

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 5 April 2022

**INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS**

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

**1. APPEALS RECEIVED**

1.1 None.

**2. DECISIONS AWAITED**

2.1 21/00308/FPH, 21 Augustus Gate. Appeal against refusal of planning permission for a part two storey, part single storey side and single storey front extensions.

2.2 19/000474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.

2.3 21/00681/AD, McDonalds, Monkswood Retail Park, Elder Way. Appeal against refusal of advertisement consent for 1no. internally illuminated totem sign.

2.4 21/01154/FPH, 40 Knights Templars Green. Appeal against refusal of planning permission for the construction of a rear dormer window and raising the ridge height.

**3. DECISIONS RECEIVED**

3.1 21/01135/FPH, 20 Trent Close. Appeal against refusal of planning permission for a first floor side extension.

3.1.1 This appeal has been withdrawn.

3.2 21/00638/PATELE, Junction of Corton Close and Fishers Green Road. Appeal against refusal of prior approval for 1no. 18 metre Phase 8 Monopole with a wraparound cabinet and associated ancillary works

3.2.1 The Inspector clarified that the site location states Corton Close, Fishers Green, however he noted on site visit that the road name plates differ from maps and for the avoidance of doubt, the site is located on Fishers Green Road, adjacent to the junction with Sheringham, which leads to Corton Close.

- 3.2.2 The Inspector also clarified that the appeal relates solely to the matter of the application made under the Town and Country Planning Act 1990 and any approvals or consents required under Commons legislation is a spate matter and his decision does not confer any such other approval or consent.
- 3.2.4 The character of Fishers Green Road and Fishers Green Common were considered by the Inspector to be essentially urban. As such, whilst the common is a well-used public open space, the proposed development would not appear out of place in the urban surroundings.
- 3.2.5 The Inspector did not agree with the Council's view that the mast would appear bulky or too tall for the area.
- 3.2.6 The Inspector did not agree with the Council's view that the mast would lead to a decrease in use of the public open space on fear of health grounds. The application and appeal were accompanied by the relevant ICNIRP certificate and as such no assessment on health grounds is necessary.
- 3.2.7 The Inspector concluded there was little risk to archaeological remains as the footprint of the site is very small and is adjacent to a footpath, whose construction would have already heavily disturbed the area.
- 3.2.8 Whilst air ambulances pass over the area, the Inspector concluded that they would not be flying low enough for the mast to cause an issue and as such He felt there was no reason to impose the condition for the mast to be lit. Additionally He stated that there is no provision under Class A of Part 16 that would allow for conditions to be imposed in any case.
- 3.2.9 The appeal is allowed and prior approval is granted. The appeal decision is attached.