

PLANNING COMMITTEE

10 July 2014

PLANNING APPEALS – SUMMARY OF DECISIONS (FROM JANUARY 2014 TO MARCH 2014)

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT

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RECENT REFERENCES:

Relevant planning applications files.

EXECUTIVE SUMMARY:

This report provides a summary of appeal decisions received during January – March 2014.

Copies of each appeal decision are available on the Council's website.

During this period 22 appeals have been received.

Of these decisions:

7 appeals were allowed (31%)

15 appeals were dismissed (68%)

Claims for costs were submitted on 2 occasions and both claims were declined (100%)

RECOMMENDATION:

That the Report be noted.

PLANNING COMMITTEE10 July 2014PLANNING APPEALS – SUMMARY OF DECISIONS (FROM JANUARY 2014 TO MARCH 2014)REPORT FROM HEAD OF DEVELOPMENT MANAGEMENT

This report sets out the appeal decisions during the period 1 January 2014 to 31 March 2014

During this period the success rate is 68% being dismissed by the Appeal Inspector. The Council's target for appeal dismissals is 70%.

There were two claims made for costs with both claims being declined.

A summary of appeal decisions received during the period

<b>Item No: 1</b>			
<b>Date of Inspector's Decision:</b>	3rd February 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> – Householder			

<b>Case No:</b>	12/02169/AVC
<b>Case Officer:</b>	Lisa Booth
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	2 no. externally illuminated projecting signs and 2 no. non-illuminated hanging signs mounted inside shop windows (RETROSPECTIVE)
<b>Location:</b>	Costa High Street Bishops Waltham Southampton Hampshire SO32 1AA

<b>Item No: 2</b>			
<b>Date of Inspector's Decision:</b>	3rd February 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> – Householder			
<b>Case No:</b>	12/02168/LIS		

<b>Case Officer:</b>	Lisa Booth
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Retention of 2 no. externally illuminated projecting signs and 2 no. non-illuminated hanging signs mounted inside shop windows
<b>Location:</b>	Costa High Street Bishops Waltham Southampton Hampshire SO32 1AA

<b>Item No: 3</b>			
<b>Date of Inspector's Decision:</b>	28th January 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	I	<b>Costs:</b>	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

<b>Case No:</b>	13/00144/LDC		
<b>Case Officer:</b>	Mr Neil March		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Works to the existing ancillary outbuilding to form annexe accommodation incidental to the residential occupation of the main house at Northington Down (CERTIFICATE OF LAWFULNESS)
<b>Location:</b>	Northington Down Main Road Northington Down Alresford Hampshire SO24 9TZ

<b>Item No: 4</b>			
<b>Date of Inspector's Decision:</b>	14th January 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	I	<b>Costs:</b>	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

<b>Case No:</b>	13/00445/FUL		
<b>Case Officer:</b>	Mrs Jane Rarok		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at</b>	No		

<b>Committee?</b>	
<b>Proposal:</b>	Road side enforcement test station comprising a two storey office building, a single storey inspection building, a weighbridge, 4 prohibition parking bays and ancillary facilities
<b>Location:</b>	Land Off A31 St Catherines Way Winchester Hampshire

### Summary of Inspector's Decision

The Inspector determined the main issues to be the effect of the development on the character and appearance of the area including the SDNP and countryside; and whether the site was suitable for an expansion of the permitted enforcement testing station having regard to the principles of sustainable development.

The site is visible from the M3 in both north and south approaches and the Inspector noted: "The construction of the motorway through Winchester is such that occupants of vehicles experience only glimpses of built-up areas, and the overall impression of the journey is that it takes place through a generally rural area. The development of the site with substantial structures would alter this impression."

In recognising the economic role the development would have, the Inspector noted that the use of the first floor office building was vague and he queried its necessity to the effectiveness of the economic role this development would fulfil. Noting that the disaggregation of the use (office building within the settlement boundary of Winchester) would be detrimental, this was insufficient to outweigh substantial concerns regarding impact of the proposal on the character and appearance of the area.

