

Report to Development Management Committee

Workload and Performance Review for Quarter October to December 2018

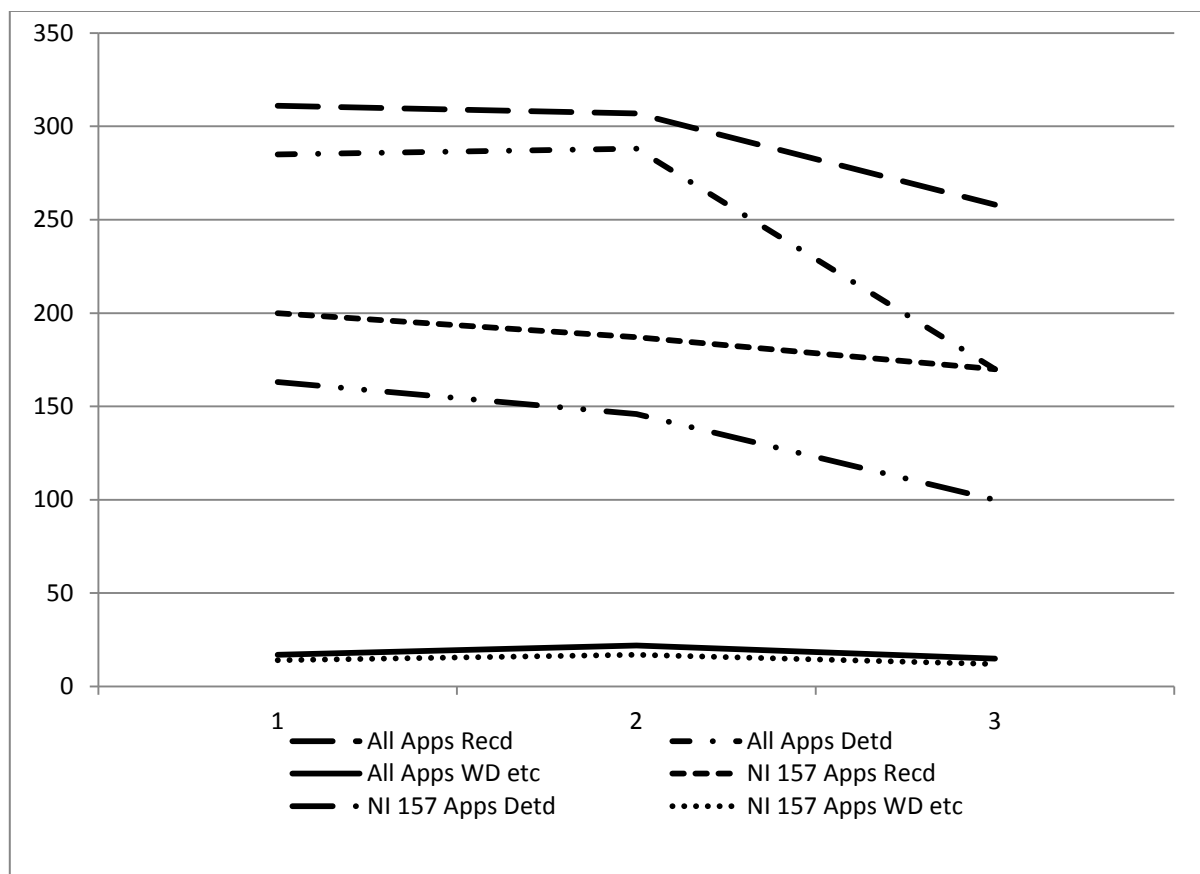
Introduction

This is a report to the Development Management Committee which provides a summary of performance in four key areas of work, planning applications, appeals, enforcement and informal enquiries, together with a brief commentary on each section.

Section 1: Applications received and determined

Our application caseload comprises applications which form the basis for our performance measured against the Government performance target NI157 and other applications which are excluded from these categories and relating to proposals amongst which are applications from the County Council, Notifications for Agricultural, Telecommunications and works to trees. This is set in the context of the rolling 12 month period.

