Quarterly Planning Appeals Report

Report to: Development Control Committee
Ward(s): All
Key Decision: No
Appendix A: Appeals of Note
Appendix B: Appeals Update
Papers relied on:

1 This Report

1.1 Attached as Appendix A and B is a summary analysis of the appeal decisions received from the 01/03/2018 to 31/05/2018. This highlights some of the issues drawn out by the Inspectors in arriving at their decision and which should be taken into account when future decisions are made, but is by no means a summary of all the issues referred to in the Inspectors’ decision notices.

1.2 Those decisions of particular note have been more fully detailed in Appendix A. A full copy of the decision letters can be requested from the contact above.

1.3 Any comments or suggestions on this quarterly report are welcomed from Members. Members may want to note that the next Appeal Summary Report will be reported to the October 2018 Development Control Committee meeting.

1.4 Any costs decisions are reported with each planning appeal. The agreed amount is finalised sometime after the appeal decision is issued. Between 01/03/2018 to 31/05/2018 there has been 0 settlements to report to members.
2 Recommendation

2.1 It is recommended that:

- Members of the Development Control Committee note the outcomes of the appeal decisions and the reasons given for those decisions.

3 Background, corporate objectives and priorities

3.1 This report includes recent planning appeal decisions received by the Local Planning Authority. The report relates to the Council Plan of objective of improving residents’ quality of life in regard to maintaining and enhancing the built and natural environment.

Corporate Implications

4 Legal Implications

There are no legal implications related to this report.

5 Financial implications

There are no financial implications of this report other than any cost decisions and settlements as reported at paragraph 1.4 above.

6 Risk management

In some circumstances, decisions may result in an application for costs by an appellant. Officers will alert Members where there are themes emerging from appeal decisions where this may be more likely for future decisions at the application stage and provide appropriate advice.

7 Equalities implications

There are no equalities implications of this report.

8 Consultation and communication

Consultations on planning applications and associated appeals are undertaken in accordance with statutory requirements. There are no additional consultation and communication requirements related to this report.

9 HR implications

There are no HR implications related to this report.
<table>
<thead>
<tr>
<th><strong>Lead officer</strong></th>
<th>Planning and Development Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Report author</strong></td>
<td>Gill Wheeler/Jason Gregory – Direct Line (01256) 845765 e-mail – <a href="mailto:appeals@basingstoke.gov.uk">appeals@basingstoke.gov.uk</a></td>
</tr>
<tr>
<td><strong>Version</strong></td>
<td>Final</td>
</tr>
<tr>
<td><strong>Dated</strong></td>
<td>27/06/2018</td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Confidentiality</strong></td>
<td>It is considered that information contained within this report (and appendices) do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.</td>
</tr>
</tbody>
</table>
APPENDIX A

02/05/2018  Julians Barn, Laverstoke Grange  17/02358/FUL
Dismissed

Decision Level : Delegated
Recommendation : Refuse

The development proposed is the redevelopment of agricultural barn to provide detached C3 dwelling house and setting-out of domestic curtilage.

- The proposed development does not meet any of the exceptions for new housing in the countryside, beyond the SPB, and would be in conflict with the spatial strategy of the Local Plan.
- However that conflict was only given limited weight given the existence of an extant permission for conversion of the barn under permitted development.
- Given its exposure and its size, the lack of modelling in the proposed house would make it appear uncharacteristically formless, and its wall material unusually plain.
- The eaves and ridge would be substantially higher than those in the more characteristic barn. Given its footprint, and the unrelieved rectangularity of the front and rear elevations, the effect would be a comparatively out-of-scale and a contextually out-of-place building in the countryside.
- In views from the public footpath to the north against the open, chalk downland and the crest of woodland beyond, it would be an incongruous feature.
- For the reasons which concern its design rather than its location, the proposed development would harm the character and the appearance of the countryside.

Policies referred :

- SS1, SS6, EM1, CN9 and EM10 of the BDBC Local Plan 2011-2029
- Appendix 14 of the Design and Sustainability SPD 'Countryside Design Summary.'
- Basingstoke and Deane Residential Parking Standards SPD.
APPENDIX B

05/04/2018  18 Belvedere Gardens  17/03315/HSE  Allowed

Decision Level : Delegated
Recommendation : Refuse

The development proposed is Partial conversion of a double garage with first floor extension over and internal alterations.

- With the massing and screening effect of the garage at No. 21, together with the difference in ground levels, the bulk of the proposed first floor extension would not amount to an overbearing form of development.
- The siting and design of the enlarged garage would avoid it being an overbearing form of development when viewed from the garden of No. 21.

Policies referred :

- EM10 of the BDBC Local Plan 2011-2029

06/04/2018  7 Buckland Parade  17/01522/FUL  Dismissed

Decision Level : Delegated
Recommendation : Refuse

The development proposed is second storey extension above kitchen with external stair case and existing extractor re-positioned.