<b>Item No: 5</b>			
<b>Date of Inspector's Decision:</b>	4th March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>P</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/00444/LDP
<b>Case Officer:</b>	Mr Neil March
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Use of land for the siting of caravans for the purposes of residential occupation throughout the year (CERTIFICATE OF LAWFULNESS)
<b>Location:</b>	South Hants Country Park Blackhouse Lane North Boarhunt Fareham PO17 6JS

<b>Item No: 6</b>			
<b>Date of Inspector's Decision:</b>	27th March 2014	<b>Inspector's Decision:</b>	Appeal Allowed - Costs Refused
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Appellants Costs Dismissed
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	12/01684/FUL		
<b>Case Officer:</b>	Mr Simon Avery		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Change of use from offices (B1) to a single dwelling house (C3) with internal alterations and replacement of existing rear extension (AFFECTS THE SETTING OF A LISTED BUILDING)
<b>Location:</b>	9 Parchment Street Winchester Hampshire SO23 8AT

### Summary of Inspector's Decision

The proposal was to change offices in a listed building to a dwelling. The Council was concerned that the premises had not been properly marketed for commercial uses and therefore it represented an unjustified loss of employment space. The Inspector gave significant weight to the recently introduced Permitted Development rights which in most cases allow such a change of use from office to residential without planning permission. The Inspector noted that listed buildings lie outside the scope of this but presumably only to prevent PD from damaging heritage assets. Given these circumstances, and as the proposed change of use was likely to generate a financial return sufficient to secure the long term preservation of the listed building, then this recent national change in land use planning was considered to take precedence over the policies of the local plan. The Council was however within its rights to refuse the application on the basis of local plan policy and notwithstanding the Inspector's different conclusion, no award of costs was incurred.

<b>Item No: 7</b>			
<b>Date of Inspector's Decision:</b>	12th February 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing;			

<b>P</b> – Public Inquiry; <b>H</b> - Householder	
<b>Case No:</b>	12/02139/FUL
<b>Case Officer:</b>	Mr Ian Cousins
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Variation of condition no.6 of planning permission 10/01864/FUL; to allow 1no. caravan on site. (RETROSPECTIVE)
<b>Location:</b>	Coles Field Forest Road Denmead Hampshire

<b>Item No: 8</b>			
<b>Date of Inspector's Decision:</b>	16th January 2014	<b>Inspector's Decision:</b>	Appeal Dismissed - Costs Refused
<b>Appeal Procedure (see code below):</b>	<b>I</b>	<b>Costs:</b>	Appellants Costs Dismissed
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01196/FUL
<b>Case Officer:</b>	Mr Simon Avery
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Erection of a three bedroom dwelling with dormer windows, access to Capers End Lane and associated parking (RESUBMISSION)
<b>Location:</b>	Capers End The Plantation Curdridge Southampton Hampshire SO32 2DT

### Summary of Inspector's Decision

The proposal related to criteria (ii) of Saved Policy CE.23 of the WDLPR which seeks to retain a stock of small or more affordable dwellings in the countryside. Permission had previously been granted on this site to replace a small dwelling of 88 sqm with one of 113 sqm but which being less than 120 sqm, still classified as a small dwelling under the terms of this policy. The appellant was seeking permission for a much larger replacement dwelling of 180 sqm which the Council contended was contrary to Policy CE23 (ii).

The Inspector concluded that the Council's interpretation of the policy was correct and that the proposal would result in the loss of a small dwelling. In coming to this conclusion the Inspector took the view that the limit of 120sqm took precedence over how many bedrooms the dwelling had and also gave

little weight to the potential for the floor area of the permitted dwelling to be increased via permitted development. Although the Inspector acknowledged that housing in this parish would not be within the reach of all sectors of the population, the value of the proposed dwelling would be less affordable than the 113sqm scheme permitted in 2011. Accordingly, it would put at risk the Council's ability to plan for a mix of housing based on current and future needs of the community.

Cost were not awarded against the Council as the Inspector found that the Council's assessment of the application was both sound and appropriate. The Council was also justified in applying recently adopted policy requirements relating to sustainable development.

<b>Item No: 9</b>			
<b>Date of Inspector's Decision:</b>	27th February 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01302/FUL		
<b>Case Officer:</b>	Mr James Jenkison		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Removal of condition no.7 of planning appeal permission 08/00800/FUL that requires the windows at or above first floor level in the elevations or roof slopes to be fitted with obscure glazing and have no openings lower than 1.8m above floor level
<b>Location:</b>	3 Franklyn Close Waltham Chase Southampton Hampshire SO32 2FH

<b>Item No: 10</b>			
<b>Date of Inspector's Decision:</b>	31st March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	12/02503/FUL		
<b>Case Officer:</b>	Mrs Megan Osborn		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at</b>	No		

