

APPEAL BY MR JONATHON FELL C/O KAIZEN PROPERTY GROUP AGAINST THE DECISION OF THE COUNCIL TO REFUSE FULL PLANNING PERMISSION FOR THE ERECTION OF 2 X 3 BEDROOM SEMI-DETACHED DWELLINGHOUSES WITHIN THE EXISTING REAR GARDEN OF APPLICATION SITE, INCORPORATING THE PROVISION OF 4 PARKING SPACES, CYCLE SPACES AND REFUSE STORAGE, NEW BOUNDARY TREATMENT AND LANDSCAPING, AT 22 KING STREET, CROSS HEATH, NEWCASTLE-UNDER-LYME

<u>Application Number</u>	19/00135/FUL
<u>LPA's Decision</u>	Refused by delegated authority on the 9th May 2019
<u>Appeal Decision</u>	Allowed
<u>Costs Decision</u>	Refused
<u>Date of Decisions</u>	3rd April 2020

Appeal Decision

The Inspector identified the main issues to be the effects of the development on the character and appearance of the area, including in respect of trees and the living conditions of the occupants of No. 22 King Street.

In discussing the implications on character and appearance, the Inspector, whilst accepting that the dwellings would not have a clear street presence nor align with the prevailing building line along King Street, considered that as there is a significant variety in the arrangement and orientation of the dwellings nearby, the dwellings proposed would not appear incongruous. In respect of trees, the Inspector found that the loss of T2 would not be significant and that T14 and T15 could be suitably retained. The Inspector concluded that the proposal would integrate appropriately with the character and appearance of the area, including as regards trees.

Turning to the living conditions of No. 22 King Street, the Inspector concluded that whilst accepting that the proposal would slightly affect the acoustic character of the area, it would not result in a significant change to the quality of life of the occupants of No. 22.

Costs Decision

The Inspector concluded that no action or inaction taken by the Council in this instance amounts to unreasonable behaviour resulting in unnecessary expense. An award of costs is therefore not justified.

The planning decision setting out the reasons for refusal and the Appeal Decision and Costs Decision in full can be viewed via the following link

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00135/FUL>

Recommendation

That the appeal and costs decision be noted.