

PLANNING DEVELOPMENT CONTROL COMMITTEE

17 October 2013

PLANNING APPEALS – SUMMARY OF DECISIONS (1 JULY 2012 TO 31 MARCH 2013)

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT

Contact Officer: Julie Pinnock / Elaine Walters Tel No: 01962 848439

RECENT REFERENCES:

Relevant planning applications files

EXECUTIVE SUMMARY:

This report provides a summary of appeal decisions received from 1 July 2012 to 31 March 2013. Copies of each appeal decision are available on the Council's website. During this period 47 appeals have been received. Of these decisions:

- 12 appeals were allowed (25%)
- 2 appeals were invalid or withdrawn (4%)
- 3 appeals were part allowed and part dismissed (6%)
- 30 appeals were dismissed (65%)

RECOMMENDATION:

That the Report be noted.

PLANNING DEVELOPMENT CONTROL COMMITTEE17 October 2013PLANNING APPEALS – SUMMARY OF DECISIONS (1 JULY 2012 TO 31 MARCH 2013)REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENTIntroduction

This report sets out the appeal decisions during the period 1 July 2012 to 31 March 2013. What is worthy of note is the high success rate of decisions upheld by the Council.

During this period, ignoring the withdrawn, invalid and partially dismissed appeals, the success rate is just over 71% being dismissed by the Appeal Inspector. The Council's target for appeal dismissals is 70%.

What is also worthy of note is that these appeals are all considered in light of the National Planning Policy Framework which came into effect on 27 March 2012, with the Inspectors finding the Councils policies essentially accorded with national guidance and were not therefore out of date.

There were four claims made for costs, but all four were refused by the Inspectorate.

Summary of appeal decisions received during the period

Item No: 1			
Date of Inspector's Decision:	2nd October 2012	Inspector's Decision:	Allowed by SOS After HC Quashed
Appeal Procedure (see code below):	P	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	09/02412/OUT
Case Officer:	Nick Parker
Original Decision Type:	Committee Decision
Was Decision Overturned at Committee?	No

Proposal:	Development of approximately 93.1 hectares of land at Barton Farm to the east of Andover Road, Winchester to provide 2000 dwellings, a local centre; formal and informal recreational spaces; park and ride facility for up to 200 cars; land for allotments; landscaping and new infrastructure (OUTLINE).
Location:	Barton Farm Andover Road Winchester Hampshire SO22 6AX

Summary of Inspector's Decision

The Secretary of State for Communities and Local Government dismissed the appeal by Cala Homes to build 2,000 houses on the Barton Farm site to the north of Winchester on 28th September 2011.

The Secretary of State supported his Planning Inspector's conclusion that there were no overriding issues with the site itself which justified refusal. Instead, he said that any decision by him would undermine Winchester's own ability to plan for their future. He therefore concluded that the matter must be decided locally. This supports the Council's original refusal on the grounds that it was premature.

Item No: 2			
Date of Inspector's Decision:	2nd July 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/01470/FUL		
Case Officer:	Mr James Jenkison		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Replacement of 3 No. two bed flats (approved under planning permission 09/02317/FUL) with a 2 no. three bed semi-detached dwellings
Location:	West Hayes Lodge Sarum Road Winchester Hampshire SO22 5EZ

Summary of Inspector's Decision

This development reconfigured an approved scheme for 3 flats into 2 dwellings and was part of a larger development.

Issues of interest are:

- privacy of gardens rather than windows between dwellings
- comparison of the openness of communal gardens of apartment developments to the clutter and fence enclosures of gardens for houses (It was a sloping site, so there would be a lot of fences on top of retaining walls).
- Dwellings shown as 3-bedroom but large enough to be 4-bedroom.
- Overlooking of private gardens a material planning consideration.
- Policy H7 dwelling mix requirement consistent with core strategy research.
- Interim sustainability policy to meet code level 5 held to be consistent with para. 96 & 97 of NPPF. However, interim policy of affordable housing found not to outweigh adopted policy H5.

Item No: 3			
Date of Inspector's Decision:	27th July 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/00925/SFUL		
Case Officer:	Elaine Walters		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Siting of 5 No. Yurts for Holiday Letting and change of use of existing field shelter to ancillary toilet/shower/washing facilities
Location:	Land Adjacent To 6 Manor Farm Green Twyford Hampshire

Summary of Inspector's Decision

Appeal allowed. The Inspector found the seasonal siting of yurts would not harm the ecological value of the site or the character and appearance of the surrounding area.

