

RECENT APPEAL DECISIONS TO 25 NOVEMBER 2011

Application Ref: S10/2546/FULL NB
Planning Inspectorate No: APP/E2530/A/11/2155329/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr E Raymen
Proposal:	Creation of additional dwelling
Site:	96, Millfield Road, Deeping St James, Peterborough, PE6 8QY

Appeal Decision – Date:	Appeal allowed with conditions - 08 November 2011
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SUMMARY

The application was determined under delegated powers and refused permission on the grounds that the attached annex was of such a close relationship to the host property that its independent occupation would give rise to unacceptable levels of overlooking to the detriment of the amenity of the occupiers. Furthermore, that the creation of a terrace of three properties with small rear gardens would be out of character with the established settlement form of the area.

However, the Inspector determined that visually there would be very little change to the character of the area through physical external alterations to the building. In addition, with appropriate conditions about boundary treatment there would be no detrimental impact on the occupiers through overlooking or overbearing, nor was the modest size of the garden area be an overriding issue. Therefore, in accordance with best use of land principle, the appeal was allowed.

Application Ref: S11/0221/OUT PJM
Planning Inspectorate No: APP/E2530/A/11/21568

Appeal Type: **Written Evidence**

Appellant:	D & J A Farmer
Proposal:	Conversion of existing garage within garden to create a 3 bedrooomed bungalow (outline)
Site:	Carlton View, 17, Main Street, Normanton, Grantham, Lincolnshire, NG323BH

Appeal Decision – Date:	Appeal dismissed - 16 November 2011
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SUMMARY

This application was to convert a detached garage to a residential property in the small village of Normanton.

The Core Strategy concentrates development in Grantham and the towns of Stamford, Bourne and the Deepings, and allows for some development in those villages identified as Local Service Centres to enable them to remain sustainable are envisaged. Normanton has not been identified as a Local Service Centre and proposals will only be considered acceptable for conversion of buildings in such locations provided that the existing building contribute to the character & appearance of the local area by virtue of their historic, traditional or vernacular form; are in sound structural condition; and are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building or their setting.

In relation to this application, the proposal for the conversion of a modern garage to a residential dwelling on a greenfield site within a less sustainable location is considered contrary to national and local planning policy contained in the East Midlands Regional Plan (RSS8) policies 1, 3, 4 & 13a, PPS1 (Delivering Sustainable Development), PPS7 (Sustainable Development in Rural Areas), PPS3 (Housing), PPG13 (Transport), and policies SP1, SP2 and H1 of the South Kesteven District Council Core Strategy.

The appeal was dismissed by the Inspector due to the impact on the objectives of housing and countryside policies.

Application Ref: S11/1023/TPO PWM
Planning Inspectorate No: APP/TPO/E2530/2001

Appeal Type: **TPO Fast track**

Appellant:	Mrs S Shepperd
Proposal:	Removal of Sycamore tree (T6) Appeal against conditions 3 and 4
Site:	Croft House, Stainfield Road, Kirkby Underwood, Bourne, PE10 0SG

Appeal Decision – Date:	Appeal dismissed - 10 November 2011
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SUMMARY

This application to fell a tree was granted conditionally under delegated powers on 07 June 2011. The conditions required the planting of an appropriate replacement tree. The appellant claimed that this was not necessary for a number of reasons including concerns about highway safety as well as the suitability of the tree and its impact on the character of the area.

The Inspector did not agree with the appellant's arguments, concluding that a replacement tree would be appropriate to restore the current landscape quality. He also felt that the other issues raised were not grounds for removal of the conditions. The appeal was **dismissed**.

No application for costs was made by either party.

Application Ref: S11/1193/FULL PL
Planning Inspectorate No: APPE/E2530/A/11/2158204/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr J Cooke
Proposal:	Decking to holiday lodges and timber office/reception building
Site:	Wagtail Country Park, Cliff Lane, Marston, Grantham, NG322HU

Appeal Decision – Date:	Appeal allowed - 24 November 2011
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SUMMARY

The planning application was refused as the amount of decking erected to unit 5 was considered excessive and not subordinate or ancillary to the holiday lodge resulting in visual intrusion and impact on the character, setting and openness of the site.

The appeal is allowed.

The Inspector considered the main issue is the amount of decking to unit 5 and its impact on the character, setting and openness of the site as a whole.

In the Inspectors opinion, whilst the decking to unit 5 which is almost equal to the floorspace of the lodge, is, nonetheless, clearly an amenity area ancillary to unit 5. They considered that the proposal does not conflict with the aims of Policy EN1 of the Core Strategy having no adverse effect upon the leisure character, the visually attractive setting or the openness of the site.