

PLANNING DEVELOPMENT CONTROL COMMITTEE

5 FEBRUARY 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 December 2003, as requested by members at the EPIC meeting in March. 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 December 2003 is set out below:

## 1.1 DECEMBER 2003 Appeal Decisions

<b>Date</b>	<b>Site</b>	<b>Decision</b>	<b>Proposal</b>	<b>Issues</b>
03/12/03	W15742/02: Breville Furzeley Road Denmead	Allowed	Attached garage	The proposed garage would appear subservient to the existing dwelling and would complement its appearance. The garage would be largely obscured in views along the road and as there is no defined building line in this group of buildings it will not be a prominent feature in the street scene. <b>DEL IH</b>
16/12/03	W05475/11: The Bold Forester Forester Road Soberton Heath	Dismissed	Detached four bedroom house with two car parking spaces adjacent to the dwelling and accessed from the existing pub forecourt	The siting of the dwelling is not out of character in this village in which frontage depth varies considerably and it does not constitute backland development. In addition the proposal would not result in a reduction in highway safety. However, the design of the proposal closely reflects that of the adjacent Grade II Listed Building and as such would introduce an element of visual competition which would detract from the Listed Building. The proposal would also diminish the open setting of the Listed Building and obscure important views of the landscape to the rear. There is no persuasive economic justification for the proposal. <b>DEL WR</b>

16/12/03	W14451/02: The Stables Blackhorse Lane Shedfield	Dismissed	Single storey dwelling	The proposed dwelling is contrary to plan policies that protect the countryside and the local gap. The site is fairly open and the addition of a residential building and its associated curtilage would have a harmful impact on the rural character of the area. <b>DEL WR</b>
16/12/03	W12466/07: Chestnut Mead Kingsgate Road Winchester	Dismissed	Redevelopment of existing flats to provide 12 apartments	This property is visually prominent in a street in which the older properties give a sense of spaciousness to the layout. As such it makes a positive contribution to a fine example of a Victorian suburb and its demolition would detract from the character and appearance of the Conservation Area. The design of the proposed apartments would not reflect or respond to the form of the older buildings in the vicinity and would also reduce the privacy of some nearby garden areas. <b>COMM IH</b>
	W12466/08LB: Chestnut Mead Kingsgate Road Winchester	Dismissed	Demolition of existing flats and associated storage/garage facilities	
19/12/03	ENF 02/360: Treetops Botley Road Shedfield	Dismissed	<u>Alleged breach of planning control:</u> Material change of use of the land to a mixed use which includes the siting of a caravan for residential purposes	The appellant contested the Enforcement Notice claiming that a mobile home had been in use on the land for over 10 years. The Inspector concluded that the evidence put forward by the appellant was contradictory and unreliable while the Council had documentary and photographic evidence to which particular weight could be attached. The Enforcement Notice was upheld and corrected to clarify exactly what the change of use involved. <b>DEL PI</b>

**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