Applications Received and Determined



	Oct	Nov	Dec
All Apps Recd	311	307	258
All Apps Detd	285	288	170
All Apps WD etc	17	22	15
NI 157 Apps Recd	200	187	170
NI 157 Apps Detd	163	146	100
NI 157 Apps WD etc	14	17	12
All O/Standing			
NI 157 O/Standing	767	788	845

Major Applications Received: 35
 Minor/Other Applications Received: 522

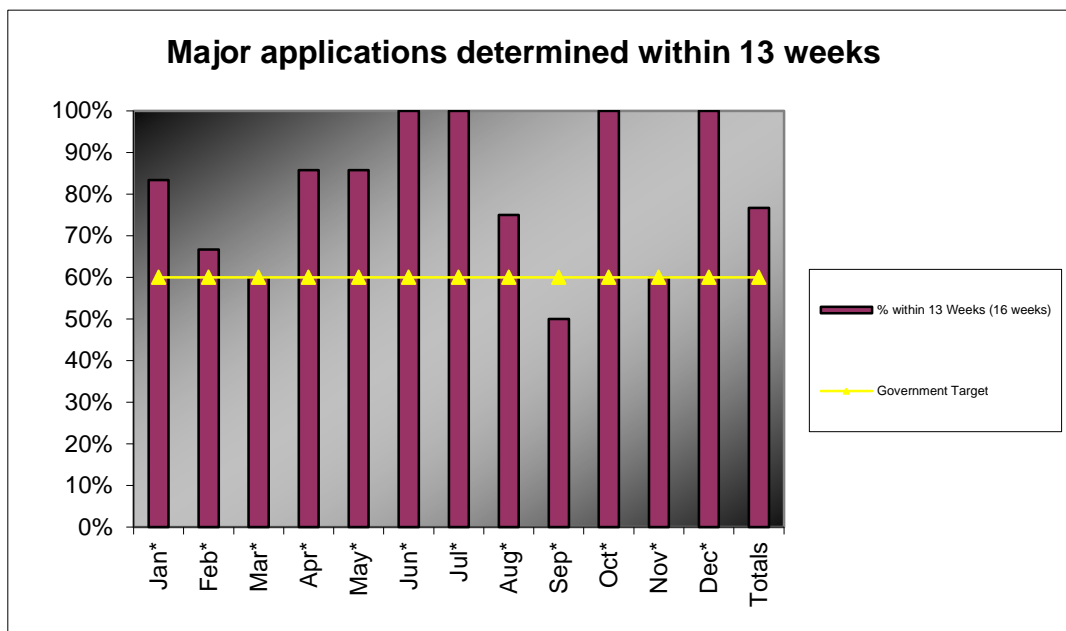
Major Applications Determined: 12
 Minor/Other Applications Determined: 397

Major Applications Outstanding: 123
 Minor/Other Applications Outstanding: 722

Section 2: NI 157 – Speed of Determination of applications

Introduction

This section sets out information regarding our performance in speed of decision for each of the 3 categories of applications, which are measured against the performance target – NI157 (a) major, (b) minor, and (c) other.



	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Totals
Number of Major Applications Decided	6	3	10	7	7	4	1	4	6	2	5	5	60
Number within 13 Weeks (16 weeks) inc. Ext of time*	5	2	6	6	6	4	1	3	3	2	3	5	46
% within 13 Weeks (16 weeks)	83%	67%	60%	86%	86%	100%	100%	75%	50%	100%	60%	100%	77%
Government Target	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%

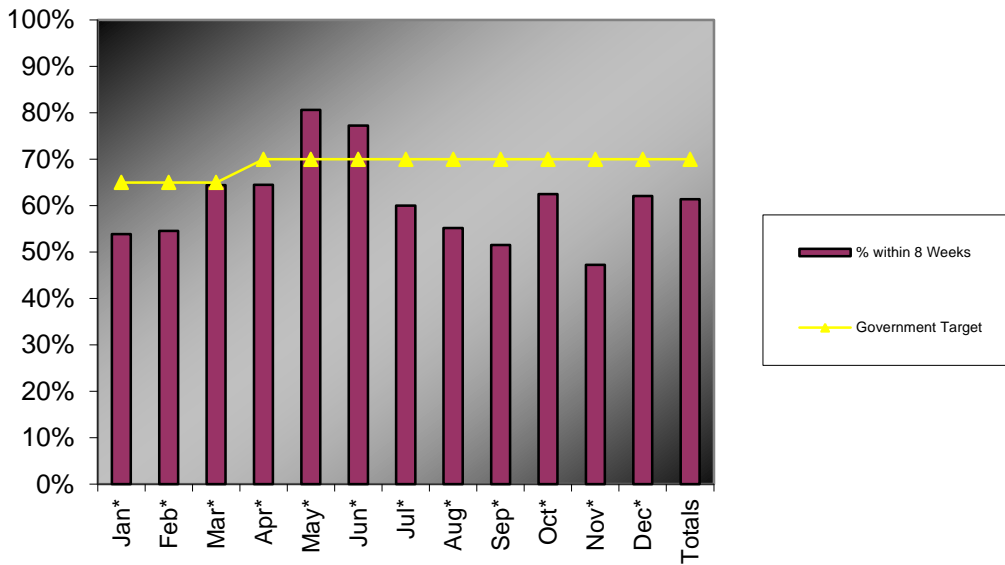
*Including extensions of time & PPAs

The quarterly performance achieved are:

October to December: 83%

Rolling 2 year average: 79%

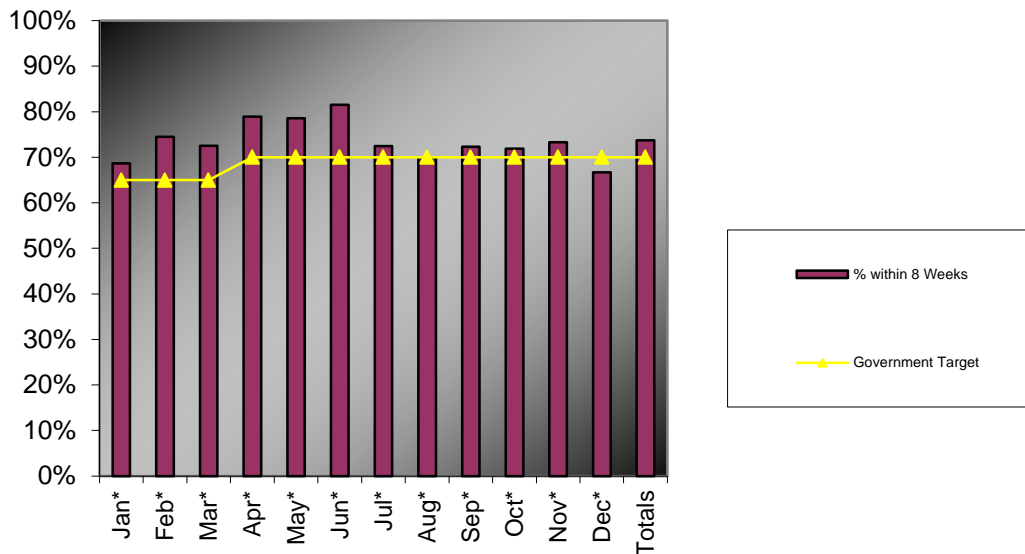
Minor applications determined within 8 weeks



	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Totals
Number of Minor Applications Decided	39	33	45	31	31	44	40	29	33	40	36	29	430
Number within 8 Weeks inc. Ext of time*	21	18	29	20	25	34	24	16	17	25	17	18	264
% within 8 Weeks	54%	55%	64%	65%	81%	77%	60%	55%	52%	63%	47%	62%	61%
Government Target	65%	65%	65%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%

*Including extensions of time

Other applications determined within 8 weeks



	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct*	Nov*	Dec*	Totals
Number of Other Applications Decided	99	102	91	95	112	130	109	126	112	121	105	66	1268
Number within 8 Weeks inc. Ext of time*	68	76	66	75	88	106	79	88	81	87	77	44	935
% within 8 Weeks	69%	75%	73%	79%	79%	82%	72%	70%	72%	72%	73%	67%	74%
Government Target	65%	65%	65%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%

For minor and other applications the government previously had no target and so the target of 80% shown was set internally by AVDC. From 1 April 2018 a government target of 70% has been set for minor and other applications increasing to 70% from 1 April 2018.

For the quarter October to December we achieved

Minors: 57% within the time period against a target of 70%
Others: 71% against a target of 70%
Joint minors and others: 68% against a target of 70%
Joint rolling 2 year average: 75% against a target of 70%

Appendix 1 details the Major applications determined in the quarter.

Outstanding applications beyond determination date and without or an expired PPA/extension of time in place as at 21 January 2019.

Majors: 88
Minors and Others: 392

The first planning authorities subject to the Government's "special measures" regime for under-performing authorities were designated in October 2013, and performance data was published by the Department for Communities and Local Government (DCLG). Designations will be reviewed annually. Poorly performing authorities will be "designated" based on speed and quality:

- * Speed: less than 40% of majors determined within 13 weeks averaged over a two year period; or within such extended period as has been agreed in writing between the applicant and the local planning authority.
- * Quality: 20% or more of major applications that have been overturned at appeal (appeals allowed) over a two year period.

The government have announced new government targets increasing those on speed for majors to 50% in 2017 rising to 60% for 2018 based on the previous 2 years October to September. They are combining minors and others into a non major category with a target of 65% in 2017 rising to 70% for 2018 over this 2 year period. The quality targets will be 10% applications that have been overturned at appeal (appeals allowed) over a 2 year period.