<b>Committee?</b>	
<b>Proposal:</b>	Change of use from hostel to two bedroom residential dwelling (WITHIN THE CURTILAGE OF A LISTED BUILDING)
<b>Location:</b>	Pinglestone Farm Abbotstone Road Old Alresford Hampshire SO24 9TB

### Summary of Inspector's Decision

The existing building is a former agricultural workers' hostel which was erected in 2003 and is no longer required for that purpose. The building lies in open countryside where local and national policy seeks to protect the rural character by restricting development. Certain types of developments do however require a countryside location; this is defined in policy MTRA4 of the Winchester District Local Plan Part 1. The only one of these categories that applies to the appeal proposal is 'the reuse of existing rural buildings for...affordable housing (to meet demonstrable local housing needs)'. Affordable housing is defined in the glossary to the National Planning Policy Statement (NPPF) as 'Social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market'. The glossary goes on to say 'affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing'.

The appellant was not prepared to comply with either the eligibility criteria specified by the council, and no alternative mechanism to achieve the same objective was included to support the appeal. In these circumstances the Inspector considered that the proposed use would not qualify as affordable housing in terms of policy MTRA4. The Inspector also commented that in failing to comply with the wording of the policy it would also fail to achieve the relevant policy objective, which is to resist development in the countryside unless there are compensatory benefits - in this case to provide an affordable house for an eligible household in need.

The Inspector concluded that the appeal proposed would unacceptably harm the character of the countryside by increasing the amount of residential development without adequate justification.

<b>Item No: 11</b>			
<b>Date of Inspector's Decision:</b>	12th March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	12/02700/FUL		
<b>Case Officer:</b>	Mr Simon Avery		



<b>Original Decision Type:</b>	Committee Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Retention of site for laser-tag business
<b>Location:</b>	Dunfords Business Park 89 Main Road Colden Common Hampshire

### Summary of Inspector's Decision

The proposal was to use the land for laser tag activities. Planning permission has also been granted (12/01710/FUL) for the redevelopment of land overlapping the site with 14 houses, resulting in no proper access, building facility, or parking provision for the laser tag use. Therefore the Inspector was not satisfied that the use proposed was capable of being accommodated on the site in an appropriate manner, without harming the character of the area or the living conditions of people who live or will live close to the site. There were many items of play equipment, camouflaged structures, old cable drums and other paraphernalia relating to the laser tag games distributed around the woodland. The two areas within the site are designated as Sites of Importance for Nature Conservation (SINC) and ancient woodland, and on the limited and contradictory evidence available, the appellant did not demonstrate that the proposed use would protect this recognised landscape and ecological asset.

<b>Item No: 12</b>			
<b>Date of Inspector's Decision:</b>	10th March 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	I	<b>Costs:</b>	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

<b>Case No:</b>	13/01686/FUL
<b>Case Officer:</b>	Mr Simon Avery
<b>Original Decision Type:</b>	Delegated Decision
<b>Was Decision Overturned at Committee?</b>	No

<b>Proposal:</b>	Continued use of land to station a mobile home for horticultural worker for a further three years
<b>Location:</b>	S And D Nursery Dradfield Lane Soberton Southampton Hampshire SO32 3QD

### Summary of Inspector's Decision

The proposal was to allow the stationing of a mobile home for three more years in association with a horticultural business. The Inspector concluded that there was a potential essential need for the appellant to live on the site.

The appellant appeared to have a genuine desire to carry out a rural horticulture enterprise, living within the mobile home in order to achieve this. The National Planning Policy Framework supports economic growth in rural areas, as well as encouraging the development of land-based rural businesses. Consequently, a temporary extension for a further three years was considered appropriate to allow the appellant time to further expand the business, fully utilising a recently constructed enlarged glass house.

<b>Item No: 13</b>			
<b>Date of Inspector's Decision:</b>	13th March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01333/FUL		
<b>Case Officer:</b>	Sarah Tose		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of detached three bedroom house and detached double garage, landscaping and access
<b>Location:</b>	Shady Oaks Farm Durley Brook Road Durley Southampton Hampshire SO32 2AR

<b>Item No: 14</b>			
<b>Date of Inspector's Decision:</b>	6th February 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/00914/FUL		
<b>Case Officer:</b>	Mr Simon Avery		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Demolition of existing garage and sheds and erection of 1 no. four bedroom detached dwelling using existing entrance
<b>Location:</b>	Long Acre Upper Crabbick Lane Denmead Waterlooville Hampshire PO7 6HQ

