



Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER:

APPEAL UPDATE REPORT

APPEALS DETERMINED

Appeal against the refusal of planning permission for the erection of a first floor side and rear extension and single storey rear extension at 1 Angus, Ouston (DM/16/01851/FPA).

The application was refused under delegated powers on the following grounds:

'The proposed extension would result in inadequate car parking for vehicles being provided within the curtilage of the property contrary to criteria iii) of Policy HP11 of the Chester-le-Street District Local Plan.'

The appeal was dealt with by written representations following a site visit on the 22nd November 2016.

The Inspector stated that the proposal may increase the number of bedrooms from three to four and may increase the number of occupants of the dwelling however, it is not inherent that this would lead to an increase in the level of car ownership at the property or that the current provision of two spaces within the site would be inadequate.

Furthermore, it was noted that no substantive evidence has been provided to demonstrate that there are existing on-street car parking problems in the area or that the proposal would create such issues to a degree that would justify the refusal of planning permission.

The Inspector concluded that the proposal would provide suitable off road parking and would not be detrimental to highway safety. The proposal therefore complies with Policy H11 of the Chester Le Street District Local Plan 2003 which states that residential extensions should not impair highway

safety or lead to inadequate car parking provision within the curtilage of the property.

The appeal was allowed.

Appeal against the refusal of planning permission for the change of use from a car park to a car wash, including the siting of a cabin, water recirculation system and flood lighting (retrospective) at Lintzford Garden Centre, Lintzford Road, Hamsterley Mill, Newcastle upon Tyne, NE39 1DG (DM/15/01106/FPA)

The application was refused under delegated powers on the following grounds-

- Noise and disturbance from the development would have a detrimental impact upon the quality of life of occupiers of neighbouring properties.
- The proposed car washing facility would have inadequate wastewater drainage and management leading to significant impacts upon the wider natural environment over a prolonged period of time.
- The proposal fails to satisfy the three strands of sustainability, with limited social and environmental benefits.

The appeal was dealt with by written representations following a site visit on the 9th November 2016.

The Inspector considered that the impact upon the living conditions of the occupiers of the neighbouring properties in terms of noise and disturbance would not be significantly harmed due to the distance between the development and the closest neighbour, the background noise from the adjacent main road, the daytime limitation of the use and the buffer created by the cabin, fence and landscaping which lie between.

The information provided with regards to waste water drainage and management of the car wash operation was deemed insufficient to satisfy the Inspector that the development would not have a harmful impact upon the natural environment.

The Inspector considered that the development would have some benefit to the area economically and socially; however felt that the benefit would be limited given the number of jobs created and the location of the site in a rural, sparsely populated area. The Inspector however noted that the development would not conserve and enhance the natural environment and therefore would not have adequate regard to the principles of sustainable development.

The Inspector dismissed the appeal.

Reports prepared by Tracey Outhwaite and Jayne Pallas (Planning Assistants)