

COMMITTEE REPORT

APPEAL UPDATE (EASINGTON AREA OFFICE)

1. APPEAL DECISIONS:

Appeal by Anne Symons
Site at Thornley Moor Farm, Cassop, DH6 4RQ
PL/5/2009/0125

An appeal was lodged by Ms A Symons against the council's refusal of outline approval for the erection of a single dwelling.

The Inspectorate found that the new dwelling would unacceptably consolidate the existing group of buildings in this isolated countryside location. The creation of an additional dwelling and domestic curtilage, with inevitable hard standings, parking and garden paraphernalia would lead to the gradual erosion of the countryside character of the surroundings. The development would therefore harm the character and appearance of the surrounding countryside.

The proposal would also have been located outside of the settlement of Cassop, and thus not in accordance with sustainability objectives of Local Plan Policy 3 and current government guidance in PPS7.

The appeal was therefore dismissed.

Recommendation:

That the appeal be noted.

Appeal by Mrs H Clarke
Site at Fairfields, The Dene, Dalton-le-Dale, SR7 8QW
PL/5/2009/0142

An appeal was lodged by Mrs H Clarke against the Council's refusal to grant planning permission for the erection of a two storey pitched roof extension to the front of the existing dwelling, and a three storey side and rear extension, with a single storey element to the rear at Fairfields, The Dene, Dalton-le-Dale, SR7 8QW.

The inspector noted that the proposed extension would cause unacceptable harm to living conditions at the adjoining property Bel-air, by reason of overbearing and over dominance and also in that of the garden area of the neighbouring property Wingrove. Furthermore it was not in accordance with Local Plan Policies, which seek to safeguard the residential and general amenity of people living within the vicinity of the site by restricting development which would have a serious adverse effect in terms of residential amenity.

It was acknowledged that whilst there was already a single storey extension to the neighbouring property Bel-air it was considered that the three storey element would be an overbearing and overly dominant feature when viewed from the rear windows and from the rear garden of Bel-air. It was considered that due to existing structures at ground floor level at the neighbouring property Wingrove, the proposal would have had little effect on the occupiers of that property when viewed from their rear windows.

The Inspectorate noted that the two-storey front extension proposed at the site was in accordance with Local Plan Policies.

The appeal was therefore dismissed.

As members may recall a revised application for works at the above site was approved at the last meeting of the Area Planning Committee, with an overall reduction in the scheme, which was considered acceptable.

Recommendation:

That the appeal be noted.

Appeal by Mr T Dulay

Site at 6 West Grove, West Lea, Seaham, County Durham, SR7 6EL

PL/5/2009/0343

An appeal was lodged by Mr T Dulay against the council's refusal to grant planning permission for a hot food takeaway at 6 West Grove, West Lea, Seaham.

The inspector noted the proximity of the bungalow adjacent to the appeal site to the west, at No 32 Wells Crescent, and the first floor accommodation above the adjoining unit in the centre at No 7 West Grove. Given their proximity, it was considered that cooking odours emanating from the appeal site would unacceptably affect the living conditions of residents in these properties.

Due to the effect of cooking odours, it was concluded that the proposed development would unacceptably worsen the living conditions of the occupiers of adjacent residents. It would thereby conflict with Policies 1, 35 and 111 of the Local Plan.

The appeal was therefore dismissed.

Recommendation:

That the appeal be noted.

Appeal by Dennis Lamb

Site at Wardens House, Lowhills Road, Peterlee, SR8 2DW

PL/5/2009/0493

An appeal was lodged by Mr D Lamb against the council's refusal to grant planning permission for the erection of a two storey and single storey extension to Wardens House,

Lowhills Road, Peterlee, SR8 2DW.

The Inspectorate found that due to the scale, unrelieved massing and external treatment of the extension, it makes no attempts to reflect the character, proportions and detailing of the existing house. In addition concerns are raised that the side gable would be an oppressive feature towering over the community centre. As a result the development would be considered to be visually intrusive to the extent that it would have a significant adverse effect on the character and appearance of the existing dwelling and street scene contrary to policy 73 of the Local Plan.

Furthermore, it was considered that the design of the extension fails to take proper account of its setting therefore is contrary to advice contained within PPS1.

Recommendation:

That the appeal be noted.
