

PLANNING DEVELOPMENT CONTROL COMMITTEE

27 July 2006

PLANNING APPEALS – SUMMARY OF DECISIONS – APRIL – JUNE 2006

REPORT OF THE DIRECTOR OF DEVELOPMENT

Contact Officer: Ian Cousins: icousins@winchester.gov.uk. Tel No: 01962 848261

RECENT REFERENCES:

PDC607 – Planning Appeals – 20 December 2005

PDC622 – Planning Appeals – 20 April 2006

EXECUTIVE SUMMARY:

This report provides a summary of appeals decisions received between April and June 2006.

RECOMMENDATION:

That the report be noted

PLANNING DEVELOPMENT CONTROL COMMITTEE27 July 2006PLANNING APPEALS – SUMMARY OF DECISIONSREPORT OF THE DIRECTOR OF DEVELOPMENT

DETAIL:

1.1 A summary of appeal decisions received during April, May and June 2006 is set out below:

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| Date | 5 th April 2006 |
| Site | Lower Crabbick Farm, Forest Road, Denmead. |
| Ref no: | 05/01882/OUT W02676/20 |
| Decision | Appeal - Dismissed |
| Proposal | Outline, demolition of existing commercial buildings and construction of four dwellings. |
| Summary | The Inspector considered that the erection of four dwellings would be out of keeping with the rural character of the area. The inspector felt that future residents would be heavily dependent upon the car, and the site performs poorly in terms of accessibility and location, and therefore cannot be considered to be a sustainable location for residential development. The Inspector concluded that the development is contrary to local and national planning policy. DEL WR |

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| Date | 7 th April 2006 |
| Site | Exton Park Organics, Allens Farm Lane, Exton |
| App Ref: | 05/02034/ful, W19413/01 |
| Decision | Dismissed |
| Proposal | Temporary Agricultural Dwelling with hardstanding. |
| Summary | The Inspector outlined that the main issue is the impact of the proposal on the landscape. (The authority had earlier recognised that the applicant had proven a need for a Temporary Agricultural Dwelling). The Inspector commented that the site is located in an area of remote, dramatic open-countryside with the South Downs AONB, he added that siting the building in the chosen location, in close proximity to a storage building would consolidate the development thereby increasing its prominence. The Inspector considered that this would be inappropriate and harmful, detracting from the essential character of the appearance of the landscape, as such the proposal would be contrary to local and national planning policies that give priority to the protection and enhancement of the AONB. CTTE WR (Committee voted in accordance with officer recommendation to refuse) |

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| Date | 7 th April 2006 |
| Site | Denver Maru, Hill Pound, Swanmore |
| App Ref: | 05/02153FUL, W06202/04 |
| Decision | Dismissed |
| Proposal | Two storey extension to convert bungalow to chalet bungalow |
| Summary | The Inspector considered that the proposal would considerably enlarge the existing bungalow and that this increase, along with the increase in height and changes to the roof would dramatically alter its appearance. It would therefore stand out unduly amongst the surrounding properties and be inappropriate within its context. DEL WR |

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| Date | 18 th April 2006 |
| Site | 5 Dairy Moor, Wickham, Fareham |
| App Ref: | 05/01701/FUL, W15764/04 |
| Decision | Dismissed |
| Proposal | Loft conversion with dormer window. |
| Summary | The Inspector considered that the proposed dormer window would appear bulky and would be out of scale with this small cottage and its immediate neighbours, none of which have dormers. He also commented that, although not a large development in itself, it would represent a further minor erosion of the character and appearance of the conservation area. DEL WR |

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| Date | 18 th April 2006 |
| Site | 97 Taplings Road, Weeke, Winchester. |
| App Ref: | 04/02951/ful W18858/02 |
| Decision | Dismissed |
| Proposal | Erection of one three bed-roomed dwelling |
| Summary | The Inspector outlined that the main issue is the effect of the proposal upon the character and appearance of the surrounding area. The Inspector considered that adding a dwelling that would be wider than the adjoining dwellings (three terraced properties) the proposal would unbalance the street-scene. Furthermore, the Inspector felt that the proposal would intrude unacceptably into an area of open space, and would appear to be out of character with the area. DEL WR |

