

APPEAL BY ST.QUENTIN RESIDENTIAL HOMES LTD AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR A TWO STOREY EXTENSION TO PROVIDE A 24 BEDROOM ELDERLY MENTALLY INFIRM (EMI) UNIT AND REPLACEMENT CONSERVATORY AT ST QUENTIN RESIDENTIAL HOME, SANDY LANE, NEWCASTLE

<u>Application Number</u>	14/00543/FUL
<u>Recommendation</u>	Refusal
<u>LPA's Decision</u>	Refused by Planning Committee 7th October 2014, following site visit
<u>Appeal Decision</u>	Appeal allowed and planning permission granted
<u>Date of Appeal decision</u>	3rd March 2016

The full text of the appeal decision is available to view on the Council's website (as an associated document to application 14/00543/FUL) via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/14/00543/FUL> and the following is only a brief summary.

The Inspector determined that the main issue in this case was the effect of the proposal on the character and appearance of the area. In allowing the appeal, the Inspector made the following comments:

- The appeal site is located within a designated Area of Special Character as defined under saved Local Plan Policy H7. This seeks to preserve the unique character of the area by not permitting development that would be detrimental to its overall character, or that would result in the sub-division of plots or the loss of visually significant trees. The policy defines the character as consisting predominantly of large houses in extensive plots.
- Whilst there are a few larger properties, including the two on the appeal site, set back to the rear of their substantial grounds, there is a varied building line on both sides of the road. There is also a mix of property designs, types, sizes and building ratios, all situated on different sized plots within the streetscene.
- Of particular note visually are the large mature trees and hedgerow boundary treatments which limit views into some of the plots and altogether provide a green and pleasant sense of enclosure when travelling along this part of Sandy Lane.
- The appeal site itself is significantly restricted from direct views with substantial hedgerows and mature trees within the site and along the boundaries. Together with the further landscaping proposed the development would not materially alter the semi-enclosed suburban character when travelling along Sandy Lane. To the north-west of the appeal site is the former 'Homestead' site, which is currently under construction to deliver a 65 apartment extra care scheme. Whilst it is recognised that this development is not within the Policy H7 area and the scheme replaces previous development, it has a significant visual impact on the character of the area and the adjacent appeal site.
- The proposal would project development further forward on the plot, reducing the size of the garden to the front of the existing properties. However a substantial proportion of the garden area would still remain. In addition the two storey height of the proposal when viewed from the road would not be out of keeping for the area. Furthermore, taking account of the site's semi-enclosed nature, the proposed retention of hedgerows and protected trees and the provision of additional planting, the visual impact of the development would be limited when viewed in the context of the wider street scene.
- The property is located opposite the Brampton Conservation Area. With special regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Brampton Conservation Area including

its setting, the Inspector was satisfied that the proposal would preserve those interests.

- In conclusion with respect to the effect of the proposal the Inspector decided that the development would not have an impact on the character and appearance of the surrounding area, and that accordingly it complied with policy including Policy H7.
- The Inspector also noted the site is in a sustainable location close to local facilities and services and is within an urban area. The NPPF aims to boost the supply of housing and there is no dispute that the Council is unable to demonstrate a 5 year supply of deliverable housing sites. Consequently as the Planning Practice Guidance confirms that specialist housing for older people can contribute to the Council's housing requirements, the appeal proposal would provide 24 bedrooms to the supply of housing land. It would also deliver specialist housing for which there is a demonstrated need within the Borough. This weighs heavily in support of the appeal.
- The Council's suggestion that the grant of planning permission for this proposal would compromise future decisions affecting the unique character of the area by setting an undesirable precedent were not supported.
- In relation to concerns that the development would increase traffic on a busy road and there would not be sufficient car parking, it was noted that the Council and Highway Authority did not object on those grounds and there is no substantive evidence to indicate that there would be significant harm to highway safety.
- In relation to neighbours' concerns regarding overlooking, noise and disturbance. The Inspector determined that the development would not result in material harm to the living conditions for neighbouring residents. It was also suggested at the Hearing that other locations would be more appropriate for this form of development. However no details of other sites have been provided and the appeal had to be determined on its own individual planning merits.

Your Officer's comments

That the Council were unable to persuade the Inspector that the proposal would have an adverse impact on the character and appearance of the area is disappointing and somewhat surprising, your Officer anticipating that the principal issue would be the weight to be given to the provision of this specialist form of accommodation. However the decision provides reasons for the Inspector's conclusions.

Recommendation

That the decision be noted.