Item No: 4			
Date of Inspector's Decision:	2nd August 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/02647/FUL		
Case Officer:	Mrs Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of detached three bedroom dwelling and associated works
Location:	1 Russet Close Alresford Hampshire SO24 9PS

Summary of Inspector's Decision

Inspector found that due to its prominent siting, its cramped appearance, greater scale and detached form in relation to the rest of the terrace, would cause unacceptable harm to the character and appearance of the locality and would fail to accord with saved Winchester Local Plan Review Policy DP.3.

Item No: 5			
Date of Inspector's Decision:	10th July 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Costs Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02833/FUL		
Case Officer:	Mr James Jenkison		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of 2 no. residential dwellings with access, car parking, bin and cycle store and landscaping works
Location:	Avenue Court The Avenue Bishops Waltham Hampshire

Summary of Inspector's Decision

Inspector considered open space and transport contribution requirements to meet NPPF and 2010 CIL tests.

Lack of on-site amenity compensated for by nearby playground and sustainable location of site. Existing and proposed amount of landscaping considered adequate.

Item No: 6			
Date of Inspector's Decision:	8th August 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02247/FUL		
Case Officer:	Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of detached three bedroom chalet bungalow on land to the rear of 46 Willis Way (RESUBMISSION)
Location:	46 Willis Way Kings Worthy Hampshire SO23 7QT

Item No: 7			
Date of Inspector's Decision:	11th September 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02781/FUL		
Case Officer:	Mr Simon Avery		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing garage and erection of detached five bedroom house with detached double garage
Location:	Land South Of Malmins House Hambledon Road Denmead Hampshire

Item No: 8			
Date of Inspector's Decision:	8th August 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02987/FUL		
Case Officer:	Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing dwelling and erection of 1 no. four bedroom and 1 no. two bedroom detached dwellings with associated parking and landscaping
Location:	Nairana Main Road Otterbourne Winchester Hampshire SO21 2DR

Item No: 9			
Date of Inspector's Decision:	20th September 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02750/FUL		
Case Officer:	Andrea Swain		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		
Proposal:	Use of part of the East wing ballroom, gothic hall and music room for up to 6 wedding receptions a year in relation with weddings at the Church of St Mary		
Location:	Old Alresford House Colden Lane Old Alresford Hampshire SO24 9DY		

Summary of Inspector's Decision

The site is not well served by public transport. Old Alresford House was found to be in an unacceptable location for the proposed use. The absence of sufficient parking could lead to parking on the highway.

The development would not detract from the character of the area nor impact on the neighbour's living conditions.

No evidence was submitted to demonstrate the change of use was required to enable works to the estate.

Item No: 10			
Date of Inspector's Decision:	1st October 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/02628/FUL		
Case Officer:	Mr Simon Avery		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Replacement dwelling with new garage, demolition of existing buildings and hard standings; retention of granary building
Location:	The Granary Calcot Lane Curdridge Southampton Hampshire SO32 2BN

Item No: 11			
Date of Inspector's Decision:	20th September 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/02604/FUL		
Case Officer:	Mr Simon Avery		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Removal of condition no. 20 of planning permission 08/01635/FUL; to remove the restriction on the order in which the residential units are built
Location:	Land Adjacent To Milnthorpe Sleepers Hill Winchester Hampshire

Item No: 12			
Date of Inspector's Decision:	25th September 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00038/FUL		
Case Officer:	Mrs Anna Hebard		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(HOUSEHOLDER) Two storey side extension; new enclosed porch and block paving of the front driveway.
Location:	6 Botley Road Curdridge Southampton Hampshire SO32 2DS

Item No: 13			
Date of Inspector's Decision:	6th September 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02365/SFUL		
Case Officer:	Mrs Jane Rarok		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(HOUSEHOLDER) Construction of a porous macadem tennis court with ball stopping fence
Location:	Stanmore House Kilmeston Road Kilmeston Alresford Hampshire SO24 0NR

Summary of Inspector's Decision

The proposal would materially and unacceptably harm the rural character of the area and fail to preserve the landscape beauty of the South Downs National Park.

Item No: 14			
Date of Inspector's Decision:	1st October 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	11/03018/LIS		
Case Officer:	Miss Megan Birkett		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Partial demolition of wall
Location:	New House Bishops Sutton Road Bishops Sutton Hampshire SO24 0AL

The Inspector considered that the wall provided a historic link to the use of New House as a farmhouse and contributes to the setting of the listed building. The Inspector considered that the works following demolition would detract from the setting of the listed building. Inspector considered the site was served by adequate car parking and the provision of additional off-road parking would have little impact on highway safety.