Authorities could be designated on the basis of either criteria or both. The current performance over this 2 year period exceeds the threshold for speed and is less than the threshold for quality and thus does not fall within the poorly performing designation.

Section 3: Appeals against refusal of planning permission

Introduction

This section deals numerically with our performance in relation to appeals against refusal of planning permission. Whilst there is no government performance target a benchmarking measure is that we should seek to achieve success in 65% or more of appeals against planning decisions.

Determined	Dismissed	19
	Allowed	9
	Withdrawn/NPW	0
	Split	1
	Turned Away	0
	Varied	0
Costs	Against AVDC	1
	For AVDC	0

*Split decisions are counted as an Allowed appeal

In the quarter between October and December 2018 a total of 35 appeals were determined, 29 of which were against refusals of planning permission. Of the 29 appeals against refusals of planning permission which are used for reporting purposes 31% were allowed which is below the Council's target of not more than 35% appeals allowed.

Attached at Appendix 2 is a list of all of the appeal(s) which are used for reporting purposes against refusals of planning permission that were allowed. As there are a large number of appeals a summary on all has not been provided. There is a summary on some highlighted for awareness and learning points.

The government statistics published in August 2017 for quality show that the percentage of major applications that have been overturned at appeal is 2.4% and that for minor and other developments overturned at appeal is 1.1% for AVDC during the period of 24 months from July 2014 to June 2016. This is well below the governments threshold of 10% overturned for quality.

Section 4: Enforcement

Introduction

This section details statistics relating to Enforcement matters and details the numbers of complaints received, cases closed together with the number of cases which have led to Enforcement action. Enforcement appeals are also dealt with separately and performance can be assessed accordingly.

Cases on hand at beginning of quarter	578	Cases on hand at end of quarter	563
Cases Opened	157	No of Cases closed	172
No. of Enforcement Notices Served	0	No. of Temporary Stop Notices Served	0
No. of Stop Notices Served	0	No. of Breach of Condition Notices Served	0
No. of Injunction Orders	1	No. of Planning Contravention Notices Served	0

In the 3 month reporting period 116 cases were resolved as follows:

Performance Figure	Notes
21% of complaints were resolved within 14 days	Generally more straightforward cases where a yes/no decision is required following initial evidence gathering
36% of complaints were resolved within two months.	Normally requiring more extensive evidence gathering and/or consultations involving 3 rd parties.
57% of complaints were resolved within 5 months.	On top of the actions identified above these cases normally require some formal action or an application for retrospective planning permission.
Remainder	Where formal legal action is involved it can take many years to resolve complaints and can include appeals and further judicial review.

Enforcement Appeals

Lodged	PI (Public Inquiry)	0	Determined	Allowed	0
	IH (Hearing)	0		Dismissed	0
	WR (Written responses)	0		W/Drawn	0
	Total	0		Varied	0
				Total	0
Costs	For AVDC	0		Against AVDC	0

Enforcement Summary

The environment continues to be challenging, but the team is now stabilised and making progress to reduce the numbers of cases open. We have now recruited to a new proactive post which, for example will focus on monitoring of conditions on large sites and reviewing building control applications for work which requires planning permission. In total the team is now 5 posts (one senior role vacant) but also currently supplemented by three experienced contractors.

Overall, the number of outstanding cases continues to be a concern. However, over 110 of these are pending planning applications to regularise or involve the monitoring of compliance with a notice, leaving a residual caseload of around 450.

Our response to complaints is prioritised based on the level of harm the suspected breach is causing. This means that 'low' category complaints will take longer to resolve than those that are causing a 'high' level of harm.

Section 5: Other Workload (Development Management)

Introduction

In addition the teams have dealt with the following:-

Discharge of Conditions and non material amendments.

Quarter – Out	108
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Chargeable Pre-Application Advice, including commercial

Quarter - Out	137
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Non chargeable Informals

Quarter - Out	40
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Conclusion and Recommendation

It is recommended that the Committee **NOTE** the report.

This report primarily intends to give details of factual information based on statistical data.

It is hoped that Members find the report's content helpful.

Major Applications Determined: Quarter October to December 2018

Bold numbers denote applications determined outside the target period. Performance for this quarter is 83% which is above target; * denotes those applications that had an extension of time request agreed. The small number of applications mean that performance is volatile and in this quarter involved applications where securing the right outcome outweighed the need to meet targets and applications where the revocation of the regional spatial strategy required a reassessment of the scheme.

