

RECENT APPEAL DECISIONS TO 18 FEBRUARY 2013

Application Ref: S11/2892/OUT PL
Planning Inspectorate No: APP/E2530/A/12/2176619/NWF

Appeal Type: **Written Evidence**

Appellant:	Mrs E M Pignatiello
Proposal:	Creation of two building plots
Site:	34, Coggles Causeway, Bourne, Lincolnshire, PE10 9LL

Appeal Decision – Date:	Appeal allowed with conditions - 22 January 2013
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SUMMARY

This application was refused under delegated powers on 17 January 2012 on the following grounds:

It is considered that by reason of the overall size of the site and its relationship with surrounding residential properties, the erection of two dwellings in these locations would form an over-development of the site resulting in a cramped form of development and would be contrary to the form, character and general appearance of the area with the large rear gardens to the properties fronting Coggles Causeway being a feature which distinguishes them from the surrounding higher density development to the rear in Essex Way. Furthermore, the provision of a dwelling to the rear will result in an increase in vehicular movements and residential activity causing noise and disturbance to the detriment of residential amenity to the surrounding properties.

For these reasons, the proposal would be contrary to national policies PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and EN1 (Protection and Enhancement of the Character of the District) of the South Kesteven Core Strategy.

In allowing the appeal the Inspector disagreed with the Council and did not consider that the development would affect the character of the area or result in a cramped appearance. Furthermore the Inspector considered that the proposal would have no affect on the privacy of adjacent dwellings or any detrimental impact in terms of noise and disturbance. The Inspector imposed six conditions, standard outline conditions, limiting the rear dwelling to single storey only and defining the sub-division of the plots.

Application Ref: S11/3006/FULL PWM
Planning Inspectorate No: APP/E2530/A/12/2180014/NWF

Appeal Type: **Informal Hearing**

Appellant:	Mr Richard Porter
Proposal:	Conversion of domestic garage to accommodation for seasonal workers and use as holiday let
Site:	Stone Horse Farm, Hough Lane, Carlton Scroop, Grantham, NG32 3BB

Appeal Decision – Date:	Appeal dismissed - 29 January 2013
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SUMMARY

This application was refused under delegated powers on 09 February 2012 on two grounds:

1. That the proposal was in an unsustainable location and did not fall into any of the categories of development allowed in such a location under the SK Core Strategy. Specifically no functional need had been demonstrated for an agricultural worker's dwelling and that no unmet need for tourist accommodation had been demonstrated.
2. That the building was not suitable for conversion to a self contained residential unit by virtue of its close relationship with the main dwelling and the constraints of the site, and that it would be detrimental to the residential amenities of occupiers of the proposed unit and existing dwelling.

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The inspector was not convinced that the conversion would be unacceptable in terms of occupiers or neighbours' residential amenities. However she agreed with the Council's assessment on the principle of the development and found that there was no functional need for agricultural workers accommodation or unmet demand for tourist accommodation in a location where new dwellings would not normally be permitted. The appeal was **dismissed**

No application for costs was made by either party.

Application Ref: S11/3021/HSH AH
Planning Inspectorate No: APP/E2530/E/12/2176759/NWF

Appeal Type: **Written Evidence**

Appellant:	Mrs S Uszkurat
Proposal:	Erection of two storey rear extension following demolition of existing outbuildings, dormer window to rear elevation and external and internal alterations
Site:	27, St Peters Street, Stamford, Lincolnshire, PE9 2PF

Appeal Decision – Date:	Appeal dismissed - 29 January 2013
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SUMMARY

These applications for planning permission and listed building were determined under delegated powers and related to proposed extensions and alterations to No. 27 St Peters Street, a Grade II listed building within the Stamford Conservation Area. The scheme included the erection of a two storey rear extension of a contemporary design with timber cladding/a glazed link (following the demolition of existing outbuildings); the installation of a flat roofed rear dormer window/internal alterations in connection with the conversion of the roofspace to a bathroom; the insertion of a round window to the side elevation; the raising of the height of the boundary wall along Foundry Lane and various internal alterations. The applications were both refused for the reason that :-

