

REPORT TITLE: PLANNING APPEAL DECISIONS

PLANNING COMMITTEE

8 DECEMBER 2016

PORTFOLIO HOLDER: COUNCILLOR VICTORIA WESTON, DEPUTY LEADER
AND PORTFOLIO HOLDER FOR BUILT ENVIRONMENT

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT

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WARD(S): ALL

PURPOSE

This report provides a summary of appeal decisions in relation to planning cases received during 1 July - 30 September 2016

RECOMMENDATIONS:

1. That the Report be noted.

IMPLICATIONS:**1 COMMUNITY STRATEGY OUTCOME**

1.1 Analysis of appeal decisions ensure consistency in decision making helping the City Council to deliver its High Quality Environment outcomes.

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 None

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND EQUALITY IMPACT ASSESSMENT

6.1 Not application – report for information.

7 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property N/A</i>		
<i>Community Support N/A</i>		
<i>Timescales N/A</i>		
<i>Project capacity N/A</i>		
<i>Financial / VfM N/A</i>		
<i>Legal N/A</i>		
<i>Innovation N/A</i>		
<i>Reputation N/A</i>		
<i>Other None</i>		

8 SUPPORTING INFORMATION:

This report provides a summary of appeal decisions in relation to planning cases received during 1 July to 30 September 2016

During this period 16 appeal decisions have been received, of these:

5 appeals were allowed – 31.25%

10 appeals were dismissed – 62.50%

1 appeal had a split decision – part allowed / part dismissed 6.25%

There were 3 claims for cost against the Council. All 3 claims were dismissed.

9 OTHER OPTIONS CONSIDERED AND REJECTED

9.1 N/A

BACKGROUND DOCUMENTS:-

Relevant planning applications files.

Other Background Documents:-

None

APPENDICES:

Appendix 1– Summary of decisions (Planning cases)

Appendix 1

PLANNING APPEALS – SUMMARY OF DECISIONS (PLANNING CASES)

A summary of appeal decisions received during the period 1 July 2016 to 30 September 2016

Item No: 1			
Date of Inspector's Decision:	21st September 2016	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:	14/02133/FUL		
Case Officer:	Mrs Jane Rarok		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of Use from B1, B2 and B8 to A1 with ancillary A3/B1/B8 (RETROSPECTIVE) (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) (Amended Description)
Location:	Mollys Den, Wessex Gate Moorside Road Winchester Hampshire SO23 7SS

Item No: 2			
Date of Inspector's Decision:	11th August 2016	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:	15/02028/PNACOU		
Case Officer:	Ben Hatt		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Prior notification for proposed change of use of agricultural building to a dwelling house (Class C3)
Location:	Dutch Barn Hunton Manor Farm Hunton Down Lane Hunton Sutton Scotney Hampshire

Item No: 3			
Date of Inspector's Decision:	6th September 2016	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:	15/02206/FUL		
Case Officer:	Mrs Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Removal of conditions no. 1 and 2 of planning permission 05/00924/FUL
Location:	Sutton Springs Trout Fishery Grounds Bullington Lane Sutton Scotney Winchester Hampshire SO21 3RA

Item No: 4			
Date of Inspector's Decision:	7th September 2016	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	Costs Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	15/02160/PNACOU		
Case Officer:	Mrs Jill Lee		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use from agricultural to use under Class C3 of the ground floor only of a barn (part of a building definition as per s 336 TCPA). The curtilage adjoins that of the existing dwelling.
Location:	Sutton Springs Trout Fishery Bullington Lane Sutton Scotney Winchester Hampshire SO21 3RA

Item No: 5			
Date of Inspector's Decision:	15th July 2016	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:	15/00793/FUL		
Case Officer:	Linda Jewell		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed erection of a detached three-bedroomed chalet-style dwelling. [ADDITIONAL PLANS]
Location:	Land At Rear Of 49 Main Road Colden Common Hampshire