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
18/01153/ADP*	SP	03/04/2018	Approval of reserved matters pursuant to outline permission 10/02649/AOP relating to 228 new homes as part of village 3 to the Kingsbrook development plus associated infrastructure including a further section of the Stocklake link road.	Land East Of Aylesbury Broughton Crossing Bierton Buckinghamshire	19/04/2018	18/12/2018	Details Approved
18/01699/ADP*	DANRAY	11/05/2018	Application for reserved matters pursuant to outline permission 15/03744/AOP for layout, scale, external appearance, the access, and the landscaping of the site for residential development of up to 40 dwellings It is unknown if a full environment impact assessment was submitted at outline planning stage, but the following documents were submitted: Reptile Survey Landscape and Visual Impact	Land Adjacent To Winslow Road Padbury Buckinghamshire	18/05/2018	21/11/2018	Details Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
			Assessment Flood Risk Assessment Geotech Report Arboricultural Report				
18/00913/ADP	SP	14/03/2018	Application for approval of Reserved Matters pursuant to Outline Planning Permission (16/04608/AOP) for the residential development of 125 dwellings, open space, landscaping, drainage features and associated infrastructure.	Land Off Lower Road Stoke Mandeville Buckinghamshire	14/03/2018	29/11/2018	Details Approved
16/02244/AOP*	LAUASH	16/06/2016	Outline application with access and layout to be considered for a site for 22 dwellings	Land Adjoining Newmans Close North Marston Lane Whitchurch Buckinghamshire	16/06/2016	19/11/2018	Outline Permission Approved
17/01107/AOP*	SP	23/03/2017	Outline application with access to be considered and all other matters reserved for a residential development of up to 17 dwellings including a new access point off Whaddon Road	Land Off Whaddon Road Newton Longville Buckinghamshire	30/07/2018	16/11/2018	Outline Permission Approved
15/04276/APP*	COLMCK	17/12/2015	Erection of 13 houses with car parking and landscaping	Land South West Of 62 Station Road Quainton Buckinghamshire	01/03/2016	11/10/2018	Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
16/00047/APP*	SP	07/01/2016	Erection of 10 No. two storey houses contained within 3 No. terraces, with car parking, refuse storage and landscaping works. (Amended scheme with revised access)	Land At Dollicott Paddock Dollicott Haddenham Buckinghamshire	04/03/2016	17/12/2018	Approved
16/03302/APP*	JASTRA	09/09/2016	Provision of a 61 bedroom Care Home with 14 Assisted Living apartments with associated access, parking and landscaping (Reconsideration of the proposal following the quashing of the decision).	Land Rear Of The Grand Junction Public House High Street Buckingham Buckinghamshire	12/09/2016	29/10/2018	Approved
17/01871/APP*	JASTRA	08/05/2017	Residential development comprising 74 dwellings, creation of two new accesses, car parking, leisure facilities, landscaping and associated works.	Land Adjacent To Allotment Gardens Marsworth Road Pitstone Buckinghamshire	08/05/2017	19/12/2018	Approved
17/04373/ADP*	JASTRA	17/11/2017	Application for reserved matters pursuant to outline permission 15/00932/AOP relating to Landscape, Layout and Appearance for the erection of 14 dwelling	66 High Street North Stewkley Buckinghamshire LU7 0EW	23/11/2017	17/12/2018	Approved
18/01396/ADP*	JASTRA	20/04/2018	Approval of Reserved Matters pursuant to outline permission 16/00808/AOP for appearance, landscaping and scale of a residential development of 12 dwellings	Land To The Rear Of 21-39 Clifden Road Worminghall Buckinghamshire	20/04/2018	06/12/2018	Approved

Reference	Off	Received	Proposal	Address	Valid	Decision Date	Decision
18/02438/APP*	DANRAY	10/07/2018	Relocation of Shepherds Furze Farm, Steeple Claydon from Calvert Road, to West Street, Steeple Claydon (to make way for HS2) - and to include the construction of a new farmhouse, new outbuilding and new agricultural general purpose building, construction of concrete farm yard, new site landscaping and alteration of existing farm access track	Shepherds Furze Farm Steeple Claydon To Calvert Road Steeple Claydon Buckinghamshire. MK18 2HH	12/07/2018	19/11/2018	Approved

Appeal performance – Quarter October to December 2018

In the quarter between **October** and **December 2018** a total of 35 appeals were determined, 29 of which were against refusals of planning permission. Of the 29 appeals against refusals of planning permission which are used for reporting purposes 31% were allowed which is below the Council’s target of not more than 35% appeals allowed.

A list of all the reportable allowed appeals in this quarter is set out below.