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| Date | 18 th April 2006 |
| Site | 17 North Drive, Littleton. |
| App Ref: | 05/00386/FUL W18797/01 |
| Decision | Dismissed |
| Proposal | Demolition of the existing bungalow and the erection of two no 2 bedroom houses and two no linked detached 3 bedroom houses with garage, car parking and landscaping. |
| Summary | <p>The Inspector considered that the proposed semi-detached houses would be further forward than the existing bungalow and combined with the corner location the buildings would appear to be very prominent, out of place and intrusive with the street-scene. The Inspector felt that the proposed car parking and front garden would appear to be cramped and dominated by hard surfaces; he added that the rear garden would be very small giving inadequate room for private amenity space.</p> <p>In addition the Inspector added that the proposal failed to relate to the architectural form, grain or pattern of the existing built-form, and would result in an overdeveloped form of development inconsistent with character of the area.</p> <p>DEL WR</p> |

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| Date | 26 th April 2006 |
| Site | The Alma Inn, Alma Lane, Upham |
| App Ref: | 05/02457/AVC, W11510A |
| Decision | Allowed |
| Proposal | Display of various advertisements |
| Summary | <p>The Inspector considered that, as the proposed signs were replacements of existing signs, they would not be obtrusive or out of keeping with their surroundings. He considered that the proposed level of illumination would be modest and would not be intrusive to the occupants of neighbouring properties or detrimentally affect the small settlement.</p> <p>DEL WR</p> |

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| Date | 12 th May 2006 |
| Site | Beech Tree Calcot Lane Curdridge |
| App Ref: | 05/01310/FUL, W17027/03 |
| Decision | Dismissed |
| Proposal | Relief of condition (stables for applicants use only – no commercial) |
| Summary | <p>The Inspector considered that the removal of the banks and raised hedges which make such a positive contribution to the sense of place at Calcot Hill would seriously erode the rural character and appearance of the area. He further considers that the increase in traffic movements would not only be harmful to the rural character of the area but would lead to increased conflict with other road users and thus a hazard to road safety.</p> <p>DEL WR</p> |

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| Date | 15 th May 2006 |
| Site | 5 Lynford Avenue, Winchester |
| Ref | 05/02589/FUL W11243/03 |
| Decision | Dismissed |
| Proposal | The development of a single storey one bedroom dwelling. |
| Summary | <p>The Inspector identified that the main issue is the relationship between the proposed modern style dwelling and the character of the area.</p> <p>The Inspector considered that the proposed dwelling would be considerably nearer to the highway than the front elevations of nearby properties, in the Inspector's opinion the site would have a much harder urban appearance which would be detrimental to the spacious suburban character of the area.</p> <p>The Inspector concluded that the proposal would not have a detrimental impact upon the amenity of local residents; however the impact upon the appearance / character of the area would be unacceptable.</p> <p>DEL WR</p> |

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| Date | 23 rd May 2006 |
| Site | Countrywide Farmers Plc, Overton Road, Micheldever Station, Winchester. |
| Ref | 04/02903/FUL W19599 |
| Decision | Dismissed |
| Proposal | Demolition of the feedmill, and the construction of 38 residential units and infrastructure. |
| Summary | <p>The Inspector considered that the main issues for consideration are:</p> <ol style="list-style-type: none"> a) the effect of the proposal on the character and appearance of the surrounding area; b) the effect of the proposal on the living conditions of adjoining occupiers and occupiers of the proposed dwelling with particular regard to privacy, noise and disturbance. c) whether adequate provision has been made for affordable housing in accordance with the Council Policies; and d) whether adequate provision has been made for open space in accordance with the Council's policies <p>The Inspector considered that the development would be visually acceptable from the surrounding area, however the Inspector considered that the distinctly urban appearance of the development would be out of character with the area and contrary to the advice in the Micheldever Village Design Statement.</p> <p>With regard to the living conditions, the inspector concluded that levels of overlooking upon neighbouring dwellings and levels of noise disturbance from the nearby railway line were both satisfactory, and therefore did not form part of his reasons for dismissing the appeal.</p> <p>With regard to the affordable housing provision the Inspector recognised the Council's concern regarding the security / implementation of the unilateral undertaking offered by the developer, and concluded that the development failed to make adequate provision for affordable housing. The Inspector considered that the proposal made adequate provision for open space.</p> <p>DEL IH</p> |

