

REPORT TITLE: PLANNING APPEALS

25 FEBRUARY 2021

Report of Cabinet Member for Built Environment and Wellbeing – Councillor Jackie Porter

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WARD(S): ALL (EXCLUDING SOUTH DOWNS NATIONAL PARK AUTHORITY)

PURPOSE

This report provides a summary of appeal decisions received during October – December 2020

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

RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

1.1 Analysis of appeal decisions ensure consistency in decision making helping the City Council to protect the Environment.

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 COMMUNICATION

6.1 Not applicable – report for information

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 EQUALITY IMPACT ASSESSMENT

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None Required

10 RISK MANAGEMENT

Risk (Detail in this column specific risks, under each of these headings)	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 N/A</i>		

11 SUPPORTING INFORMATION:

11.1 This report provides a summary of appeal decision in relation to planning cases received during October – December 2020

Cases in total

- 6 Appeal allowed 54%
- 4 Appeal dismissed 37%
- 1 Appeal Part allowed/Part Dismissed 9%

Of these

- 1 Appeal allowed cost refused
- 4 Appeal allowed costs allowed

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:- Relevant planning applications files.

Previous Committee Reports:- PDC 1170

Other Background Documents:-

APPENDICES:

Appendix 1 – Summary of decisions (Planning Cases) October – December 2020

APPENDIX 1

PLANNING APPEALS – SUMMARY OF DECISIONS (DC CASES)

REPORT FROM HEAD OF DEVELOPMENT MANAGEMENT

A summary of appeal decisions received during the period October to December 2020

Item No: 01			
Date of Inspector's Decision:	8th December 2020	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	I	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/01441/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	use of land for the stationing of caravans for residential purposes
Location:	Land Adjacent To Strawberry Barn Southwick Road North Boarhunt Hampshire

Item No: 02			
Date of Inspector's Decision:	3rd December 2020	Inspector's Decision:	Appeal Part Allowed/Part Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Cost
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/00242/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use of redundant agricultural buildings to workshop for the production of wood products. Change of use of agricultural land to extend existing timber yard for timber storage.
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	Repositioning and design of service road to serve the retail outlet granted by permission 11/00238/FUL Installation of yard lighting. (retrospective)
Location:	High Ridge Farm Hospital Road Shirrell Heath Southampton Hampshire SO32 2JR

Item No: 03			
Date of Inspector's Decision:	9th December 2020	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Cost Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/02107/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Construction of a replacement dwelling
Location:	The Tree Nursery, The Barn North Of Sandy Lane Sandy Lane Shedfield SO32 2HQ

Item No: 04			
Date of Inspector's Decision:	26th October 2020	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	Appellants Costs Dismissed
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/02468/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	Use of land as residential garden.
Location:	Land To Rear Of 5 Hillside Kitnocks Hill Curdridge Hampshire

Item No: 05			
Date of Inspector's Decision:	22nd October 2020	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:	19/01755/HOU		
Case Officer:	Curtis Badley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Extensions and alterations including loft conversion with front and rear dormers, single storey rear extension, single storey side extension and porch
Location:	Russets Bere Farm Lane North Boarhunt PO17 6JJ

Item No:06			
Date of Inspector's Decision:	30th October 2020	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:	20/00185/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Construction of two houses following demolition of equestrian business. Removal of Equestrian tie.
Location:	Home Farm Reading Room Lane Curdrige SO32 2HE

Item No: 07			
Date of Inspector's Decision:	21st October 2020	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:	20/00449/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Conversion of the existing B1(a) office building to 2x C3 dwellinghouses and associated hard and soft landscaping.		
Location:	Land Adjacent To Wassalls Hall Bishops Wood Road Mislingford Hampshire		

Item No: 08			
Date of Inspector's Decision:	16th November 2020	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:	19/02506/LIS		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Removal of window and formation of new door opening		
Location:	2 Upper Silkstead Cottages Silkstead Lane Hursley SO21 2LG		

Item No: 09			
Date of Inspector's Decision:	23rd October 2020	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Appellants Costs Allowed
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	20/00855/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	Variation of condition 1 of application reference No. 19/01049/HOU to allow building to be used solely for purposes ancillary to the occupation of the property known as Brown Eaves. The building shall not be occupied as an independent unit of residential accommodation.
Location:	Brown Eaves 170 Main Road Colden Common SO21 1TJ

Item No:10			
Date of Inspector's Decision:	21st December 2020	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Cost Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	20/01202/PNRCOU		
Case Officer:	Curtis Badley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use from A1 to C3 under Class M
Location:	20 Brambridge Eastleigh Hampshire SO50 6HZ

Item No: 11			
Date of Inspector's Decision:	21st December 2020	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	Cost Refused
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/02434/FUL		
Case Officer:	Curtis Badley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed change of use from retail with living accommodation (A1/C3) to single dwelling (C3) including associated single storey extensions and elevational alterations
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Location:

20 Brambridge Brambridge SO50 6HZ