

PLANNING DEVELOPMENT CONTROL COMMITTEE

28 SEPTEMBER 2004

PLANNING APPEALS – SUMMARY OF DECISIONS

REPORT OF THE DIRECTOR OF DEVELOPMENT SERVICES

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RECENT REFERENCES:

Report PS 56 to Principal Scrutiny Committee- Performance Report Concerning Planning Appeals (9.12.02)

Report EN 8 to Environment Performance Improvement Committee- planning appeals analysis of decisions. (12.03.03)

EXECUTIVE SUMMARY:

This report provides a summary of appeal decisions received during August 2004, as requested by Members at the EPIC meeting in March 2003. Copies of each appeal decision are available in the Members Room if required.

RECOMMENDATIONS:

- 1 That the report be noted.

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DETAIL:

A summary of appeal decisions received during August 2004 is set out below:

1.1 August 2004 Appeal Decisions

Date	Site	Decision	Proposal	Issues
09/08/04	W02718/03: Deeside Kiln Hill Soberton	Allowed in part and dismissed in part	Two storey rear extension and conservatory	Due to the sheer scale of the roof, the proposed first floor extension would radically alter the modest character of the existing bungalow. It would introduce a substantial built form in a prominent position close to the road junction and this would be harmful to the character and appearance of the countryside. This part of the appeal is therefore dismissed. However, the proposed conservatory and pitched roof over the garage are modest changes which would be acceptable and these elements of the proposal are allowed. DEL WR
09/08/04	WTPO/1166/06: 57 Honeysuckle Close Badger Farm Winchester	Dismissed	Fell five Ash and two Field Maple trees	The trees contribute to the setting and character of the area. They cause some shading of properties to the south east, but this is not excessive. One tree has suffered loss of branches and another contains deadwood, but these problems can be managed and do not justify the felling of the trees. DEL WR
17/08/04	ENF 99/57: Large's Yard Blackhouse Lane North Boarhunt	Notice 1: Dismissed	Change of use from storage of accident damaged	The change of use to a civil engineering contractors yard has no discernable impact on the appearance of the

			vehicles and mechanical repairs to use as a civil engineering contractors yard	<p>countryside as the existing building has planning permission and most of the front of the yard is screened by planting. However, the noise and disturbance generated by the use does have an adverse impact on the enjoyment of the neighbouring holiday club. Therefore this appeal fails, although the time for compliance with the requirements of the Enforcement Notice is extended to 8 months to enable the applicant to find an alternative site.</p> <p>The second Enforcement Notice is not clear and precise as to the requirements to remove the hardstanding and therefore it is considered invalid and quashed.</p> <p>DEL IH</p>
		Notice 2: Allowed	Walls, fencing and hardstanding	
19/08/04	ENF 03/59: Former Police House 1 Buddens Road Wickham	Dismissed	Building operations in connection with the erection of a double garage	<p>The proposed garage would be forward of the general building line and at a higher level than the road and so would appear as a prominent and obtrusive feature. It would increase the amount of built development on the site, while largely eliminating any scope for tree planting which is considered necessary to soften the appearance of the development. Therefore the proposed garage would be detrimental to the character of the Wickham conservation area. Costs are awarded against the appellant because an appeal relating to this proposal was dismissed 6 months previously and there has been no material change in circumstances or policy.</p> <p>DEL IH</p>
23/08/04	W02277/01: Two Birches Pearson Lane Shawford	Allowed	Two storey side extension with cellar and new hipped	<p>The appeal property is a symmetrical semi-detached house in an area characterised by large</p>

			roof to existing double garage	detached and semi-detached villas. The proposed side extension would increase the frontage of the building by over 50%, but it has been designed to appear subservient to the original property and respects its form, character and detail. It would reduce the gap between the property and the neighbouring house, but due to the slope of the land, the mature planting and the size of the garden plots, the proposal would not have a detrimental impact on the spacious character of the locality. DEL WR
23/08/04	W07719/05: 36 Chilbolton Avenue Winchester	Dismissed	Removal of a condition attached to planning permission W07719/04 which required the flank return windows to the upper storey to be obscure glazed	The flank windows in a rear bay window face towards the private amenity areas of the adjoining properties. If these flank windows had clear glazing then this would materially increase the potential for overlooking, leading to a loss of privacy for occupiers of these neighbouring properties. DEL WR
23/08/04	W12764/07: River Rise Titchfield Lane Wickham	Allowed	Extension to detached garage with annex accommodation over	The proposal would not result in the property becoming significantly less affordable as the extension to the garage would not take the dwelling beyond the substantial price bracket in which it already sits. The garage is sited against the backdrop of a tall hedge which would mostly screen the extension from Titchfield Lane. It would not be visually prominent from any other views and from the longer distance would be seen amongst the existing farm buildings and beside the main house. Therefore it would not be detrimental to the character and appearance of the area. The farm holding

				<p>is capable of supporting the additional residential unit and garaging. These facilities are considered necessary for storage, to meet the needs of the appellant's family and to house additional staff during the foaling season.</p> <p>An application of costs against the Council failed.</p> <p>DEL IH</p>
24/08/04	W04028/02: 16 Evelyn Close Waltham Chase	Dismissed	First floor extension	<p>The dwelling is a detached chalet-style property and the surrounding development is principally made up of similar style dwellings. The proposal is to extend the roof including front and rear dormers over an existing single storey side extension. The increased mass of the dwelling would have an overbearing impact on the outlook of the neighbouring property, while the resulting relationship between the roof and dormers would not reflect the symmetry of existing properties in this area.</p> <p>DEL WR</p>
26/08/04	W15017/05: 50 Wavell Way Winchester	Dismissed	Two storey side and single storey rear extension	<p>This property is a semi-detached house in a row of similar dwellings which are spaced apart and set back from the road. They are part of an estate of housing with a consistent design theme. The proposed two storey side extension and the single storey rear extension would substantially increase the mass and scale of the dwelling. The extended property would be visible from a number of directions and would not be in keeping with its surroundings.</p> <p>CTTE WR</p>

DEL Delegated decision

CTTE Committee decision

WR Written representations

IH **Informal hearing**
PI **Public inquiry**

OTHER CONSIDERATIONS:

2 CORPORATE STRATEGY (RELEVANCE TO):

- 2.2 Success on appeal is a measure of quality. It demonstrates that the policies of the development plan and the decisions reached by officers and members can be successfully defended.

3 RESOURCE IMPLICATIONS:

- 3.1 The number of appeals received and the success of appeals has an impact on staff time and legal costs.

BACKGROUND DOCUMENTS:

None

APPENDICES:

None