



Planning Management Committee – 8 July 2020

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 18 May 2020 to 17 July 2020

1.0 Introduction

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from Appeal decisions from 18 May 2020 to 17 July 2020 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

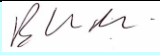
8.1 There are no implications for our customers.

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: Carolyn Tait, Principal Development Management Officer ☎ 01832 742321 ✉ ctait@east-northamptonshire.gov.uk					
Date: 31 July 2020					
CFO		MO	 29.07.20	CX	

East Northamptonshire Council

DM Appeal Results

For Period from: 18 May 2020 to: 17 Jul 2020

Officer

Procedure

Case Ref. No. Appellant
Proposal

Location

Appeal Type
Date Decided Decision

Joe Davies

Written Representations

19/01314/LBC	West Street Nurseries - Removal of three internal walls within the ground floor of the dwelling house	37 West Street Easton On The Hill Stamford	Against Refusal 13/07/2020	Dismissed D
19/01433/VAR	West Street Nurseries - Variation of condition 15 to allow for removal of 3 internal walls pursuant to application 17/01942/FUL: Alterations, renovation and extensions to the main house (listed asset). Renovation, extension and conversion of 2 existing barns. Sub division of existing plot into 3 smaller plots by means of park rail fencing and hedges. Forming of new site access to serve converted barns and paddocks beyond	37 West Street Easton On The Hill Stamford	Against Refusal 13/07/2020	Dismissed D

These appeals both relate to a Grade II listed residential property. Application 19/01433/VAR was to vary the plans condition to allow for the removal of 3 internal walls. Application 19/01314/LBC was for the accompanying Listed Building Consent.

The main issue was whether the proposal would preserve a Grade II listed building, and any of the features of special architectural or historic interest that it possesses, and whether or not the condition listing plans was reasonable and necessary in order to preserve the special historic interest of the listed building.

The inspector noted from the site visit that there have already been a number of modern alterations to the property. The walls in question had been removed at the time of the site visit (16 June 2020), so this made the applications retrospective.

The inspector concluded that the alterations constituted loss of built fabric that contributed to understanding the significance of the heritage asset, also finding the harm to be less than substantial, but nevertheless of considerable importance and weight. In the absence of any substantiated public benefit, the inspector concluded that, on balance, the proposal failed to preserve the special historic interest of the Grade II listed building and also concluded that the planning condition was reasonable and necessary in order to preserve the special historic interest of the Grade II listed building.

Accordingly both appeals were dismissed.

Susie Russell

Householder Appeal

20/00250/FUL	Mr And Mrs Mistry New front porch, ground floor and first floor rear extension	7 Westfields Easton On The Hill Stamford	Against Refusal 02/07/2020	Allowed D
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The appeal relates to an established semi-detached residential dwelling for a two storey and single storey rear extension, and a first floor side extension.

The main issue for this appeal is the effect of the proposed extensions on the character and appearance of the street scene and the semi-detached houses Nos 5-7 Westfields as in order to utilise the first floor element above the existing ground floor to the eastern side elevation, a significant change to the style and pitch of the roof would be required. The existing roof slope is currently hipped at a 45 degree angle from the ridge down to the top of the ground floor level windows e.g. single storey height. The proposal would require the roof ridge to extend to the eastern elevation and finish at the second floor (eaves height) level. This would result in a lack of symmetry with the other half of the semi and impact on the character of the surrounding area.

The Inspector noted from the site visit that the proposals would mean that Nos 5-7 would no longer appear as a symmetrical block but, in this particular case, this would not be so significantly at odds with the form and appearance of the immediately adjoining asymmetrical buildings as to warrant with holding permission for this reason.

The Inspector concluded that that the proposed extensions would not have a materially harmful effect on the character and appearance of the street scene and the semi-detached houses Nos 5-7 Westfields. They found no conflict with Policy 8(d)(i) and (ii) of the North Northamptonshire Joint Core Strategy 2016 or those principles of the National Planning Policy Framework which together seek to ensure developments respond to the local character of the area.

Accordingly the appeal was allowed.

Decided Appeals Dismissed :	2	66.67%
Decided Appeals Allowed :	1	33.33%
Decided Appeals Withdrawn :	0	0.00%
Decided Appeals Total :	3	100.00%

- M** – Denotes Member decision against officer advice
- C** – Denotes Committee decision
- D** – Denotes delegated decision