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| Date | 12 th June 2006 |
| Site | 36 Quarry Road, Winchester. |
| Ref | 05/03013/OUT, W 07228/04 |
| Decision | Dismissed |
| Proposal | Outline proposal for the erection of the demolition of the existing dwelling and erection of ten two-bedroom flats. |
| Summary | <p>The Inspector identified two main issues, the effect of the flats on the character and appearance of the area and the adequacy of the access proposals.</p> <p>The Inspector considered that the site lies in a sensitive location adjoining a Conservation Area. The Inspector agreed with the council that the applicant had provided an insufficient amount of information to aid a rigorous assessment of the impact of the development. Based on the information provided the Inspector was not convinced that the bulk and siting of the building would be appropriate for the site, he concluded that the building would have a harmful effect on the character and appearance of the area.</p> <p>With regard to access the Inspector concluded that the applicant had provided a lack of information and that the access proposals were likely to be substandard.</p> <p>DEL WR</p> |

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| Date | 12 th June 2006 |
| Site | The Old Post Office, The Pastures, Cheriton. |
| App Ref: | 05/02357/FUL W07571/10, 05/02358/LIS W07571/11LB |
| Decision | Dismissed |
| Proposal | Erection of a single storey timber framed glazed conservatory. |
| Summary | <p>The Inspector considered that the location of the proposed conservatory (upon the front elevation) would appear to be incongruous and detract from the character and setting of the listed building</p> <p>DEL WR</p> |

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| Date | 19 th June 2006 |
| Site | 2 Crowder Terrace, Winchester |
| Ref | 05/02145/FUL, W17929/01. |
| Decision | Dismissed |
| Proposal | Provision of new off-street parking. |
| Summary | <p>The proposal involves creating an off-street car parking space in the front garden of a dwelling located within the Winchester Conservation Area.</p> <p>The Inspector considered that the loss of the wall (to create the parking space) would reduce the sense of enclosure. He considered that enclosures are a distinctive characteristic of the Conservation Area. In conclusion the Inspector felt that the proposal would have a seriously harm the character and appearance of the Conservation Area.</p> <p>DEL WR</p> |

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| Date | 23 rd June 2006 |
| Site | Denplan City Ground, Hillier Way, Abbots Barton |
| App Ref: | 05/01653/FUL, W05102/18 |
| Decision | Allowed |
| Proposal | To use sides of ground for 30 car boot sales in any calendar year to be held on Saturdays (AM) |
| Summary | The Inspector considered that, as the proposed car boot sales would take place within the confines of the football club and this area is particularly well screened from public views, that the proposed use would not be detrimental to the character of the area. He also considered that the substantial amount of traffic and general activity that will be created will also not be detrimental to the character of the area. DEL WR |

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| Date | 26 th June 2006 |
| Site | Land adjacent to Hawthorne Cottage, Bull Lane, Waltham Chase. |
| App Ref: | 04/03021/FUL, W02350/06 |
| Decision | Dismissed |
| Proposal | Erection of 7 No detached bungalows and 4 No one bedroom apartments. |
| Summary | The Inspector considers that the proposed development, by virtue of the basic forms and detailing of the proposed buildings and lack of innovation, the proposed development is uninspired in terms of design. Both this and the unsuitable layout leads him to the opinion that the proposal is unacceptable and conflicts with the Planning Policy as set out in all relevant Development Plans. DEL WR |

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| Date | 28 th June 2006 |
| Site | North Lodge Wintershill Hall, Winchester Road, Durley |
| App Ref: | 05/02919/FUL, W19857 |
| Decision | Dismissed |
| Proposal | Two storey extension and replacement of existing garage |
| Summary | The Inspector considered that, by allowing an extension greater than 25% as set out in the relevant countryside policy, the proposed development would result in the loss of a small dwelling in the countryside. He also considered that the extension would also significantly alter the character of the existing dwelling. He accepted that the internal conditions of the property were poor; however, that in itself does not justify an extension of this size. DEL WR |

DEL *Delegated decision*

CTTE Committee decision

WR Written representations

IH Informal hearing

PI Public inquiry

OTHER CONSIDERATIONS:2 CORPORATE STRATEGY (RELEVANCE TO):

- 2.1 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 costs.

BACKGROUND DOCUMENTS:

None

APPENDICES:

None