

**APPEAL BY MR NICK PREECE AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR REPLACEMENT OF THE EXISTING BUSINESS UNIT WITH 9 NO. 2 BEDROOM UNITS AT CENTURIAN HOUSE, WEST STREET, NEWCASTLE**

<b><u>Application Number</u></b>	<b>15/00203/FUL</b>
<b><u>LPA's Decision</u></b>	<b>Refused under delegated powers 19<sup>th</sup> May 2015</b>
<b><u>Appeal Decision</u></b>	<b>Allowed</b>
<b><u>Date of Appeal Decision</u></b>	<b>14<sup>th</sup> February 2016</b>

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area.

In dismissing the appeal the Inspector made the following comments:

- The appeal site is situated just outside of the town centre. It is a wedge shaped plot bounded by three streets. Close to the site there is a mix of commercial and residential development that is a range of different scale and heights from single storey to the four storey residential development directly opposite the appeal site.
- As such, the character of the area is mixed and the proposed development would not be introducing a building height that is not already found in proximity to the appeal site.
- Since the proposal subject to appeal was refused the Council has granted planning permission for a lower density scheme comprising of 6 residential two bedroom properties and a ground floor office with storage area. It is similar to this appeal proposal except that the overall height has been reduced to 3 storeys with a maximum height of 10m. This scheme represents a 'fall back' position for the appellant and regard must be paid to that in determination of the appeal.
- Whilst the appeal scheme would result in a building that would be higher than the approved scheme, it would only be by an additional 2.5 metres. Given the diversity that already exists in the street scene and the fact that there is a four storey building situated directly opposite the appeal site, the proposal would not be significantly harmful to the character and appearance of the area. Given the design context of the area, and the separation distances involved, it is not considered that the historic core of the centre would be harmed.
- The proposed height of the building and the external materials that would be used in the construction of its external surfaces would reflect that of the four storey building opposite. It would not therefore look unduly prominent in the streetscene as a result.
- The development proposed would not be harmful to the character and appearance of the area.
- The Council cannot demonstrate a five year housing land supply in accordance with the provisions of the Framework, and as such, the presumption in favour of sustainable development applies which weighs in favour of the proposal.
- There is no harm arising with respect to highway safety or in relation to living conditions for existing surrounding occupiers or future occupants of the development which has been referred to by third parties.
- The appeal is allowed subject to conditions.

**Your Officer's Comments**

That the decision be noted.