



## Planning Management Committee – 18 November 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 17 August 2020 to 9 October 2020

---

#### **1.0 Introduction**

1.1 This report advises on the outcome of planning appeals determined by the Planning Inspectorate from Appeal decisions from 17<sup>th</sup> August 2020 to 9<sup>th</sup> October 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.

<b>Legal</b>	Power: Planning and Compulsory Purchase Act 2004				
	Other considerations: None				
<b>Background Papers:</b> Office Files					
<b>Person Originating Report:</b> Carolyn Tait, Principal Development Management Officer ☎ 01832 742321 ✉ ctait@east-northamptonshire.gov.uk					
<b>Date: 5 November 2020</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	<i>D. Oliver</i>

# East Northamptonshire Council

## DM Appeal Results

For Period from: 17 Aug 2020 to 09 Oct 2020

Officer

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

### Sunny Bains

#### Written Representations

19/01299/FUL	Rutland County	Wood Farm 11 High Street Collyweston	Against Refusal	27/08/2020	<b>Dismissed D</b>
--------------	----------------	--------------------------------------	-----------------	------------	--------------------

Proposed detached building conversions and extensions to create two residential properties and one new build unit.

The application was refused for three reasons:

- The first reason was due to the visual appearance and size of the proposed development conflicting with the traditional barn character and the significance of the conservation area.
- The second reason was due to no preliminary batt roost survey being submitted.
- The third reason was due to the site providing inadequate access arrangement.

The Inspector concluded that the proposal would not amount to good design, would cause harm to the established character and appearance of the Conservation Area that would not be outweighed by public benefits, would not provide appropriate safe and convenient access for all and has not satisfactorily addressed the impact on protected species. Therefore, the appeal was dismissed.

### Susie Russell

#### Householder Appeal

20/00298/FUL	Mr Stephen Kennedy	15 Williams Way Higham Ferrers Rushden	Against Refusal	30/09/2020	<b>Allowed D</b>
--------------	--------------------	--	-----------------	------------	------------------

Conversion of garage to games room (no external works proposed).

The refusal of the application was based solely on the Local Highway Authority (LHA) guidance, with the conversion of the detached double garage losing a parking space. Therefore the four-bedroom property would only be able to provide two out of the three spaces required by the Northamptonshire Parking Standards (2016), if the proposal were allowed.

Inconvenience for other road users was the main consideration to the additional demand and limited on street parking.

The Inspector concluded that the Council does not have any "adopted" parking standards relating to existing dwellings and allowed the appeal.

#### Written Representations

19/01803/FUL	Mr And Mrs Ayres	Willowbrook Barn Pound Lane Woodnewton	Against Refusal	22/09/2020	<b>Allowed D</b>
--------------	------------------	--	-----------------	------------	------------------

New access drive to serve as relocated access for dwellings rear of Willowbrook

The application initially included the change of use of pasture land to residential garden, but that element was removed during the application process. Although there were some concerns about highway safety, the proposal was refused based upon the location outside of the village boundary and in the open countryside.

The main issue was the effect on the character and appearance of the rural area.

The Inspector concluded that the proposal would not have an unacceptable effect on the character and appearance of the area, and allowed the appeal.

# Wayne Cattell

## Householder Appeal

20/00493/FUL Mr David Beevor

1 Welbourne Close Raunds Wellingborough

Against Refusal

07/10/2020

**Dismissed D**

Single storey front extension to existing bungalow to make existing bedroom 2 bigger.

This application was refused for two reasons.

Firstly, it was considered that the proposed front extension would have been too intrusive in the street scene.

Secondly, where the extension was to have been built would have intruded onto one of the parking spaces at the property. This would have meant it would have been difficult to continue to use it and therefore the vehicle would be more likely to park in the street instead.

The Inspector agreed with both these concerns and therefore dismissed the appeal.

<b>Decided Appeals Dismissed:</b>	<b>2</b>	50.00%
<b>Decided Appeals Allowed:</b>	<b>2</b>	50.00%
<b>Decided Appeals Withdrawn:</b>	<b>0</b>	0.00%
<b>Decided Appeals Total:</b>	<b>4</b>	100.00%

**M** – Denotes Member decision against officer advice

**C** – Denotes Committee decision

**D** – Denotes delegated decision