

Report for information

Appeal made against the refusal of Planning Permission

Appeal Ref: APP/P1805/A/10/2136206

Planning Application: 10/0644 – CAEV

Proposal: Revised proposals for the erection of three new bungalows and alterations to existing house to provide access. Resubmission of Planning Application refused under reference B/10/0195 (As augmented by Baseline Ecological Survey received 15/07/2010 and amended by plans received 11/08/2010)

Location: 46 Alcester Road, Hollywood.

Decision: Refused by Planning Committee contrary to Officer Recommendation.
Appeal Dismissed.

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Discussion

The first main issue to consider was the proposal's effect on the character and appearance of the surrounding area, including whether or not it would be an over-development of the site. The second main issue was its effect on the living conditions of neighbouring occupiers, mainly in terms of outlook. There is a third issue in terms of highway safety. The application was refused on these three grounds.

It was found that the proposal would amount to an over-development of the site, even though the bungalows would be small, with adequate amenity space (to the side rather than rear, in two instances) at a density not incompatible with surrounding development, and with several existing trees retained. The lack of space for additional landscaping along the south-east boundary, to help integrate the development into its garden surroundings was a further indicator of over-development.

The direct impact of the development would not be so great as to cause material harm to neighbouring occupiers' living conditions in terms of outlook (or in terms of light or privacy which were also discussed at the hearing). The proposal would not negatively impact on Highway safety and these refusal reasons could not be substantiated.

Costs Application

An application for costs was made and costs were awarded against the Council for the following reason:

The third refusal reason (Highways) was not defended at the appeal. This was made clear in the Council's statement but the late notification of the Appellant of this stance resulted in the expense of a highway consultant. Therefore, costs were awarded against the LPA. Members should note that refusal of planning application because of highway safety need to be substantiated by evidence to avoid an award of costs.

Appeal Outcome

The appeal was **DISMISSED**.

Recommendation

The Committee is asked to RESOLVE that the item of information is noted.