<b>Item No: 15</b>			
<b>Date of Inspector's Decision:</b>	4th February 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01548/TPO		
<b>Case Officer:</b>	Mr Ivan Gurdler		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	AMENDED DESCRIPTION 2no. Silver Birch - fell, 2no. Silver Birch - crown thin by 20%
<b>Location:</b>	27 The Pastures Kings Worthy Winchester SO23 7LU

<b>Item No: 16</b>			
<b>Date of Inspector's Decision:</b>	30th January 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/02116/FUL		
<b>Case Officer:</b>	Mrs Beverley Harding-Rennie		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(HOUSEHOLDER) Single storey rear extension and first floor side extension with associated alterations
<b>Location:</b>	106 Buriton Road Harestock Winchester Hampshire SO22 6JF

<b>Item No: 17</b>			
<b>Date of Inspector's Decision:</b>	28th March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01790/OUT		
<b>Case Officer:</b>	Mr Simon Avery		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of 1 no. 1.5 storey high 5 bed dwelling (OUTLINE)		
<b>Location:</b>	Romany Way Wintershill Durley Southampton Hampshire SO32 2AH		

<b>Item No: 18</b>			
<b>Date of Inspector's Decision:</b>	12th February 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01173/FUL		
<b>Case Officer:</b>	Mr Simon Avery		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(HOUSEHOLDER) Replacement detached garage/workshop with annexe accommodation on ground and first floors		
<b>Location:</b>	Southern View Maybush Lane Soberton Southampton Hampshire SO32 3QF		

<b>Item No: 19</b>			
<b>Date of Inspector's Decision:</b>	12th February 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01701/FUL		
<b>Case Officer:</b>	Sarah Tose		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(HOUSEHOLDER) Retention of front wall, fence and gates		
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	(RETROSPECTIVE)
<b>Location:</b>	Land To The West Of Lasek Bishops Wood Road Mislingford Hampshire

<b>Item No: 20</b>			
<b>Date of Inspector's Decision:</b>	11th February 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/02146/FUL		
<b>Case Officer:</b>	Mrs Anna Hebard		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(HOUSEHOLDER) Single storey side and rear extension
<b>Location:</b>	6 King Alfred Terrace Winchester Hampshire SO23 7DE

<b>Item No: 21</b>			
<b>Date of Inspector's Decision:</b>	24th March 2014	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	13/01885/FUL		
<b>Case Officer:</b>	Mrs Megan Osborn		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(HOUSEHOLDER) Single storey side extension to annex with associated alterations (RESUBMISSION)
<b>Location:</b>	Armsworth Hill House Hill Lane Old Alresford Alresford Hampshire SO24 9RJ

### Summary of Inspector's Decision

The main issue in this case is whether the proposal would constitute sustainable development, having regard to the Councils policies on residential development in the countryside.

The site is extremely isolated and occupiers of the annex would be heavily reliant on the private car for access to services and facilities. Therefore residential development in this location would be unsustainable and contrary to national and local planning policies. However, the proposal would not create an additional dwelling as a condition on a previous planning application and a legal agreement ties this to the main dwelling.

Furthermore the addition of an extension would not materially alter the manner in which the annex is used as it is occupied by the applicants daughter and family and the building is physically well related to the main dwelling despite the existence of a separate parking area.

The amount of accommodation is at the upper limits of what would reasonably be considered as ancillary, however this would still be diminutive in comparison with the primary dwelling and therefore the annex would remain subservient.

The personal circumstances demonstrated persuaded the inspector that this proposal is justified, in this instance. The circumstances would enable the daughter to continue to live in close proximity to her parents which would provide clear benefits to her health and well-being. These personal circumstances weigh in favour of the proposal.

The Inspector concluded that the annex would remain ancillary to the primary dwelling, and its extension would contribute positively to the health and well-being of its present occupiers. Accordingly, the proposal would meet sustainable development objectives and on this basis the appeal shall be allowed.

<b>Item No: 22</b>			
<b>Date of Inspector's Decision:</b>	13th March 2014	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	13/02461/FUL		
<b>Case Officer:</b>	Trish Price		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		
<b>Proposal:</b>	(HOUSEHOLDER) Loft conversion to provide living accommodation with rear dormer		
<b>Location:</b>	101 Upper Brook Street Winchester Hampshire SO23 8DG		