

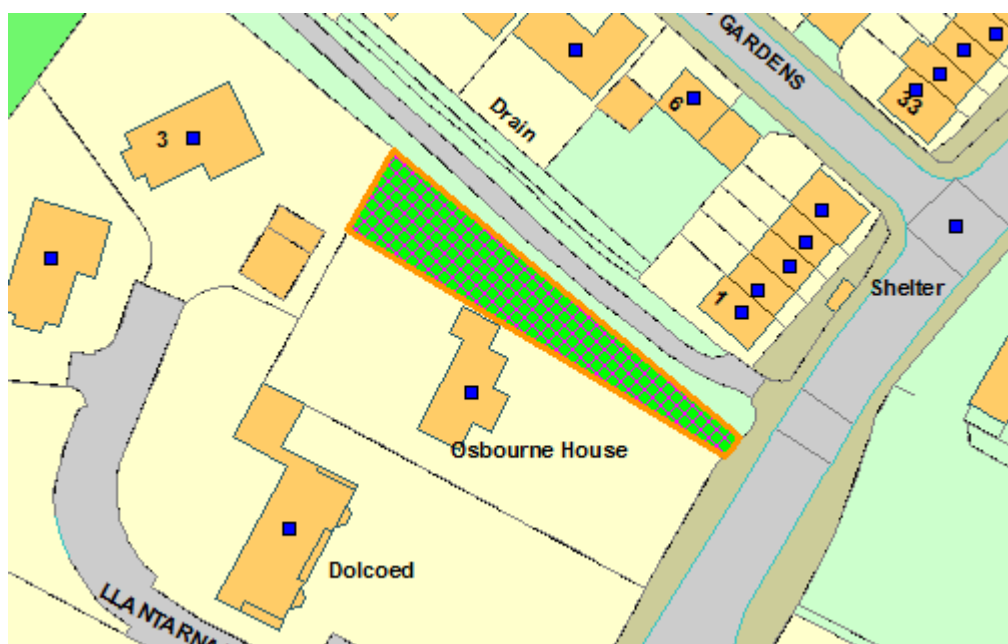
**PLANNING COMMITTEE
13 NOVEMBER 2018**

17/P/0494/FUL – APPEAL AGAINST REFUSAL: DEMOLITION OF EXISTING REDUNDANT GARAGE AND CONSTRUCTION OF NEW 3 BEDROOM LODGE – OSBOURNE HOUSE, NEWPORT ROAD, LLANTARNAM ROAD

Report Submitted by: Richard Lewis, Head of Planning and Development
Report Written by: Mrs Helen Smith

Purpose of Report

To inform members of planning/enforcement appeals which have been made to the Welsh Government and their subsequent determination.

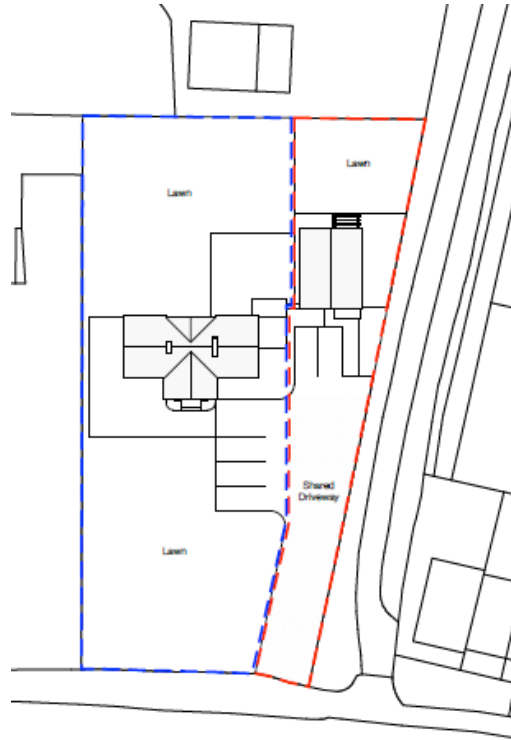


Planning permission was refused ,under Delegated powers for the following reasons:

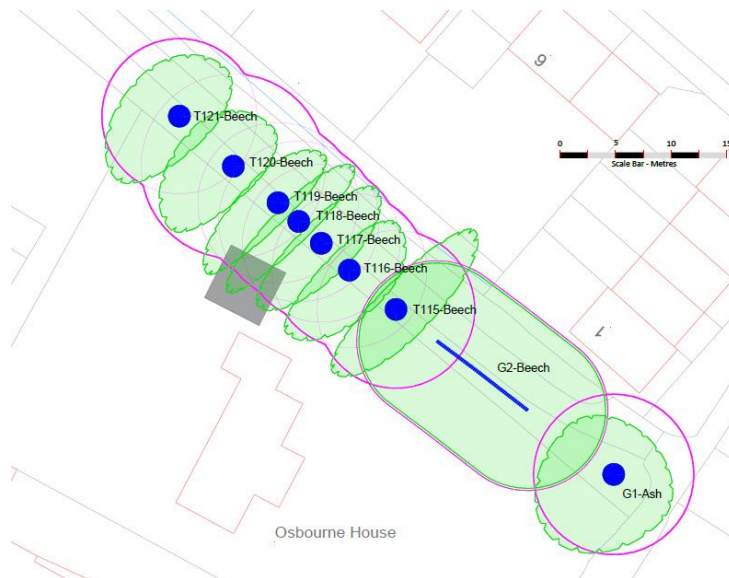
“It is considered that this proposal by reason of its proximity to the belt of protected trees will not provide acceptable living conditions for the future occupier and will result in significant pressure for works and felling of the protected trees to the detriment of the character and appearance of the area, contrary to Policy BW1 (B(v)) of the Adopted Torfaen Local Development Plan.”

The applicant appealed this refusal. Subsequently the Planning Inspector dismissed the appeal and upheld the refusal.

Below is a block plan of the proposed dwelling showing its relationship with the main dwelling:



Below is a plan showing the location of the protected trees:



The applicant appealed this refusal. Subsequently the Planning Inspector dismissed the appeal and upheld the refusal. The Inspector considered that the main issues are the effect of the development on the character and appearance of the area and whether it will provide acceptable living conditions for the future occupiers of the proposed dwelling. In dismissing the appeal the Inspector noted that to works to the canopies of the trees would be required to enable the construction of the dwelling. He agreed that the trees along the site's boundary are a dominant feature in the street and he stated that they clearly provide a great deal of pleasure for those living in the area in terms of their intrinsic beauty as well as for the wildlife habitat that they provide and that the trees contribute to the wider character and appearance of the area. He concluded that given the narrowness of the site the proposed dwelling would be directly underneath the canopy of the trees which would shade the property and have a

dominating effect on the dwelling. The Inspector also agreed with the Council that there would be perception of danger living in such close proximity to the trees, especially during inclement weather. He also agreed that the applicants proposed onerous tree management and maintenance plan reinforces this concern.

He concluded that the proposed development would not provide acceptable living conditions for future occupiers of the dwelling and that the development would necessitate works to the protected trees and would result in pressures for future works and as such would have an adverse impact on the character and appearance of the area.

The Inspectors Decision is attached to this report for information.

DECISION: APPEAL DISMISSED

RECOMMENDATION: For Information Only

Appendices	None
Background Papers	Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report. Planning Application File: 17/P/0494/FUL Appeal Reference: 18/APPEAL/15/REF

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)