

Committee	PLANNING COMMITTEE (A)	
Report Title	TOWN PLANNING APPEAL DECISIONS	
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Ward	Borough Wide	
Class	PART 1	Date: 19 May 2011

Purpose of Report

1.1 This report details the outcome of the recent Town Planning Appeal Decisions (Borough-wide) made by Inspectors appointed by the Secretary of State for Communities and Local Government and “call in” applications made by the Secretary of State herself.

1.2 RECOMMENDATION

That Members note the contents of this report.

Application No: DC/10/74791
 Site: 75 Boulsfied Road SE14
 Development: Retention of bay window with PVCu double glazed replacement windows to front elevation, railings to front boundary and painting of front elevation.
 Council decision: Refuse permission
 Appeal Method: Written Reps
 Inspector’s decision: **DISMISSED**

Officer Comments

This development was retrospective and the Inspector saw the main issue as whether the appeal scheme preserves or enhances the character or appearance of the Telegraph Hill Conservation Area within which the site falls.

Due to its proportions, materials and detailing the Inspector regarded the bay window as being an incongruous feature that has had an unacceptable effect on the appearance of the property and the street scene. He also considered the PVCu glazing to be unacceptable and the blue painted finish to the front elevation as unduly highly prominent. However, he viewed the railings acceptable.

The Inspector reached a split decision, allowing the appeal insofar as it related to the railings, but dismissing that aspect relating to the bay window, the PVCu glazing and the painted elevations.

Application No: DC/08/67915
 Site: Unit 14A, Leegate Centre, Leyland Road SE12
 Development: Continuation of use of the premises as a place of worship (Class D1)
 Council decision: Refuse permission
 Appeal Method: Written Reps
 Inspector’s decision: **ALLOWED**

Officer Comments

This appeal related to the unauthorised continued use of a first floor premises following the expiry of a previous permission with a time limitation condition. The use was to have ceased in August 2004, but had continued regardless.

The Inspector considered the main issue as the effect on the living conditions of nearby occupiers. Situated above the Leegate shopping centre the application premises are overlain by three flats. He noted that the Council's Environmental Health officers had not raised objections to the use and commented that there was no evidence before him to demonstrate that the effects of the use of the premises as a place of worship cannot be adequately mitigated by the imposition of planning conditions.

Accordingly, he allowed the appeal and granted planning permission subject to conditions restricting the hours of use to 9pm and requiring details of an appropriate sound insulation scheme.