Application Reference: 17/01325/APP	Decision: Delegated
Site: Land To South Of Oving Road Whitchurch Buckinghamshire	
Development: Erection of 10 dwellings with associated access, parking, garaging, landscaping and all enabling works	
<p>Note:</p> <p>The Inspector concluded in this case that although the scheme has an urbanising effect and some harm would result, it would not be considered significant and that the cul de sac layout, although not characteristic would not harm the overall character and appearance of the area.</p> <p>Furthermore, the Inspector acknowledged that the provision of additional dwellings would be a benefit and the development would give rise to some social benefits in that it would provide much needed additional housing, including affordable housing. The development would also bring some minor economic benefits through the construction process and the potential to support local facilities, together with the fact that Whitchurch must be considered to be a sustainable location.</p> <p>In relation to the drainage matters the Inspector was satisfied that this could be conditioned</p> <p>Finally, the Inspector was satisfied with the UU and including having regard to the new NPPF threshold criteria for 10% affordable housing provision and accepted this was a material consideration.</p> <p>Overall, taking all of these factors into account, and given the fact that the proposal is limited to frontage development to Oving Road, the Inspector considered that the adverse impact of the development does not significantly and demonstrably outweigh its benefits. Therefore, the development would represent sustainable development when considering the Framework taken as a whole and granted permission subject to conditions.</p>	

Application Reference: 17/02762/APP	Decision: Committee
Site: Sharps Hill Farm Bicester Road Kingswood Buckinghamshire HP18 0RA	
Development: External alterations to the existing barn	
<p>Note:</p> <p>The main issue for this appeal is the effect of the change in the appearance of the building on the character and appearance of the area.</p> <p>The Inspector acknowledged that the proposed alterations would result in a significant change to the appearance of the building in that a structure which is predominantly open in nature would become largely enclosed on all sides. Nonetheless, there would be no increase in overall size and the proposed materials are those that one might normally expect to find on a building located in the countryside. Whilst the building would be more domestic in appearance, the simplicity of design and choice of materials would ensure that it maintained a rural character which would not be out of keeping with its countryside setting.</p>	

Overall the Inspector concluded that with the imposition of conditions, the change in the appearance of the building arising from the proposed external alterations would result in no material harm to the character or appearance of the area. There would thus be no conflict with policy GP35 of the Council's Local Plan. The Inspector considered that the building as altered could quite feasibly be utilised for agricultural purposes, noting that any subsequent proposal to change the use of the resulting building would need to be assessed separately.

The appeal was allowed and conditional permission granted

Application Reference: 17/03173/APP	Decision: Delegated
Site: Sloping Acre North End Road Quanton Buckinghamshire HP22 4BD	
Development: Proposed demolition of existing dwelling and construction of 3rd new detached houses	
<p>Note:</p> <p>In this case the Inspector concluded that the proposed houses would be within the settlement boundary and within the confines of the village. The proposed plot could comfortably accommodate the three proposed dwellings and the scheme would not represent a cramped form of development. Furthermore, the proposed design would be suitable and of an appropriate appearance, scale and density. As such it was considered by the Inspector that there would not be harmful to the character and appearance of the area or represent an inappropriate form of development for this site. Furthermore, the Inspector found the proposed dwellings as being a sustainable form of development. The proposal was concluded to be in accordance with policy H1 of the Quanton Neighbourhood Plan and policy GP35 of the Aylesbury Vale District Local Plan.</p> <p>In respect of the setting of the listed buildings, the Inspector concluded that the proposal would accord with policy E2 of the Quanton Neighbourhood Plan and the statutory duties set out in the Planning (Listed Buildings and Conservation Area) Act 1990 and the setting of the listed buildings.</p> <p>The Inspector granted permission subject to conditions.</p> <p>Cost claim: This was refused as the council had put forward adequate evidence to support its arguments and did not act unreasonably.</p>	

Application Reference: 17/04340/ALB	Decision: Delegated
Site: Thornborough Mill Mill Lane Thornborough Buckinghamshire MK18 2ED	
Development: Replacement of timber windows with metal. Internal alterations at Second Floor where First to Second Floor staircase is retained.	
<p>Note:</p> <p>The main issue in the appeal is the effect of the proposed works on the significance of the listed building.</p> <p>The Inspector considered that the existing windows have wide frames and wide glazing bars and are clearly modern and are of no historic or aesthetic merit. The Inspector acknowledged that although the Council argued that metal windows would represent an inappropriate use of materials, there was some broad support for the proposal as set out in the appellants' submissions. In addition, the metal windows would provide slim and delicate forms which were present in the historic photographs and were deemed more appropriate to the building than the existing, visually heavier, timber windows.</p> <p>Overall the Inspector accepted that the design and form of the new windows would be a benefit to the listed building, when compared to the modern timber windows and concluded that no harm would arise from this aspect of the proposal and granted listed building consent subject to conditions.</p>	