Item No: 15			
Date of Inspector's Decision:	7th August 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00624/FUL		
Case Officer:	Mr Andrew Rushmer		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(HOUSEHOLDER) Dropped kerb and re-grading of existing off road parking area
Location:	182 Stanmore Lane Winchester Hampshire SO22 4DR

Item No: 16			
Date of Inspector's Decision:	11th December 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00622/SFUL		
Case Officer:	Lewis Oliver		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of grain store (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)
Location:	Stocks Down Farm Stocks Lane Meonstoke Southampton Hampshire SO32 3NQ

Item No: 17			
Date of Inspector's Decision:	11th December 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00771/SAGA		
Case Officer:	Lewis Oliver		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of grain store (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)
Location:	Stocks Down Farm Stocks Lane Meonstoke Southampton Hampshire SO32 3NQ

Item No: 18			
Date of Inspector's Decision:	28th December 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00709/FUL		
Case Officer:	Mrs Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	Erection of detached flats comprising 2 no. two and 4 no. one bedroom flats; bin store and associated parking (amendment to existing planning permission 09/01585/FUL) (PART RETROSPECTIVE)		
Location:	H G Bruce & Partners Ltd 25 Nelson Road Winchester Hampshire		

Item No: 19			
Date of Inspector's Decision:	5th November 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	I	Costs:	Application for costs from both sides. No costs awarded.
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02545/SFUL		
Case Officer:	Lewis Oliver		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		
Proposal:	Residential development following demolition of existing dwelling and garage comprising of 7 no. three bedroom and 3 no. two bedroom dwellings with revised vehicular access, parking, landscaping and replacement front wall (RESUBMISSION)		
Location:	Townsend Northend Lane Droxford Southampton Hampshire SO32 3QN		

Item No: 20			
Date of Inspector's Decision:	10th December 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02479/FUL		
Case Officer:	Lisa Booth		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	New access		
Location:	Rosalinda Main Road Colden Common Winchester Hampshire SO21 1TJ		

Item No: 21			
Date of Inspector's Decision:	26th September 2012	Inspector's Decision:	Appeal Part Allowed/Part Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00810/FUL		
Case Officer:	Nick Parker		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Single-storey ground floor rear and side extension and loft conversion to habitable accommodation.		
Location:	43 Hyde Abbey Road Winchester Hampshire SO23 7DA		

Item No: 22			
Date of Inspector's Decision:	18th December 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/00752/FUL		
Case Officer:	Miss Megan Birkett		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of 2 no. two bedroom semi-detached dwellings with associated parking and landscaping (RESUBMISSION)
Location:	Land Adjacent To Sunnyside Mount Pleasant Kings Worthy Hampshire

Item No: 23			
Date of Inspector's Decision:	29th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/03036/SFUL		
Case Officer:	Richard Ferguson		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of a stable block, re-siting of storage barn & equestrian use of land, with headland exercise routes (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) *
Location:	Twyford Poultry Farm Hare Lane Twyford Winchester Hampshire SO21 1FR

Item No: 24			
Date of Inspector's Decision:	14th February 2013	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Costs Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/03035/FUL		
Case Officer:	Andrea Swain		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	Erection of new 3 bedroom chalet bungalow (RESUBMISSION)		
Location:	Land At Rear Of 21-23 Downs Road South Wonston Hampshire		

Item No: 25			
Date of Inspector's Decision:	15th October 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	11/02513/FUL		
Case Officer:	Mr Andrew Rushmer		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Single storey side and rear extensions. Front porch extension. New first floor accommodation in raised roof. (amended plans received 24.02.2012 amending the design of the dormers in order to reduce overlooking of property opposite).		
Location:	5 North Drive Littleton Winchester SO22 6QA		

Item No: 26			
Date of Inspector's Decision:	8th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01004/FUL
Case Officer:	Lisa Booth
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) First floor rear extension over existing single storey existing extension; windows to front elevation to be changed to timber windows.
Location:	2 Hyde Church Path Winchester Hampshire SO23 7DN

Item No: 27			
Date of Inspector's Decision:	8th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01005/LIS
Case Officer:	Lisa Booth
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	First floor rear extension over existing single storey existing extension; windows to front elevation to be changed to timber windows.(AFFECTS THE SETTING OF A LISTED BUILDING)
Location:	2 Hyde Church Path Winchester Hampshire SO23 7DN

