

Report To:	Planning Committee
Date:	25 August 2022
Heading:	PLANNING APPEAL DECISIONS
Executive Lead Member:	COUNCILLOR SARAH MADIGAN, EXECUTIVE LEAD MEMBER FOR CUSTOMER SERVICES AND STRATEGIC PLANNING
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

Detailed Information

Planning Application – Appeal Decisions

Hucknall Central

Planning Application Site Proposal V/2021/0639
 2 Albert Street Hucknall Nottingham NG15 7BE
 Change of use from 2 x C3 dwellings into 1 x sui-generis 10 bedroom HMO including erection of single storey extension to rear.

Appeal Decision Appeal Allowed.
 Application for costs awarded to applicant

The Inspector considered there were 3 main issues and concluded that

1. the proposal would not conflict with the aims of national policy or local plan policies to create balanced communities, having regard to the level of housing in multiple occupation in the vicinity of the site, and its effect on residential character
2. the living conditions of neighbouring occupiers would not be unduly affected, with particular regard to outlook, privacy, noise and other disturbance; and
3. the proposal would not significantly increase the demand for parking on the surrounding streets, and it would therefore not be harmful to highway safety.

The appeal was therefore allowed.

In awarding costs the Inspector considered that the Council in going against officer advice had not clearly demonstrated on planning grounds why the proposal is unacceptable and clear evidence was not provided to substantiate the reasons for refusal. No evidence was provided to demonstrate an over-concentration of this use in the locality. Assumptions were made by the Committee with no evidence to substantiate. The highway authority raised no objections to the proposal and officers advised of the benefits the scheme provided but the suggested parking problem was not substantiated. A recent decision was also seemingly ignored by the Council in reaching its decision and a refusal of planning permission therefore constituted unreasonable behaviour.

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	Costs awarded against the Council
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk: N/A

Risk	Mitigation
N/A	N/A

Human Resources:

No implications

Environmental/Sustainability

None

Equalities:

None

Other Implications:

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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