“The proposed replacement two storey extension to the rear of the property, would by reason of its scale, design and its proposed materials of construction, be severely detrimental to the special architectural or historic interest of the listed building and the character and appearance of the Stamford Conservation Area. The contributing factors to this severely detrimental impact are its physically overbearing impact on the main building and on the character of Foundry Lane, the uncomplimentary form and design of the proposed extension which will be architecturally and visually at odds with the form and style of the principal building and the proposed use of inharmonious external materials. It is also considered that the proposed flat roofed dormer to be inserted in the rear (north-west facing) roof slope of the principal building will be ill-fitting architecturally and visually. Furthermore, the proposed various internal and external alterations to the existing historic built fabric and features of the principal building are insufficiently detailed so as to demonstrate that the scheme would be sympathetic to the special architectural or historic interest of the host listed building. Accordingly, it is considered that the proposed development would be contrary to Policy EN1 of the South Kesteven Core Strategy and central government advice set out in PPS5: Planning for the Historic Environment.”

In dismissing the appeal the Inspector upheld the Council's refusal reason in full in commenting that the proposed extension, dormer window unit and other external alterations would be overwhelming and harmful to the host listed building and the character of this part of the town's conservation area. The Inspector also commented that the proposed works within the existing roofspace in relation to the formation of the bathroom would be to detriment of the building and that other internal alterations had not been sufficiently detailed to provide for a full assessment of the implications of the proposals.

RECENT APPEAL DECISIONS TO 18 FEBRUARY 2013

Application Ref: S11/3022/LB AH
Planning Inspectorate No: APP/E2530/E/12/2176794/NWF

Appeal Type: **Written Evidence**

Appellant:	Mrs S Uszkurat
Proposal:	Erection of two storey rear extension following demolition of existing outbuildings, dormer window to rear elevation and external and internal alterations
Site:	27, St Peters Street, Stamford, Lincolnshire, PE9 2PF

Appeal Decision – Date:	Appeal dismissed - 29 January 2013
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SUMMARY

These applications for planning permission and listed building were determined under delegated powers and related to proposed extensions and alterations to No. 27 St Peters Street, a Grade II listed building within the Stamford Conservation Area. The scheme included the erection of a two storey rear extension of a contemporary design with timber cladding/a glazed link (following the demolition of existing outbuildings); the installation of a flat roofed rear dormer window/internal alterations in connection with the conversion of the roofspace to a bathroom; the insertion of a round window to the side elevation; the raising of the height of the boundary wall along Foundry Lane and various internal alterations. The applications were both refused for the reason that :-

“The proposed replacement two storey extension to the rear of the property, would by reason of its scale, design and its proposed materials of construction, be severely detrimental to the special architectural or historic interest of the listed building and the character and appearance of the Stamford Conservation Area. The contributing factors to this severely detrimental impact are its physically overbearing impact on the main building and on the character of Foundry Lane, the uncomplimentary form and design of the proposed extension which will be architecturally and visually at odds with the form and style of the principal building and the proposed use of inharmonious external materials. It is also considered that the proposed flat roofed dormer to be inserted in the rear (north-west facing) roof slope of the principal building will be ill-fitting architecturally and visually. Furthermore, the proposed various internal and external alterations to the existing historic built fabric and features of the principal building are insufficiently detailed so as to demonstrate that the scheme would be sympathetic to the special architectural or historic interest of the host listed building. Accordingly, it is considered that the proposed development would be contrary to Policy EN1 of the South Kesteven Core Strategy and central government advice set out in PPS5: Planning for the Historic Environment.”

In dismissing the appeal the Inspector upheld the Council’s refusal reason in full in commenting that the proposed extension, dormer window unit and other external alterations would be overwhelming and harmful to the host listed building and the character of this part of the town’s conservation area. The Inspector also commented that the proposed works within the existing roofspace in relation to the formation of the bathroom would be to detriment of the building and that other internal alterations had not been sufficiently detailed to provide for a full assessment of the implications of the proposals.

Application Ref: S12/0318/OUT PJM
Planning Inspectorate No: APP/E2530/A/12/2178863/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr Lloyd Courtenay
Proposal:	Erection of single storey dwelling (outline)
Site:	The Harbour, Kintore Drive, Grantham, Lincolnshire, NG31 9DH

Appeal Decision – Date:	Appeal allowed with conditions - 28 January 2013
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SUMMARY

TO BE REPORTED AT NEXT COMMITTEE