

PLANNING DEVELOPMENT CONTROL COMMITTEE

27 APRIL 2005

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 March 2005, 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:

That the report be noted.

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DETAIL:

A summary of appeal decisions received during March 2005 for sites within Development Control Area East is set out below:

1.1 March 2005 Appeal Decisions for Development Control Area East

Date	Site	Decision	Proposal	Issues
11/03/05	ENF03/206: The Grange Chilcomb Lane Chilcomb	Dismissed	The material use of the land from agriculture to use for commercial storage and the parking of related vehicles	A commercial storage use would result in large vehicles regularly using the narrow local lanes and standing for periods in the yard at this site. These would be an unwelcome and unpleasant intrusion, out of character with this peaceful location which is particularly visible from the surrounding hills, readily accessible to walkers and within the East Hants Area of Outstanding Natural Beauty. The scale and nature of the development could not be accommodated without detriment to the locality and would therefore conflict with the countryside policies of the Local Plan. The additional commercial activity would also adversely affect the setting of the Grade II listed buildings which surround the site. The appellant applied for costs against the Council but these applications failed. DEL IH
	W07336/02: The Grange Chilcomb Lane Chilcomb	Dismissed	Change of use of barn and part yard from agricultural to storage and parking (retrospective)	

17/03/05	W14334/02: Land To The Rear Of Elm Cottage Kilmeston Road Cheriton	Dismissed	Residential development consisting of 10 no. dwellings with garaging and new access (outline)	<p>The site is within the development boundary of new Cheriton. It is a semi-rural area of low density and no distinctive vernacular character. The scheme for 10 houses would result in close-knit dwellings which would be out of character with the surrounding development. The smaller scheme for 6 houses would, however, appear more spacious and reflect the character of the wider area, and could be achieved without damaging the health and amenity value of the protected trees within the site. Setting aside the area under the canopy of these trees and taking the net developable area, the scheme for 6 dwellings would give a density that would comply with the guidance in PPG3. This scheme also allows the potential for a more comprehensive development that could include adjoining land. Neither of the proposed schemes would have an unacceptable effect on highway safety and sustainable drainage measures could be imposed at a later stage. The separation and orientation of the proposed dwellings would prevent any loss of privacy for adjoining occupiers. Costs were applied for by both parties but none awarded.</p> <p>DEL IH</p>
	W14334/03: Land To The Rear Of Elm Cottage Kilmeston Road Cheriton	Allowed	Residential development for 6 No. dwellings, garages and access (outline)	

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