

RECENT APPEAL DECISIONS TO 05 NOVEMBER 2012

Application Ref: S11/2065/FULL PWM
Planning Inspectorate No: APP/E2530/A/12/2174322/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr Rob Johnson
Proposal:	Residential development - 8 dwellings (including demolition of former hotel)
Site:	Shirley Croft Hotel, Harrowby Road, Grantham, NG31 9EA

Appeal Decision – Date:	Appeal allowed with conditions - 12 October 2012
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SUMMARY

The planning application was recommended for approval by the Council's planning officers but was deferred by the Development Control Committee on 18 October 2011 for approval by the Development Management Service Manager in consultation with the Chairman and Vice Chairman subject to the submission of amended plans showing the dwellings on plots 5 – 8 to be single storey only.

The applicant subsequently submitted amended plans showing minor changes to the layout and substitution of dormer windows with rooflights on plots 7 & 8, but did not include the specific alterations requested by Committee.

The application was therefore brought before the Development Control Committee again on 16 February 2012. The officer recommendation continued to be for approval. However the Members of the Committee voted to refuse the application on the grounds that the dwellings on plots 5 – 8 would be out of scale and not in keeping with the form and character of the area and would have an unacceptable impact on the residential amenities of the occupiers of adjacent dwellings and that only single storey dwellings would be acceptable on these plots.

The inspector, whilst acknowledging that some (though not all) of the concerns raised by objectors and the Council did have some merit, generally agreed with the officer's assessment and concluded that the proposed development was acceptable subject to conditions.

On the first issue, he considered that the proposed houses on plots 5 – 8 would not appear unduly prominent and discordant in the streetscene and that they would not be out of scale with their closest neighbours. He considered that consequently, in terms of their impact on the streetscene, these houses would be acceptable. On the second issue, taking into account the BRE guidelines, he concluded that the proposed houses on plots 5 – 8 would not significantly harm the living conditions of occupiers of neighbouring dwellings.

The inspector allowed the appellant a full award of costs to cover the costs of the appeal proceedings. He was particularly concerned that the reasons for refusal in relation to plots 7 & 8 were unsupported by any objective analysis and had little reasonable prospect of success.

He stated that he believed that the Council's members were unduly swayed by local objections to the scheme and that there were no sound planning reasons for refusing to permit the redevelopment of this site in the manner proposed, and that the Council's actions delayed the implementation of this scheme and put the appellant to the unnecessary expense of this appeal.

He concluded that unreasonable behaviour resulting in unnecessary expense, as described in Circular 3/2009 had been demonstrated.

RECENT APPEAL DECISIONS TO 05 NOVEMBER 2012

Application Ref: S11/1898/FULL LDPP
Planning Inspectorate No: APP/E2530/A/12/2172888

Appeal Type: **Written Evidence**

Appellant:	Mr W Addison
Proposal:	Three storey dwelling (amendments to S01/1047)
Site:	Adj 3 High Street, Pointon, Sleaford, NG34 0LX

Appeal Decision – Date:	Appeal dismissed - 14 September 2012
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SUMMARY

Overall the inspector found that there would be a significant adverse effect with respect to effect on character and appearance. The harm to neighbours' living conditions, whilst not in itself warranting the refusal of planning permission, arises from the same changes that give rise to harm to character and appearance and therefore adds some weight to it.

It was concluded therefore that planning permission should be withheld and the appeal dismissed.