

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 7 November 2007
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APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION: SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION

Purpose

1. To highlight recent Appeal decisions of interest forming part of the more extensive Appeals report, now only available on the Council's website and in the Weekly Bulletin.

Summaries

Mr G Slowman – Two storey front extension – 77 Heydon Road, Gt Chishill – Appeal allowed. Application for costs dismissed

2. This appeal involved a large, modern detached house on the edge of the village. The proposal was to replace an existing lean-to entrance porch with a fully glazed, two-storey gable front porch. The single main issue was the affect on the character and appearance of the surrounding area.
3. The inspector accepted that such a prominent addition with its extensive use of glass would undoubtedly alter the appearance of the house. However, he concluded that the house has a bland frontage that is capable of accommodating a focal feature such as this without adversely affecting the appearance of the building or changing its essential character. While the extensive use of glazing is not a feature of any nearby buildings, the area has a wide variety of styles and materials. The extension would add to this variety. It would not in any case be unduly prominent or intrusive in the street scene due to its set back from the road and the presence of landscaping along the front and side of the property.
4. The appeal was allowed subject to a condition requiring details of the proposed roofing materials.
5. The appellant applied for an award of costs on the basis that the Council's refusal was unreasonable. The Council had failed to produce professional architectural evidence at the hearing. Parts of the reasons for refusal were inadequately defended. The Council's approach had been unnecessarily prescriptive in an area that is not visually sensitive (i.e. outside a conservation area). The Council should not have tried to stifle innovation or impose its own architectural tastes.
6. For the Council, it was argued that the reasons for refusal had been adequately substantiated. Regard had been had to the development plan. Matters of design are necessarily subjective, requiring an element of judgement to be made. The Council had identified specific architectural elements to which it objected. There was nothing inherently unreasonable in this approach. As such, there was no need to provide an architect to give evidence. Case officers had sufficient experience and knowledge to

properly consider the application.

7. The inspector found that the reasons for refusal were consistent with development plan policies and national planning guidance. The Council was entitled to consider the architectural merits of the extension on the host building and on the street scene. The Council's statement amply explained its objection and it was professionally represented at the hearing itself. While the inspector had come to a different conclusion on the merits of the proposal, the Council's approach had not been unreasonable to justify an award of costs. The application for costs was therefore refused.