

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 2 March 2021

**INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS**

Author – Linda Sparrow 01438 242837

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**1. APPEALS RECEIVED**

1.1 None.

**2. DECISIONS AWAITED**

2.1 20/00384/FP, 8A Magellan Close. Appeal against refusal of permission for the Variation of condition 11 (no new windows and doors) attached to planning permission 16/00791/FP to allow insertion of a roof light and gable window to be added to the dwellings.

2.2 20/00146/FP, 330 Canterbury Way. Appeal against refusal of permission for the erection of 1no. one bedroom dwelling.

2.3 19/00474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.

2.4 20/00697/FPH, 10 Gorleston Close. Appeal against refusal of planning permission for the erection of first floor cantilevered rear extension.

**3. DECISIONS RECEIVED**

3.1 Appeal decision received for 20/00228/FPH against the refusal of permission for two storey front, side and rear extensions at 30 Orchard Crescent.

Main issues

3.2 The main issues are the effects of the proposal on the character and appearance of the local area and the effect on neighbouring amenities.

Reasons

3.3 The proposal would add significant width to the property which would erode the symmetry of the pair of semi's and appear incongruous as the double gable feature on the rear would be discordant with the existing dwelling.

3.4 The inspector concluded that the development would have an adverse impact on the character and appearance of the area and would conflict with Policies GD1 and SP8 of the Local Plan (2019) and the Design Guide SPD (2009).

- 3.5 The projection of the extension, along with its height, would have a significant enclosing effect upon the gardens of Nos. 28 and 32, leading to an overbearing effect on these spaces. Further, it would appear overbearing on the rear windows of the adjoining neighbour and result in a poor outlook.
- 3.6 Whilst the development would not result in a loss of daylight or sunlight, this does not outweigh the significant impacts identified. The Inspector stated that even if the development complied with the 45-degree test for daylight and sunlight, it would not overcome the concerns with regards to outlook.
- 3.7 The Inspector concluded that the development would therefore have an adverse impact on the living conditions of neighbouring properties and it would not therefore comply with Policies GD1 and SP8 of the Local Plan (2019) and the Design Guide SPD (2009).

#### Other matters

- 3.8 The appellants concerns regarding the manner in which the application was assessed by the Council were noted, however the Inspector limited his assessment to the planning matters before him.
- 3.9 The Inspector noted that the development would not have an impact on the highway system but this was only one consideration before him. This did not outweigh the conclusions made above.

#### Conclusion

- 3.10 Appeal dismissed; copy of the decision notice attached.