



Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER:

APPEAL UPDATE REPORT

APPEALS DETERMINED

Appeal against the refusal of retrospective Planning Permission for the erection of a shed within a parking bay on land to the south of 108 Meadowfield, Burnhope (DM/18/01105/FPA).

The application was refused under delegated powers on 15th June 2018 on the grounds that –

‘The shed reduces parking to the host property, displacing parking of vehicles into other areas of the housing estate. As such the application is contrary to criteria c of Policy TR2 of the Derwentside District Local Plan which requires adequate parking space to be provided.

The shed which is sited on a parking bay is considered to have a negative impact on the character and appearance of the area contrary to criteria A of Policy GDP1.’

The appeal was dealt with by way of written representations and an unaccompanied site visit.

The main issues in the determination of the appeal were considered to be the effect on the character and appearance of the area and the impact on parking and highway safety.

In terms of the impact on the character and appearance of the area the Inspector noted that the shed is of a significant size and is uncharacteristic of the development in this location. Its scale and location significantly contrasts with the more limited domestic scale of existing timber structures and outbuildings, and detracts from the open character of the parking area which is otherwise free from development.

With regard to parking, it was noted that the development reduces that amount of parking associated with the applicants property which has the potential to have an adverse impact on highway safety.

The Inspector noted the lack of storage space within the property and its curtilage and gave this limited weight in support of the proposal, however this was not considered to be sufficient to outweigh the identified harm in respect of the effect on the character and appearance and parking and highway safety issues.

The appeal was dismissed.

APPEALS RECEIVED

An appeal has been received against the refusal of retrospective planning permission for the retention UPVC cladding affixed to the front of the property (DM/18/01983/FPA).

The application was refused under delegated powers on 22.08.18 on the following grounds –

'The proposal by virtue of the material choice and design would result in an incongruous addition which would not be considered to be in keeping with the existing dwelling or the streetscape thereby having a detrimental impact on the character and appearance of the dwelling and streetscape. As such, the proposal is contrary to National Planning Policy Framework Section 12, paragraph 127(c) and paragraph 130.'

The appeal is being dealt with under the written representations procedure.

An appeal has been received against the refusal of planning permission for the construction of four dwellings on land to the east of The Byre, Cornsay Lane, Cornsay (DM/18/01399/FPA)

The application was refused under delegated powers on 20th July 2018 on the following grounds –

'The public benefits of this proposal in terms of housing supply, the construction sector and community viability would not be substantial to the extent that they outweigh the substantial harm to the designated heritage asset of the conservation area therefore paragraph 14 and 133 of the NPPF direct that this application should be refused.'

The proposal conflicts with the core planning principles within the NPPF in regard to the potential for a low carbon future and locating development where sustainable modes of transport for the movement of people can be exploited. Therefore this is not a sustainable location for new dwellings contrary to Part 1 of the NPPF.'

The proposal fails to protect the existing landscape and open land which is recognised for its visual amenity value contrary to Derwentside Local Plan Policy GDP1 and would result in an encroachment into the countryside contrary to Derwentside Local Plan Policy EN2 and the development would have an adverse impact upon the landscape contrary to Derwentside Local Plan Policy EN1 and the NPPF.

The application has failed to demonstrate compatibility with the NPPF and Derwentside Local Plan Policy in respect of residential amenity, protecting ecology and protecting the economy (agricultural sector).'

The appeal is being dealt with under the written representations procedure.

An appeal has been received against the refusal of planning permission for the change of use of land and erection of private stables on land to the south of Denesyde, Medomsley (DM/18/01309/FPA).

The application was refused under delegated powers on 18.09.18 on the following grounds –

'Due to the prominent position and lack of screening it is considered that the proposal would not restore or enhance the landscape and would result in adverse impacts to the landscape contrary to Derwentside Local Plan Policies GDP1 and EN1.

Due to the substandard site access arrangement involving a narrow access track with no passing places , lack of junction radii and poor visibility to the public road the intensification of the access track from the proposed use would be prejudicial to highway safety contrary to Derwentside Local Plan Policy TR2.

The adverse impacts in terms of highway safety and the landscape significantly and demonstrably outweigh the personal health benefits of the development and therefore the NPPF does not direct this application to be granted permission.'

The appeal is being dealt with under the written representations procedure.

Report prepared by Fiona Clarke (Principal Planning Officer).