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Application Reference: 17/04341/ALB	Decision: Delegated
Site: Thornborough Mill Mill Lane Thornborough Buckinghamshire MK18 2ED	
Development: Widening of internal doorway at First Floor. Internal alterations at Second Floor where First to Second Floor staircase is retained.	
<p>Note:</p> <p>This appeal related solely to the widening of the opening at first floor level, the Inspector accepted that the proposal would involve some loss of historic fabric by the enlargement of the opening in the wall.</p> <p>The Inspector concluded that this loss of fabric would represent a very small amount when compared to the remaining fabric and would amount to a minimal and negligible removal of fabric which would have no overall damaging effect on the significance of the listed building and granted listed building consent subject to conditions.</p>	

Application Reference: 18/00662/APP	Decision: Delegated
Site: 7 Church Road Pitstone Buckinghamshire LU7 9HA	
Development: Erection of outbuilding to frontage	
<p>Note:</p> <p>The main issue in this appeal related to the effect of the outbuilding on the character and appearance of the area.</p> <p>The Inspector confirmed that the site is within the Pitstone settlement as defined in the Pitstone Neighbourhood Plan 1 and that Policy 1 supports development within the settlement subject to compliance with other Neighbourhood Plan Policies.</p> <p>The Inspector noted the dwellings on this side of Church Road are terraced and set back from the highway considerably. There are no other outbuildings in front gardens in this part of Church Road.</p> <p>Fundamentally the Inspector considered that the proposed outbuilding was of a modest size but that the scale, height and mass would not be unduly intrusive and concluded that the proposed outbuilding would not conflict with policy 1 and Policy 6 of the Pitstone Neighbourhood Plan and GP35 of the AVDLP.</p>	

Application Reference: 18/00845/APP	Decision: Delegated
Site: 1 Cavendish Close Wendover Buckinghamshire HP22 6LZ	
Development: Erection of two storey side extension, first floor front extension and single storey porch extension. Extension of outbuilding and replacement pitched roof.	
<p>Note:</p> <p>In this case the reasons for refusal related solely to the extent of extensions proposed namely a two storey and first floor front and single storey front extensions. There was no objection raised by the LPA to the replacement outbuilding.</p> <p>The main issue in this appeal is the effect of the proposal on the character and appearance of the existing dwelling and on the streetscene.</p> <p>In relation to the the proposed two storey side extension, the Inspector noted that this would be built up to the edge of the side boundary of the site. At present, other dwellings along this section of Haglis Drive are set back from the highway, giving a relatively spacious appearance to the streetscene. The two storey side extension would abut the footway and, the Inspector concluded</p>	

that the enclosure of this space would result in the appeal property being overbearing and at odds with the positioning of other buildings nearby. Therefore, the Inspector concluded that this element of the proposal would be unacceptably harmful to the streetscene when entering Haglis Drive from Aylesbury Road. Consequently, it would conflict with the provisions of the policy GP9 and GP35 of the AVDLP.

The appeal was **dismissed** insofar as it relates to the two storey side extension, first floor front extension and single storey porch extension. The appeal was **allowed** insofar as it relates to the extension of outbuilding and replacement pitched roof and planning permission is granted for the extension of outbuilding and replacement pitched roof

Application Reference: 18/00897/APP	Decision: Delegated
Site: Manor Hill Cottage Galley Lane Great Brickhill Buckinghamshire MK17 9AB	
Development: Enlargement of existing opening in boundary wall to provide new highways access onto Galley Lane	
<p>Note:</p> <p>The main issues in this appeal are the implications of the proposal for firstly highway safety and secondly the significance and setting of heritage assets.</p> <p>In relation to the matter of highway safety, the appeal was supported by a Traffic Count survey which indicated that the available sightlines would be close to the stopping sight distances suggested in Manual For Streets (MFS) Which when considered the good forward visibility and the relatively lightly trafficked road the Inspector acknowledged would reduce the potential for conflict. Furthermore, the proposal would result in the reduction in use of the substandard existing access which the Inspector considered weighed in favour of the appeal. For these reasons, the Inspector concluded on the first main issue, that the proposal would not be likely to compromise highway safety. I thus find no conflict with the advice in MFS, the Buckinghamshire County Council Local Transport Plan 4 March 2016-2036 (which replaced the version 3 cited in the Decision Notice), or the Framework.</p> <p>Turning to the second matter, overall the Inspector considered the proposal would have a neutral impact on the setting of the CA and lodges which is synonymous with a finding of no harm. It follows that paragraph 196 of the Framework which relates to proposals that give rise to less than substantial harm does not apply. Furthermore the Inspector also found no conflict with saved Policies GP.35 and GP.53 of the AVDLP.</p>	