Item No: 28			
Date of Inspector's Decision:	22nd February 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01211/FUL		
Case Officer:	Lisa Booth		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	1 no. two bedroom dwelling		
Location:	1 Grosvenor Drive Winchester Hampshire SO23 7HF		

Item No: 29			
Date of Inspector's Decision:	16th October 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01224/FUL		
Case Officer:	Miss Megan Birkett		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Two storey side extension		
Location:	78 Fromond Road Winchester Hampshire SO22 6EG		

Item No: 30			
Date of Inspector's Decision:	21st January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	I	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00814/FUL		
Case Officer:	Mr James Jenkison		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of 2 no. two bedroom flats, 1 no. three bedroom and 1 no. four bedroom houses with associated garages, car ports and landscaping
Location:	Land To Rear Of Brickmakers Arms Church Road Swanmore Hampshire

Item No: 31			
Date of Inspector's Decision:	24th October 2012	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00948/FUL		
Case Officer:	Miss Megan Birkett		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Removal of condition 1 of permitted permission-11/02401/FUL
Location:	57 Berewecke Avenue Winchester Hampshire SO22 6BL

Summary of Inspector's Decision

The appeal relates to 2 rooflights which were to be obscurely glazed and fixed shut, on the side elevation of a chalet bungalow. These serve a bathroom and an en-suite facility respectively. It was considered that the removal of the condition would not result in any serious overlooking or loss of privacy towards 2 Vernham Road.

Item No: 32			
Date of Inspector's Decision:	25th October 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00957/FUL
Case Officer:	Trish Price
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) Increased height of existing 1.8m high close boarded fencing to 2.45m high for a 28.0m run of fencing to the North boundary
Location:	Rotherfield 13 Grange Road Winchester Hampshire SO23 9RT

Item No: 33			
Date of Inspector's Decision:	1st February 2013	Inspector's Decision:	Appeal Part Allowed/Part Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00656/FUL
Case Officer:	Mr Simon Avery
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) Two storey rear extension, demolition of existing single garage and erection of annexe accommodation with storage area/hobby room/gym to roof space and erection of car port; infill existing vehicular access onto Newlands Lane and formation of new vehicular access to the North of the site plus 2.0m high acoustic fencing to Newlands Lane boundary
Location:	Heath Cottage Newlands Lane Purbrook Waterlooville Hampshire PO7 5SQ

Item No: 34			
Date of Inspector's Decision:	4th February 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01225/FUL		
Case Officer:	Mr Simon Avery		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use of the approved and implemented development-06/02730/FUL that comprises of a barn, 8 stables, associated access drive and hard standing for turning and parking for B1 office use (RETROSPECTIVE) (RESUBMISSION)
Location:	Land Adjacent To Access Track For Units 1 To 4 Lower Chase Road Swanmore Hampshire

Item No: 35			
Date of Inspector's Decision:	22nd November 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01400/FUL		
Case Officer:	Trish Price		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(HOUSEHOLDER) Loft conversion with dormer windows
Location:	Rock Dene Hoads Hill Wickham Fareham Hampshire PO17 5BX

Item No: 36			
Date of Inspector's Decision:	12th February 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00755/FUL
Case Officer:	Mr Simon Avery
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	Existing dwelling converted into 2 no. dwellings; two storey and single storey rear extensions and extension to rear studio building to form annex to be joined to main dwelling with a single storey corridor
Location:	4 School Cottages Trampers Lane North Boarhunt Fareham Hampshire PO17 6DG

Item No: 37			
Date of Inspector's Decision:	17th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01620/TPO
Case Officer:	Mr Ivan Gurdler
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	1no. Beech fell. 1no. Sycamore fell.
Location:	Street Record Beech Road Alresford Hampshire

Item No: 38			
Date of Inspector's Decision:	23rd November 2012	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01133/FUL		
Case Officer:	Andrea Swain		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Two storey side and rear extension		
Location:	116 Greenhill Road Winchester Hampshire SO22 5DU		

Item No: 39			
Date of Inspector's Decision:	17th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01544/TPO		
Case Officer:	Mr Thomas Gregory		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	2no. Silver Birch fell.		
Location:	Beech Lodge Grove Road Shawford Winchester Hampshire SO21 2DD		

Item No: 40			
Date of Inspector's Decision:	4th December 2012	Inspector's Decision:	Appeal Invalid
Appeal Procedure (see code below):	W	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01129/FUL		
Case Officer:	Mr James Jenkison		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed use of site for agricultural and general contractors storage yard (use class B8) including retention of hard standing
Location:	Land East Of Lower Crabbick Farm Forest Road Denmead Hampshire

