

## PLANNING COMMITTEE – 23 October 2012

### REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

#### RE: APPEALS LODGED AND DETERMINED



**WARDS AFFECTED:** HINCKLEY DE MONTFORT; HINCKLEY CASTLE WARD & TWYXCROSS WITHERLEY AND SHEEPY WARD.

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#### 1. PURPOSE OF REPORT

To inform Members of appeals lodged and determined since the last report.

#### 2. RECOMMENDATION

That the report be noted.

#### 3. BACKGROUND TO THE REPORT

##### Appeals Lodged

**Appeal by Mr Frank Downes** against the refusal to grant full planning permission for the erection of one new dwelling on land to the rear of 36 Bowling Green Road, Hinckley (12/00166/FUL) *Written Representation*

**Appeal by Lighthouse Property Ltd.** against the refusal to grant full planning permission for the erection of 11 flats and 1 dwelling at the Former Beavers Bar on land adjacent to no. 7 London Road, Hinckley (12/00100/FUL) *Written Representation*

##### Appeals Determined

**Appeal by Mr and Mrs Crawford** against the refusal to grant full planning permission for extensions and alterations to Vine Cottage, Ormes Lane, Ratcliffe Culey (11/00978/HOU). The main issues were the effect of the proposed extensions on the living conditions of residents of the adjoining property at 19 Ormes Lane, and on the character and appearance of the locality.

The main area of concern raised by the Council was the impact of the proposed first floor extension at the rear of Vines Cottage on the living conditions of the adjoining property to the north, 19 Ormes Lane. The Planning Inspector considered that the height increase as a result of adding a first floor extension above the existing single storey extension and the position of the adjoining property is such that there is unlikely to be any material effect on the light reaching either the nearest windows of this property or rear garden.

The Inspector addresses reference to a statement used by the Council from the Councils House Extension SPG over acceptable distances along a common boundary for single storey and two storey extensions. However, the Inspector dismisses applying this statement in this specific case since the existing single storey extension is already more than 3 metres in length and in any event set back from the common boundary.

It was noted that Vine Cottage formed a relatively secluded position at the end of a cul-de-sac where little would be seen of the proposed extensions. While it was suggested that the front extension would unbalance the front elevation, there is no significant symmetry to this elevation that would be harmed. For these reasons the proposed extensions would not appear visually intrusive or out of place. As such, there would be no conflict with Policy BE1 (a) of the Local Plan.

Overall the Inspector concluded that the proposed extensions would not adversely affect the living conditions of residents of the adjoining property at 19 Ormes Lane, nor would they have an adverse effect on the character or appearance of the locality. In granting permission conditions have been imposed to ensure a satisfactory appearance to the completed development and to specify the approved plans, for the avoidance of doubt.

### Inspector's Decision

Appeal allowed (delegated decision)

#### 4. FINANCIAL IMPLICATIONS [PE]

There are sufficient funds within existing budgets to cover the appeals noted above.

#### 5. LEGAL IMPLICATIONS [EP]

There are no legal implications arising from this report as the report is for noting only.

#### 6. CORPORATE PLAN IMPLICATIONS

This document contributes to Strategic Aim 3 of the Corporate Plan

- Safer and Healthier Borough.

#### 7. CONSULTATION

None

#### 8. RISK IMPLICATIONS

None

#### 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

None

#### 10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

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|---------------------------------|------------------------------|
| - Community Safety implications | None relating to this report |
| - Environmental implications    | None relating to this report |

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|---------------------------------|------------------------------|
| - ICT implications              | None relating to this report |
| - Asset Management implications | None relating to this report |
| - Human Resources implications  | None relating to this report |
| - Voluntary Sector              | None relating to this report |
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Background papers: Appeal Decisions

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