

RECENT APPEAL DECISIONS TO END OF DECEMBER 2009

Application Ref: S08/1354/FULL PJM
Planning Inspectorate No: APP/E2530/A/09/2112177/WF

Appeal Type: **Written Evidence**

Appellant:	Miss V Allen
Proposal:	Erection of 4-bedroom dwelling with detached double garage
Site:	Plot 10, Carlton Road, Sudbrook, Grantham, Lincs

Appeal Decision – Date:	Appeal dismissed - 09 December 2009
-------------------------	-------------------------------------

SUMMARY

An application for the erection of a dwelling and detached double garage was refused permission under delegated powers on the grounds that Sudbrook is not considered to be a sustainable location, unsuitable for further development and, as such, contrary to the Interim Housing Policy.

The appeal was **dismissed** with the Inspector considering that the development would be likely to generate car journeys of some substance in relation to meeting the needs of residents. As a result of the likely demand for travel, the development would perform badly against national policy and the Interim Housing Policy. This is a good support for the Council policies.

No application for costs was made by either party.

Application Ref: S09/0134/OUT PJM
Planning Inspectorate No: APP/E2530/A/09/2106847/NWF

Appeal Type: **Written Evidence**

Appellant:	Ablehomes Ltd
Proposal:	Demolish existing dwelling and replace with proposed new dwelling & erection of an additional three dwellings on Plots 1-3
Site:	Brayside House, Newark Hill, Foston, Grantham, NG322LF

Appeal Decision – Date:	Appeal dismissed - 01 December 2009
-------------------------	-------------------------------------

SUMMARY

An application was refused for the demolition of a dwelling and replacement with a new dwelling and erection of an additional three dwellings on Plots 1-3. The main reasons for refusal centred around the proposal resulting in a unsustainable pattern of development and the effect of the development on the character and appearance of the area.

The appeal was **dismissed** with the Inspector considering that the proposal would not be a sustainable pattern of development and would be contrary to policies of the East Midlands Regional Plan and national policy which seek to reduce the need to travel and reliance on private cars.

Furthermore, the Inspector concluded that the three additional dwellings would be contrary to saved policy EN2 of the Local Plan which seeks to limit development within the countryside to that essential for rural activities or requiring such a location.

No application for costs was made by either party.

Application Ref: S09/0202/FULL PJM
Planning Inspectorate No: APP/E2530/A/09/2108566

Appeal Type: **Written Evidence**

Appellant:	Mr J Williams
Proposal:	Widening of existing access from 1.3m to 2.6m
Site:	6, Grantham Road, Hough-on-the-hill, Grantham, NG322BQ

Appeal Decision – Date:	Appeal allowed with conditions - 05 November 2009
-------------------------	---

SUMMARY

An application was submitted for the widening of an existing access from 1.3m to 2.6m.

The proposal was considered to be an undesirable erosion of an important feature that would impact on the character and appearance of the street scene in this historic part of the village.

The Inspector considered that the widening of the existing pedestrian access to 2.6m would not materially harm the appearance of the area, would preserve the character of the Hough on the Hill Conservation Area and would comply with the saved policy EN1 (iii) of the South Kesteven Local Plan. The Inspector went on to allow the appeal.

No application for costs was made by either party.

Application Ref: S09/0518/CAC PJM
Planning Inspectorate No: APP/E2530/E/09/2108567

Appeal Type: **Written Evidence**

Appellant:	Mr J Williams
Proposal:	Demolition of section of wall to provide a new access
Site:	6, Grantham Road, Hough-on-the-hill, Grantham, NG322BQ

Appeal Decision – Date:	Appeal allowed with conditions - 05 November 2009
-------------------------	---

SUMMARY

A Conservation Consent application was submitted for the demolition of a section of wall to provide a new access.

The proposal was considered to be an undesirable erosion of an important feature that would impact on the character and appearance of the street scene to the detriment of the Conservation Area.

The Inspector considered that the widening of the existing pedestrian access to 2.6m would not materially harm the appearance of the area, would preserve the character of the Hough on the Hill Conservation Area and would comply with the saved policy EN1 (iii) of the South Kesteven Local Plan.

No application for costs was made by either party.

Application Ref: S09/0813/FULL HB
Planning Inspectorate No: APP/E2530/A/09/2113196/WF

Appeal Type: **Written Evidence**

Appellant:	Mr J Mettham
Proposal:	Erection of one single storey detached dwelling
Site:	Land Between Shalom And Erica, South Heath Lane, Fulbeck

Appeal Decision – Date:	Appeal dismissed - 09 December 2009
-------------------------	-------------------------------------

SUMMARY

An application for the erection of one single storey detached dwelling, at South Heath Lane, Fulbeck, was refused on the grounds that Fulbeck is lacking in local services and facilities and is not considered to be a sustainable location for further development. Therefore the proposal was contrary to the South Kesteven Interim Housing Policy and national and regional planning policy contained in East Midlands Regional Plan (RSS8). PPS1 (Delivering Sustainable Development), PPS7 (Sustainable Development in Rural Areas), PPS3 (Housing) and PPG13 (Transport).

An appeal was made against the refusal of Planning Permission, and the Inspector identified the main issue as being '*whether the site is suitably located to accept residential development in the light of policies that seek to restrict such development in areas that are considered to have poor access to jobs and services*'. The appeal was dismissed on the grounds that Fulbeck has poor access to jobs, schools and services, and that the proposed development would be likely to generate substantial car journeys in order to meet the needs of the residents. The Inspector considered the availability of the local bus service but stated that a relatively high level of car dependency would be likely.

The Inspector noted that two appeals had been allowed previously in 2005 and 2006, in other less sustainable villages, however, the individual circumstances of those application meant that they could be distinguished from and were irrelevant to the current application.

The Inspector also noted that the appeal was not centred upon site specific factors and that the proposed bungalow would not look out of place in its setting, however, this would not be sufficient to outweigh up to date policy relating to the location of new housing development.

No application for costs was made by either party.