

Monthly Decisions on Town Planning Application Appeals

- 1.1 Between the 12th October and the 10th of November, 20 appeal decisions had been received from the Planning Inspectorate. One of those was withdrawn. The table below confirms how many appeals were upheld and how many were dismissed. Details of each appeal can be viewed on the departmental website.

OVERALL PERFORMANCE

APPEALS RECEIVED	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
20	11	8	1	57%

- 1.2 Of the overall number of appeals these have been divided between delegated decisions, i.e those made by officers under the scheme of delegation and committee decisions.

DELEGATED DECISIONS

No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
16	9	7	0	56%

COMMITTEE DECISIONS

	No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
Refusal as per officer recommendation	3	2	1	0	66%
Refusal against officer recommendation	1	0	0	1	Not applicable as appeal was withdrawn

2. Key Issues raised

- 2.1 Following and assessment of all the appeal decisions certain trends and issues were noticeable and these will be noted not only to improve the departments performance but also to improve the quality of appeal statement and planning decisions.
- 2.2 The percentage of appeals dismissed has reduced to 57% compared to 80% in October. There are some trends to report in that 50% of householder developments were dismissed. This means half of householder appeals were allowed which is a disappointing and clearly various Inspectors' opinions do vary on the acceptability of the design of extensions. However this is a continuing issue as the assessment of domestic extensions has always been open to individual Inspectors subjective judgements. Two other appeals which were upheld involved extension to opening hours of retail premises at 29 Green Lanes and 131 St Marks Road, Enfield.
- 2.3 Three appeals against refusals for conversion of single family houses to flats were also decided. The two delegated refusals were dismissed although one which was refused by Members contrary to officer recommendation was allowed. This was at 172 Elsing Road which was reported at the 26th April committee meeting and proposed subdividing a family dwelling to a 1 bed and a 2 bed flat. The inspector in that appeal dismissed the Enfield Housing Market Assessment which was produced to inform the preparation of the Council's Core Strategy and did not consider it a material consideration to which he attached significant weight. This decision was disappointing however given the adoption of the Core Strategy the department feels that such a stance in the future would be an unreasonable one. Since November 11th, when the Core Strategy was adopted by the Authority, the Enfield Housing Market Assessment provides a sound evidence base in which to resist loss of family dwellings within the borough. Other key appeal decisions relating to residential conversions offers more reassurance. One inspector when dismissing an appeal at 10 Bath Road N9 for the subdivision of a family dwelling to two 1 bed self contained flats has backed the Authority's stance on the importance of attaining the minimum floor space standards on any residential accommodation. In addition the Inspector dismissing an appeal for the conversion of a single family dwelling house to 3 x 1 bed and 1 x3 bed flats at 56 Osborne Road EN3 reinforced the departments stance that there should that an acceptable amenity space needed to be provided for flats.