Item No: 41			
Date of Inspector's Decision:	23rd January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	Costs Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01276/FUL		
Case Officer:	Lisa Booth		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	(HOUSEHOLDER) First floor rear extension (RETROSPECTIVE)
Location:	2 Mallard Close Bishops Waltham Southampton SO32 1LW

The Inspector considered that the proposal results in an awkward and uncoordinated appearance, particularly when seen from Park Road, and particularly apparent across the rear garden of 1 Mallard Close. The Inspector concluded that the blank façade is an unattractive and dominant feature in the roadside view, and concluded that the proposal was unduly harmful to the appearance of the dwelling and the visual amenities of the street scene. The Inspector considered the affect to the occupiers of no. 1 due to the height, mass and position relative to the rear wall was very evident. The Inspector considered that the blank façade, notwithstanding the 2m inset from the common boundary is an oppressive feature likely to unacceptably diminish the enjoyment of this amenity space by the occupiers of no. 1.

In this case the Inspector considered the fall back suggested by the Appellant that if they reduced the depth of the ground floor extension to 3m (from 3.8m) the proposal would be permitted development. However the Inspector considered that in order for this to be a realistic fall-back she has to consider whether such a scenario is likely to happen, and was not convinced from the information available that the ground floor extension could be easily reduced whilst the upper part remained intact. The Inspector concluded that she did not consider there to be a realistic fall-back situation in this case.

An application for costs was made against the Council on the basis that the reason for refusal was contrary to the case officers recommendation, unsubstantiated, and without basis, and that regard was not paid to the fall-back position of what could be built under permitted development.

The Inspector noted that the Committee reached its own decision following a visit to the site, and the judgement of the Committee was that the extension was harmful both the character of the area and the amenity of the adjoining occupiers. She also noted no evidence to support the contention that members were unduly swayed by the objections of neighbours, and the case was discussed at Committee as recorded in the Minutes.

The Inspector considered that the decision relied upon matters of planning judgement and there is sufficient information available to be clear about why the Planning committee reached a decision that did not accord with the advice of its Officers, and on that basis considered that the Council did not behave unreasonably and that the appellant was not put to the unnecessary expense of an appeal. She concluded that an award of costs was not justified.

Item No: 42			
Date of Inspector's Decision:	17th January 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/01851/FUL		
Case Officer:	Lisa Booth		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Two storey side extension		
Location:	6 Hillside Kitnocks Hill Curdrige Southampton Hampshire SO32 2HJ		

Item No: 43			
Date of Inspector's Decision:	29th January 2013	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01422/FUL		
Case Officer:	Mrs Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(HOUSEHOLDER) Two storey side extension; single storey front extension; replacement of existing windows and external cladding to existing ground and first floors
Location:	Park Rise Holt Close Wickham Fareham PO17 5EY

Item No: 44			
Date of Inspector's Decision:	27th February 2013	Inspector's Decision:	Application Withdrawn
Appeal Procedure (see code below):	P	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/00599/SLDC		
Case Officer:	Emily Fallon / Janine Wright		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Land to the front of Fisher and Hobbs Houses for the purpose of residential garden (CERTIFICATE OF LAWFULNESS)
Location:	Fisher House Alresford Road Winchester Hampshire SO21 1HL

Item No: 45			
Date of Inspector's Decision:	20th February 2013	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/01551/FUL
Case Officer:	Richard Whittington
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) Two storey extension over existing garage and study
Location:	30 Coles Mede Otterbourne Hampshire SO21 2EG

Item No: 46			
Date of Inspector's Decision:	21st February 2013	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	12/02182/FUL
Case Officer:	Mr Ian Cousins
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) Single and two storey extensions to dwelling, extended family room and lounge area and pitched roof over front projection with associated alterations
Location:	22 Courtenay Road Winchester Hampshire SO23 7ER

Item No: 47			
Date of Inspector's Decision:	28th February 2013	Inspector's Decision:	Appeal Part Allowed/Part Dismissed
Appeal Procedure (see code below):	H	Costs:	No application for costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			
Case No:	12/02233/FUL		
Case Officer:	Mr Ian Cousins		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
Proposal:	(HOUSEHOLDER) Construction of two-storey rear extension, garage and porch		
Location:	Poppy Down Cottage High Street Shirrell Heath Southampton SO32 2JN		
