

AGENDA ITEM NO.

DEVELOPMENT MANAGEMENT PANEL

17 December 2012

APPEAL DECISIONS (Report by Planning Services Manager (Development Management))

HEARING

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| 1. | <i>Appellant:</i> Mr and Mrs K Reynolds
<i>Agent:</i> Andrew S Campbell Associates Ltd | Erection of 2 proposed 'Eco homes' – to be constructed to level 5
Land north of Hillside View
Somersham Road
St Ives | Dismissed
31.10.12 |
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WRITTEN REPRESENTATIONS

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| 2. | <i>Appellant:</i> L Blackman and Sons
<i>Agent:</i> Architectural and Surveying Services Ltd | Erection of agricultural farm house with offices, outbuilding and livestock barn
Land south of Folksworth Lodge,
Folksworth Road, Norman Cross | Dismissed
25.10.12 |
| 3. | <i>Appellant:</i> Mr Daniel Aldridge
<i>Agent:</i> Granta Design Architecture Ltd | Two storey side extension, front extension and new porch
8 St Johns Close, Needingworth | Dismissed
12.11.12 |
| 4. | <i>Appellant:</i> Mr A Daniels
<i>Agent:</i> Mr Simon Percival | Single storey extension to dwelling
1 Manor Close, Yaxley | Dismissed
13.11.12 |

All appeal decisions can be viewed in full via Public Access. The most notable decisions are summarised below.

HEARING

- 1. 1200210FUL Erection of 2 proposed 'Eco homes' to be constructed to level 5
Land north of Hillside View Farm
Somersham Road
St Ives
Mr and Mrs K Reynolds**

Planning permission was refused by Development Management Panel at its meeting held on 19 March 2012 in accordance with officer advice but contrary to the recommendation of the Parish Council for the following reason:-

1. There is no essential rural need to justify the provision of these dwellings in this countryside setting. The sustainability credentials of the design fail to outweigh the inherently unsustainable location of the site for housing. As such the proposal would constitute as unsustainable form of development which would be incongruous in this location and detrimental to the rural character and appearance of the countryside which should be protected for its own sake contrary to Development Plan Policy and Huntingdonshire Development Management DPD Proposed Submission 2010.

The Inspector's Reasons

- The appeal site is close to St Ives and is part of a small concentration of development within a countryside setting. The Inspector considered that in contrast to the present storage use the proposed detached dwellings would materially intensify the built form hereabouts and erode both the open nature of the immediate locality and the wider rural setting. The incongruity of the two distinctively designed houses along Somersham Road would reinforce these unacceptable consequences.
- The claim that a countryside location is essential to accommodate the requirements of the eco houses is not made out. The Inspector commented that meeting the standards set out in the Code for Sustainable Homes does not in principle rely on any particular type of location but upon the application of technologies geared to the specific circumstances of the site. A major plank in the appellants' case is that two houses would generate less traffic movements than the use of the land for employment purposes. The Inspector considered that although employment uses may generate in excess of twice the estimated 16 movements for two houses, there is no evidence pointing to movements of this order not being safely accommodated on Somersham Road. In addition, alternatives to the private car are very limited, no bus service specifically serves the site and the Inspector considered these wider locational disadvantages to be of such substance as to more than offset any benefits which may be derived from a potential reduction in the amount and nature of vehicle movements generated.

The appeal was dismissed

WRITTEN REPRESENTATIONS

2. 1101267OUT

**Erection of agricultural farm house with
offices, outbuilding and livestock barn
Land south of Folksworth Lodge Farm
Folksworth Road, Norman Cross
L Blackman and Sons**

Outline planning permission was granted by Development Management Panel at its meeting held on 21st November 2011, contrary to Officer advice, the Parish Council lodged no objections to the proposal. The application was approved subject to conditions. The appeal was against condition No. 5 which relates to the removal of some permitted development rights. The reason for the imposition of this condition was to maintain control over the size of the dwelling to ensure it continues to meet the functional need of the agricultural unit and can be maintained for its intended use given the income that the agricultural unit can sustain in accordance with the guidance of paragraph 10 or annexe of PPS7:-

The Inspector's Reasons

- The appeal site lies in open, gently undulating countryside in a relatively isolated position, surrounded by agricultural land. If the condition were to be removed the dwelling could be extended and/or altered in a number of ways without the need for planning permission. This includes extensions and alterations to the dwelling itself, development within the curtilage, and the erection of fencing and gates. Having regard to the considerable proportions of the dwelling and ancillary accommodation, as approved, and from the evidence of his site visit, the Inspector considered that such development would have the capacity to result in material harm to the open countryside, and that without the condition the permission might, justifiably have been refused.
- In support of their case, the appellants asserted that the withdrawal of permitted development rights infringes their human rights. However, the Inspector weighed the interference with home life and enjoyment of the property against the wider public interest in pursuing the preservation of the environment. He was satisfied that this legitimate aim can only be adequately safeguarded by dismissing the appeal and retaining the condition.

The appeal was dismissed

FORTHCOMING APPEALS

None