

LIST OF APPEAL DECISIONS FROM 14/11/2015 to 07/12/2015

Application No	Description	Location	Officer Recommendation	Committee or Delegated	Decision	Appeal Type	Inspector Decision
15/00403/FULL	Erection of replacement extension and alterations to garden levels including new retaining walls and removal of decking	48 Cottey Brook Tiverton Devon EX16 5BR	Refuse permission	Delegated Decision	Refuse permission	Householder Appeal	Appeal Dismissed

Summary of Inspectors Comments

The appeal was dismissed for the following reasons:

The size and scale of the proposal, including the size and restricted nature of the rear gardens are such there would be an increase in the sense of enclosure and creation of an overbearing outlook, which would have an unacceptable adverse impact on the living conditions of the occupiers of No. 49, contrary to local plan policy DM13.

The loss of one parking space would lead to increased pressure on the limited capacity for on-street parking in the area, and would be harmful to highway safety and contrary to local plan policy DM8.

Note

This application included the re-grading of the back garden following an outstanding enforcement request for the removal of decking. The inspector concluded this would reduce the present degree of overlooking and is acceptable, although the sloping nature of this and the neighbouring gardens inevitably already results in unavoidable overlooking to a greater or lesser degree.