- The appeal scheme would cause unacceptable harm to the living conditions of the occupiers of No 7A.
- The proposed extension would be excessively tall and bulky and its mass would be discordant with the established pattern and character of extensions along the parade.

Policies referred :

- EM10 of the BDBC Local Plan 2011-2029
- Apdx 16 of the Design and Sustainability SPD

30/04/2018  6 Rectory Road (Honeysuckle)  16/03829/FUL  Dismissed

Decision Level : Delegated
Recommendation : Refuse

The development proposed is the demolition of existing single storey extension and outbuildings and construction of a two storey and single storey extension to the rear of the existing building to provide 5 residential units (net gain of 3). Before the planning application was determined, the number of additional flats was reduced to 2, alongside minor amendments to openings and the layout.
The flat roof element of the rear projection at ground floor would be an uncharacteristic and obtrusive form in the context of the pitched roofscape of the conservation area.

The proposal would be at odds with the distinctive pattern of development in the area and it would harm the appearance of the conservation area and its architectural character.

The outlook from the closest terrace, and the closest part of the garden, would be reduced by an unacceptable degree.

Whilst there would be no harm from loss of light, the proposed development would harm the living conditions of the occupiers of Yew Tree Cottage, particularly with regard to outlook.

Policies referred:

- EM10 and EM11 of the BDBC Local Plan 2011-2029
- Appendix 4 of the Design and Sustainability SPD ‘Conservation Areas.’
- Overton Conservation Area Appraisal

Decision Level: Non-determination

The development proposed is for erection of replacement dwelling without complying with a condition attached to planning permission Ref 16/02593/FUL, dated 12 September 2016.

- The footprint, design, height and scale of the proposed dwelling would remain the same as that permitted in 2016.
- The re-siting of the proposed dwelling would have no adverse impact on the character and appearance of the area.
- The revised siting would not result in any unacceptable adverse impact on the amenities of neighbouring properties with regard to outlook and daylight.
- The distances between the proposed and existing properties are sufficient for there to be no adverse impact on existing properties.
- The re-siting of the dwelling would not result in additional traffic movements over and above what has already been permitted.

Policies referred:

- EM10 and CN9 of the BDBC Local Plan 2011-2029
- Appendix 16 of the Design and Sustainability SPD ‘Residential Amenity Design Guidance.’
- Appendix 6 of the Design and Sustainability SPD ‘Storage and Collection of Waste and Recycling.’
- Basingstoke and Deane Residential Parking Standards

Decision Level: Delegated

Recommendation: Refuse

The development proposed is to demolish existing single storey garage and erect a two storey side extension.
• It would be of a design and appearance that would match the existing dwelling.
• It would not be disproportionately large, nor would it be unsympathetic to the host dwelling.
• A reasonable separation between the dwellings would be retained.
• Overall the proposal would not significantly detract from the spacious layout within the cul-de-sac.
• Overall the proposal would not have a harmful impact on the character and appearance of the host dwelling and wider area and would have an acceptable relationship with the adjoining property, No. 4 Mary Lane.

Policies referred:

• Policy EM10 of the BDBC Local Plan 2011-2029
• Appendix 13 of the Design and Sustainability SPD ‘Extending Your Home and Replacement Dwellings.’
• Appendix 16 of the Design and Sustainability SPD ‘Residential Amenity Design Guidance.’

16/05/2018  8 Willow Way   17/02376/HSE   Dismissed

Decision Level :   Delegated
Recommendation :   Refuse

The development proposed is the erection of first floor side extension and store to front elevation.

• There is a uniform spacing between the dwellings, created by the gaps above the single storey side elements between the pairs of semis. This is an important part of the uniformity of the built form along Willow Way which contributes to the character of the street scene.
• As the extension would be in line with the front elevation of the main dwelling it would be readily visible and would have the effect of significantly reducing the gap between the two properties and unbalancing the uniformity that currently exists along this street.
• Overall the proposal would have a harmful effect on the character and appearance of the street scene.

Policies referred:

• Policies EM1 and EM10 of the BDBC Local Plan 2011-2029
• Appendix 13 of the Design and Sustainability SPD ‘Extending Your Home and Replacement Dwellings.’

16/05/2018  33 Teal Crescent  17/04226/HSE  Dismissed

Decision Level :   Delegated
Recommendation :   Refuse

The development proposed is the erection of part single storey and part two-storey side and rear extensions.
• The extension would be a large and dominating feature within this part of the street scene of Teal Crescent. The appeal site’s slightly elevated position relative to the adjoining highway would exacerbate this impact.
• Given its height and forward siting the proposed two storey extension would be an unduly intrusive feature that would significantly detract from the open character of the street scene at this prominent corner location.

Policies referred:

• Policy EM10 of the BDBC Local Plan 2011-2029
• Appendix 13 of the Design and Sustainability SPD ‘Extending Your Home and Replacement Dwellings.’