

Monthly Decisions on Town Planning Application Appeals

- 1.1 Between the 10th November and the 30th of November, 24 appeal decisions had been received from the Planning Inspectorate. One of those was invalid. 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APPEALS RECEIVED	DISMISSED	ALLOWED	WITHDRAWN INVALID	PERCENTAGE DISMISSED
24	18	5	1	73% Not including invalid appeal

- 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No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
22	17	5	0	71%

COMMITTEE DECISIONS

	No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
Refusal as per officer recommendation	0	0	0	0	0%
Refusal against officer recommendation	1	1	0	0	100%

Key Issues raised with Planning Inspector

Members will be interested to note the outcome of one of the appeals which dismissed the appeal on an application refused by Members on the 30th November 2009, The application proposed the conversion of a single family dwelling house into 2 self contained flats. The inspector whilst acknowledging that the 20% threshold has not been breached by the development felt the impact that the more intensive occupation of the property would have on the character and appearance of the area was unacceptable. The Inspector whilst noting that two car parking spaces were provided for each flat he felt that if the property were occupied more intensively not only would the off-street parking be fully utilised but pressure would also be placed on on-street parking, for example by visitors to the flats. The Inspector considered that the expanses of hard surfacing and the excess of vehicles that can be now be parked are to the detriment of the street scene. Additional on street parking would compound the situation and therefore the Inspector felt that the proposal would fail to protect residential character. In addition the lack of access to private amenity space to the upper flat was also deemed unacceptable by the Inspector.

Consequently the Inspector in this case felt that even though the 20% threshold of flat conversions within a street was not breached and that requisite car parking was included this did not necessarily entail the conversion into two flats was acceptable and felt that the inevitable on street car parking increase and the use of front gardens for car parking would have an unacceptable impact on the character of the area and impact on the street scene. It should be noted that since the 2009 decision the department has been operating a stricter approach to the conversion of family dwellings to flats as a result of the Strategic Housing Assessment and emerging stricter planning guidelines.