

REPORT TITLE: PLANNING APPEALS – QUARTERLY REPORT

13 DECEMBER 2022

REPORT OF CABINET MEMBER: Councillor Jackie Porter, Cabinet Member for Place and Local Plan

Contact Officer: Julie Pinnock Tel No: 01962 848 439 Email  
jpinnock@winchester.gov.uk

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

PURPOSE

This report provides a summary of appeal decisions received during April – September 2022

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

RECOMMENDATIONS:

1. That the report be noted.

**IMPLICATIONS:****1.1 COUNCIL PLAN OUTCOME**

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

1.2 Tackling the Climate Emergency and Creating a Greener District

1.3 None

1.4 Homes for all

1.5 None

1.6 Vibrant Local Economy

1.7 None

1.8 Living Well

1.9 None

1.10 Your Services, Your Voice

1.11 None

**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 None

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 PUBLIC SECTOR EQUALITY DUTY

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10 RISK MANAGEMENT

10.1 None

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
Financial Exposure N/A		
Exposure to challenge N/A		
Innovation N/A		
Reputation N/A		
Achievement of outcome N/A		
Property N/A		
Community Support N/A		
Timescales N/A		
Project capacity N/A		
Other N/A		

11 SUPPORTING INFORMATION:

11.1 This report provides a summary of appeal decisions in relation to planning cases received during April - September 2022.

10 Cases in total

Appeal allowed 3 (30%)

Appeal dismissed 7 (70%)

1 was a cost Application and this was refused.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 NONE

BACKGROUND DOCUMENTS: -

Previous Committee Reports: - PDC 1203

The previous Appeal Summary was presented at the May 2022 Planning Committee Meeting. For the Period of January – March 2022.

PLANNING APPEALS – SUMMARY OF DECISIONS  
REPORT FROM SERVICE LEAD: BUILT ENVIRONMENT

A summary of appeal decisions received during the period April – September 2022

<b>Item No: 01</b>			
<b>Date of Inspector's Decision:</b>	30th September 2022	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>I</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>	20/01806/FUL		
<b>Case Officer:</b>	Rose Chapman		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Creation of one Gypsy/Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom, and associated works.
<b>Location:</b>	Plot 2 Pony Paddock Hipley Road Hambledon Hampshire

<b>Item No: 02</b>			
<b>Date of Inspector's Decision:</b>	31st May 2022	<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>	20/00849/LDC		
<b>Case Officer:</b>	Nicola Clayton		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Conversion of a building and use for residential purposes C3
<b>Location:</b>	Beech Tree Calcot Lane Curdrige SO32 2BN

<b>Item No: 03</b>			
<b>Date of Inspector's Decision:</b>	31st May 2022	<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>	20/01590/OUT		
<b>Case Officer:</b>	Rose Chapman		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of single detached (3 or 4 bed) dwelling to the side of No 1 Glebe Villas, including details of the layout and access to the site, and the installation of a new sewage treatment plant.
<b>Location:</b>	1 Glebe Villas Trampers Lane North Boarhunt PO17 6BZ

<b>Item No: 04</b>			
<b>Date of Inspector's Decision:</b>	5th September 2022	<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>	21/02396/PNACOU		
<b>Case Officer:</b>	Sean Quigley		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Convert agricultural barn 1 to residential Class Q development
<b>Location:</b>	124 Lower Shawlands Bunstead Lane Hursley Winchester Hampshire SO21 2LQ

<b>Item No: 05</b>			
<b>Date of Inspector's Decision:</b>	5th September 2022	<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>	21/02395/PNACOU		
<b>Case Officer:</b>	Sean Quigley		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Convert agricultural barn 2 to residential Class Q development
<b>Location:</b>	124 Lower Shawlands Bunstead Lane Hursley Winchester Hampshire SO21 2LQ

<b>Item No: 06</b>			
<b>Date of Inspector's Decision:</b>	22nd September 2022	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Cost Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	21/01334/FUL		
<b>Case Officer:</b>	Catherine Watson		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Change of use of land from agricultural to Class C3 (Dwellinghouse). Development comprising the reshaping of the reservoir to provide for the construction of a floating five-bedroom dwellinghouse, with part subterranean garage, made pursuant to the provisions of paragraph 79(e) of the National Planning Policy Framework (NPPF) (2019). To include: the formation of a new vehicular access from Abbotstone Road, the laying of a driveway and forecourt, engineering works for the purpose of landscaping, and the installation of two floating solar islands.
<b>Location:</b>	Land Off Abbotstone Road Fobdown Hampshire

<b>Item No: 07</b>			
<b>Date of Inspector's Decision:</b>	21st April 2022	<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>	21/01818/HOU		
<b>Case Officer:</b>	Cameron Finch		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Incorporate the land at side of the house with the garden, by extending the fencing further out. The proposal will include some native planting in front of the fence along Pennington Close (to soften the appearance of the fence). The Cherry Blossom tree will remain, with its canopy continuing to provide greenery to the area. The existing garden wall has deteriorated and is no longer straight. It needs replacing for safety reasons.
<b>Location:</b>	1 Pennington Close Colden Common SO21 1UR

<b>Item No: 08</b>			
<b>Date of Inspector's Decision:</b>	12th September 2022	<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>	21/01058/FUL		
<b>Case Officer:</b>	Jordan Wiseman		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of new detached dwelling
<b>Location:</b>	The Briars 3 Elizabeth Close Kings Worthy SO23 7PE



<b>Item No: 09</b>			
<b>Date of Inspector's Decision:</b>	11th August 2022	<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>	21/02502/LDC		
<b>Case Officer:</b>	Jordan Wiseman		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	To establish the Lawful Use of a building as a single, separate, and independent dwellinghouse (Use Class C3), with associated vehicular access and domestic curtilage in excess of four years.
<b>Location:</b>	Ashbrook Stables Main Road Colden Common Winchester Hampshire SO21 1TJ

<b>Item No: 10</b>			
<b>Date of Inspector's Decision:</b>	18th July 2022	<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>	21/02782/HOU		
<b>Case Officer:</b>	Sean Quigley		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Single Storey Side Extension
<b>Location:</b>	1 Rewlands Drive Harestock SO22 6PA