Item No: 6			
Date of Inspector's Decision:	16th September 2016	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:	15/01893/FUL		
Case Officer:	Nicholas Billington		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	(HOUSEHOLDER) Erection of a single pergola in the rear garden (RETROSPECTIVE)
Location:	3 Woodfield Drive Winchester Hampshire SO22 5PY

Item No: 7			
Date of Inspector's Decision:	14th July 2016	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:	15/02236/OUT
Case Officer:	Lisa Booth
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	Construction of four dwellings with new access from Bere Farm Lane (OUTLINE)
Location:	Land To The South Of Willow Way Bere Farm Lane North Boarhunt Hampshire

Item No: 8			
Date of Inspector's Decision:	15th August 2016	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:	15/02585/FUL
Case Officer:	Mrs Megan Osborn
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) First floor front extension and car port and two-storey side and rear extension
Location:	Downs Cottage Woodman Lane Sparsholt Winchester Hampshire SO21 2NR

Item No: 9			
Date of Inspector's Decision:	7th September 2016	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:	16/00046/LIS
Case Officer:	Mrs Katie Nethersole
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	Retention of installation of one internally illuminated fascia sign following removal of the existing advertisement
Location:	Cy Music 36 Jewry Street Winchester Hampshire SO23 8RY

Item No: 10			
Date of Inspector's Decision:	7th September 2016	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:	15/02900/AVC		
Case Officer:	Mrs Katie Nethersole		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Retention of one internally illuminated (letter only) fascia sign. (AFFECTS THE SETTING OF A LISTED BUILDING) (RETROSPECTIVE)
Location:	36 Jewry Street Winchester Hampshire SO23 8RY

Item No:11			
Date of Inspector's Decision:	21st July 2016	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:	15/02736/TPO		
Case Officer:	Mr Ivan Gurdler		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Fell 1 no. Poplar (T9).
Location:	The Ivy House Wood Lane Bramdean Alresford Hampshire SO24 0JN

Item No: 12			
Date of Inspector's Decision:	23rd August 2016	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:	15/01997/FUL		
Case Officer:	Lewis Oliver		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing buildings and the erection 8 no. townhouses with associated garaging, parking and landscape works
Location:	15 Chilbolton Avenue Winchester Hampshire SO22 5HB

Item No:13			
Date of Inspector's Decision:	6th July 2016	Inspector's Decision:	Appeal Dismissed -
Appeal Procedure (see code below):	W	Costs:	Costs Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	16/00059/FUL		
Case Officer:	Lisa Booth		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed use of agricultural land as residential garden.
Location:	Flintwall Cottage Ingoldfield Farm Ingoldfield Lane Soberton Southampton Hampshire

Item No: 14			
Date of Inspector's Decision:	16th August 2016	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:	16/00131/FUL		
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Case Officer:	Mrs Megan Osborn
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No

Proposal:	(HOUSEHOLDER) Removal of existing roof and demolition of attached garage and utility. Erection of new first floor and side extension. Removal of static caravan and replacement with new carport.
Location:	The Dell Park Lane Otterbourne Hampshire SO21 2HY

Item No: 15			
Date of Inspector's Decision:	30th August 2016	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:	15/01368/FUL		
Case Officer:	Mr Simon Avery		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing dwelling and garage. And the erection of 2 infill dwellings and shared garage building
Location:	The Bungalow Southwick Road North Boarhunt Hampshire PO17 6JH

Item No:16			
Date of Inspector's Decision:	8th September 2016	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:	16/00173/TPO		
Case Officer:	Mr Ivan Gurdler		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	1 no. Oak (T1) crown reduction and thinning, reduce branches over the house and garden by 2 to 3 metres from the branch tips. To improve light to the house and garden and to maintain the tree to its surroundings.
Location:	5 Hunters Chase Mislingford Road Swanmore Southampton Hampshire SO32 2QD