

Report To:	Planning Committee	Date:	23rd October 2019
Heading:	PLANNING APPEAL DECISIONS		
Portfolio Holder:	PLACE, PLANNING AND REGENERATION		
Ward/s:	HUCKNALL CENTRAL		
Key Decision:	No		
Subject to Call-In:	No		

Purpose of Report

To inform Members of recent Planning Appeal Decisions.

Recommendation(s)

To Note the Appeal Decisions.

Reasons for Recommendation(s)

To bring to Members attention the recent Appeal Decisions.

Alternative Options Considered

(with reasons why not adopted)

N/A

Appeal Decisions

Hucknall Central

Planning Enforcement

Site – Land at High Street Hucknall

Alleged breach of planning control – Failure to comply with condition 3 of planning permission V/2016/0739 requiring vehicular access to the site be gained from Torkard Way only.

Appeal Decision – Allowed and enforcement notice quashed (second appeal dismissed)

The Inspector considered that although the car park was in use he was of the opinion that the planning permission referred to in the enforcement notice (V/2016/0739) had not been implemented because the access to Torkard Way had not been constructed.

In the Inspectors view this would require the installation of drop kerbs on to Torkard Way. The appeal therefore succeeded on a technical issue.

The second appeal although dismissed did not result in the enforcement notice being upheld.

The Council is still seeking the cessation of the use of the access to High Street and officers are pursuing suitable approaches to provide a solution.

Implications

Corporate Plan:

Reporting these decisions ensures we are open and transparent in our decision making process.

Legal:

Legal issues relating to specific planning appeals are set out in the report. As the report is for noting, there are no legal issues associated with the recommendation in the report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk: N/A

Risk	Mitigation

Human Resources:

No implications

Equalities:

(to be completed by the author)

None

Other Implications:

(if applicable)

None

Reason(s) for Urgency

(if applicable)

N/A

Reason(s) for Exemption

(if applicable)

N/A

Background Papers

(if applicable)

None

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