

H GROUNDS OF APPEAL PA/07/91463 Churchill Retirement Living

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

The refusal of planning permission centres on three issues. Firstly, the LPA contend that the extent and location of the hard surfacing proposed, together with the alleged lack of space for a landscaping scheme, would result in a poor level of amenity for future occupiers of the development. It further contends that the use of the car park would adversely affect the living conditions of the existing, adjacent flats.

The extent of hard surfacing in this case is not excessive. Parking provision has been kept to a minimum to reflect the central location of the site, but clearly there is a still a need for car and cycle parking provision, together with turning and manoeuvring space. The hard surfaced area need not all be finished in the same materials, and there exists scope to fragment its apparent extent by varying and defining the surface treatment. The amenity area to serve the flats again reflects the central location of the site. It is common for flat schemes in a central urban area to have small but nonetheless meaningful areas for amenity purposes. In practice such areas are not used in the way that domestic gardens are used and a higher level of provision is rarely appropriate in central areas, particularly where access to larger commons and parks is available. Adequate space exists to provide suitable boundary planting to provide for the setting of the development. The existing brick wall between the proposed car/cycle parking area and the adjacent flats would serve to adequately contain any noise disturbance arising from the use of this area, particularly as the parking spaces would be contained within car ports.

The second reason for refusal alleges that the scale of the south-eastern block is disproportionately large compared to the main element of building and would adversely affect the character and appearance of the area. But this contention fails to take appropriate account of the mass and bulk of the recently constructed health centre or indeed of the recent approval for the adjoining site at 41 Christchurch Road. To illustrate this point, plans of the approved development at 41 Christchurch Road are included with this appeal and this development is also incorporated into a new street scene drawing (Dwg. No. 06). These plans illustrate that, when considered in the proper context the south eastern building would appear proportionate and would indeed assist in mitigating the presently harsh transition between the existing domestic-scale buildings on the appeal site and the new Health Centre.

The third reason for refusal relates to the non-completion of a Unilateral Undertaking to provide for a financial contribution in lieu of public open space. This has always been intended to be provided, and a Unilateral Undertaking will be submitted in due course.

H. GROUNDS OF APPEAL PA/07/91 430 Windsor Developments

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The appellant considers that the appeal proposal has been designed to a high standard taking into consideration the character and pattern of the surrounding development. The appellant will demonstrate that the appeal proposal is for a high quality building which will respect and enhance the character of the local area.

The appellant will demonstrate that the appeal proposal is appropriate to the site and will not cause any material harm to the appearance or character of the river frontage.

The appellant will supply evidence to demonstrate that the proposal would cause no harm to the habitats or species within the adjoining SPA/Ramsar/SAC/SSSI. The appellant will contend that the proposal will enhance the habitat at the edge of the protected area.

The appellant will demonstrate that the proposal would not cause any impact on flood risk.

The appellant will demonstrate the need for the appeal proposal and the significant economic and sustainability benefits arising from the proposal.