

Agenda Item No.

Development Management Panel

18 April 2016

APPEAL DECISIONS

(Report by Planning Services Manager (Development Management))

1. **Site:** Land Cranbrook Plants, Colne Road, Somersham

Development: Conversion and part re-build of disused agricultural building into two residential dwellings

Application ref: 15/01181/PMBPA

Appellant: Cranbrook Plants

Parish: Somersham

Original Decision: Delegated Refusal – 23/09/2015

Appeal Decision (and date): DISMISSED, 17/03/2016

Cost: NA

Key Paragraphs in Appeal Decision:

Paras 10 & 11: *'it is evident that at 15%, a greater than ancillary proportion of sales come from on site retailing of plants. Moreover, the site contains a small café (which was undergoing refurbishment at the time of my visit), a florist, an arts and crafts shop as well as caravan storage. As a result, I find that the wider site is in use as a mixed horticultural and retailing business'.*

'Consequently, on the basis of the evidence before me, I cannot be certain that the buildings were solely in agricultural use as part of an established agricultural unit on 20 March 2013 or when it was last used. The proposal would therefore fail to accord with the limitations at paragraph Q.1(a).'

And

Para 12: *'As a result, there is no need to consider whether or not the proposal would comprise permitted development in respect of Class Q(b) or indeed whether or not it would require prior approval in respect of the accompanying conditions set out in paragraph Q.2.'*

2. **Site:** 8 Heron Court, St Neots, PE19 1TH

Development: Extension to existing garage to frontage.

Application Ref: 15/01575/HHFUL

Appellant: Mr D Griffiths

Parish: St Neots

Original Decision: Delegated Refusal – 05/11/2015

Appeal Decision (and date): DISMISSED, 17/03/2016

Cost: NA

Key Paragraphs in Appeal Decision:

Para 4: *‘ Elsewhere within the surrounding area there are limited examples of front extensions including porches and canopies extending across the full width of dwellings. Within the immediate area there is a front extension to a garage but this property also includes another front addition. The detailed planning circumstances of these dwellings are unavailable and, for this reason, these other schemes can only be given limited weight in the determination of this appeal.’*

Para 6: *‘ by reason of both the extent of the proposed extension’s projection into the front garden and it being wider than the existing garage, the appeal scheme would be a dominant addition to the host property which would disrupt the character and appearance of the host property. The extent of the proposed projection from the host property would result in the loss of part of the open front garden and this would be detrimental to the open character of the streetscene. Overall, the appeal scheme would be an incongruous addition to the property and the streetscene.’*

para 7 *the Inspector concluded that ‘it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene’*

3 Site: 15 Crow Tree Street, Great Gransden, Sandy, SG19 3AZ

Development: Conversion of Existing Detached Garage and Dormer Extension

App Ref: 15/01355/HHFUL

Appellant: Dr N Johnson

Parish: Great Gransden

Original Decision: Delegated refusal – 21/10/2015

Appeal Decision (and date): DISMISSED, 18/03/2016

Cost: NA

Key Paragraphs in Appeal Decision:

Para 6: *‘the materials used to construct the balcony and frames of the openings would be of contemporary appearance. Further, the size of the proposed windows and doors would be of a larger and of an uncharacteristic size when compared to the openings of the adjacent Listed Buildings. Although limited, there would be views of the altered property’s roof by the vehicle entrance.’*

And

Para 7: *‘The simple design and gabled roof form of the property would be lost because of the proposed dormer and balcony addition to the roofslope. This change to the roof would increase the prominence of the property from the available viewpoint and, as such, the appeal scheme would fail to preserve the property’s current neutral contribution to the character and appearance of the Conservation*

Area. By reason of the design, fenestration and the contemporary materials of the appeal scheme, the resulting property would fail to respect the character of the neighbouring Listed Buildings and its appearance would be detrimental to their settings, specifically No. 15. By reason of the statutory requirements associated with the heritage assets, this is not a case where the Council is seeking to impose architectural styles or innovation without any justification.'