

5.0 Financial implications

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

6.0 Privacy Impact Assessment

6.1 There are no privacy implications.

7.0 Constitutional Implications

7.1 There are no constitutional Implications

8.0 Implications for our Customers

8.1 There are no implications for our customers.

9.0 Corporate Outcomes

9.1 The report supports priority outcomes set out in the Corporate Plan – Effective Management and Value for Money.

10.0 Recommendation

10.1 The Committee is recommended to note the report.

Legal	Power: Planning and Compulsory Purchase Act 2004				
	Other considerations: None				
Background Papers: Office Files					
Person Originating Report: Rosalind Johnson, Planning Development Manager ☎ 01832 742045 ✉ rjohnson@east-northamptonshire.gov.uk					
Date: 14 October 2019					
CFO		MO		CX	

East Northamptonshire Council

DM Appeal Results

For Period from:24 September 2019 to 04 October 2019

Officer

Procedure

Case Ref. No. Appellant
Proposal

Location

Appeal Type
Date Decided Decision

Marzena Johnson

Written Representations

18/01902/OUT - Miss Pauline Slator - Land Adjacent 11 Orchard Lane, Woodnewton
Outline Planning Permission for one detached dwelling (all matters reserved except
access) 2/10/2019

Against Refusal
Dismissed D

Outline planning permission for one detached dwelling was refused as it was considered that the applicant had failed to demonstrate that the proposal would have an acceptable impact on the character of the surrounding area, residential amenity of neighbouring properties and highway safety. Furthermore, there were concerns about the loss of an historic orchard.

In dismissing the appeal, the Inspector concluded that:

- As the proposed dwelling would be significantly lower in height than other dwellings in the vicinity, it would appear to be a cramped and contrived form of development that would erode the prevailing character;
- The removal of fruit trees and part of the boundary hedge would harm the character of the site and surrounding area;
- A dwelling on the appeal site would have a notable overbearing and enclosing effect on the adjoining properties, including their private rear gardens;
- Irrespective of the positioning of the dwelling, any views from rear or side facing windows would overlook the gardens of adjoining properties, including that of the original dwelling;
- The development would not lead to an adverse impact upon highway safety as the number of additional vehicle movements in the vicinity would not be significant.

Decided Appeals Dismissed :	1	100.00%
Decided Appeals Allowed :	0	0.00%
Decided Appeals Withdrawn :	0	0.00%
Decided Appeals Total :	1	100.00%

M – Denotes Member decision against officer advice

C – Denotes Committee decision

D – Denotes delegated decision