Application Reference: 18/01639/APP	Decision: Delegated
Site: 31 Station Road Haddenham Buckinghamshire HP17 8AN	
Development: Part two storey, part single storey side/rear extension and detached garage with storage	
<p>Note:</p> <p>The main issue in this appeal was the effect of the proposed extension and garage on the character and appearance of the area.</p> <p>IN this case the Inspector noted that given the location of No 31, the property is not prominent in the street scene and also acknowledged that the original form and character of the pair of semi-detached houses has been altered by the extension at No 29. Having regard to these matters the Inspector considered that the scale of the extension would not be unduly dominant and the proposal would not result in harm to the character or appearance of the street scene.</p> <p>In considering the proposed garage, the Inspector noted that this would replace an existing garage although it would be higher in order to incorporate storage space in the roof space with rooflights. However, due to the location of the proposed garage, at the end of the private drive and given that the dwelling benefits from a generous sized garden, she considered that the garage would not unduly dominate the house, nor would it be an excessively prominent feature</p>	

in the street scene.

Overall, the Inspector concluded that the proposed extension and garage would not conflict with the policies GP9 and GP35 of the AVDLP, in that it would not have a harmful effect on the character or appearance of the area and therefore the appeal was allowed subject to conditions.

Application Reference: 18/01703/APP	Decision: Delegated
Site: Fairhaven Main Street Padbury Buckinghamshire MK18 2BJ	
Development: Demolition of bungalow and erection of a new dwelling	
Note: The main issues in the consideration of this appeal are: the effect of the proposal on the character and appearance of the area; and the effect of the proposal on the living conditions of the occupiers of West Bourn with particular regard to outlook. In considering the merits of the appeal the Inspector noted that there is an extant planning permission to build a two storey dwelling on the appeal site and accepted that this represents a valid fallback position. The Inspector noted the proposal would differ from the consented dwelling in a number of ways, most of which the LPA had raised no particular concerns with. However, the Council considered that the depth of the two storey rear projection of the proposed dwelling, would be excessive when compared with the depth of the two storey rear projection of the consented dwelling, and that this would threaten the setting of the rural landscape beyond the appeal site. However, the Inspector considered that the rear projection of the proposed dwelling would maintain a degree of separation from the rear boundary of the appeal site and would occupy only a limited proportion of its overall width. With lower eaves and ridge height than the main part of the proposed dwelling and the fact that the depth would be less than the overall width of the proposed dwelling the rear projection would be subservient to the main part of the proposed dwelling. He considered that the rear projection would not be particularly noticeable in views from along Main Street and unlikely to be noticeable in views from the wider countryside. Consequently, although the rear projection would be a greater depth than that which could be constructed under the fallback position, the Inspector did not consider that it would be unduly bulky or out of proportion with the main part of the proposed dwelling or give rise to any material harm to the setting of the rural landscape or to the character and appearance of the area. The Inspector concluded on this aspect that the proposal would therefore comply with saved Policy GP35 of the AVDLP and also comply with the aims and objectives of the NPPF and the Council's Design Guide: New Houses in Towns and Villages. Turning to the matter of amenity. The Inspector noted that the property to the immediate west of the appeal site, has a first floor window on its side elevation which faces the appeal site. The proposed dwelling would be sited directly opposite this window and would introduce a greater level of built form into the view from it when compared with the exiting bungalow. It was concluded that though the rear projection of the proposed dwelling would extend further than would be the case for the consented dwelling, it would not do so to a degree which would have any materially greater impact on outlook from this window. Furthermore, he noted that the proposed dwelling would be unlikely to significantly add to the sense of enclosure of the neighbouring property. As such, the conclusion of the Inspector was that the proposed dwelling would not have a materially adverse effect on the living conditions of the occupiers of West Bourn with regard to outlook and would not detrimentally impact on the enjoyment of their home and garden in accordance with policy GP8 of the AVDLP.	

Overall, in this case the Inspector concluded the proposal would not give rise to undue harm to the character and appearance of the area or to neighbour living conditions and would thus comply with the Council's development plan in this regard. In light of this, there would be no adverse impacts that would significantly and demonstrably outweigh the benefits. This was notwithstanding that the benefits, which would include some economic ones from the construction of the proposal, would be modest and could be realised under the fallback position.