

APPEAL BY DR SHAMYLLA SAMAD AGAINST THE DECISION OF THE COUNCIL TO REFUSE FULL PLANNING PERMISSION FOR A 2 STOREY SIDE EXTENSION AT 1 BERESFORD CRESCENT, NEWCASTLE

<u>Application Number</u>	21/00569/FUL
<u>LPA's Decision</u>	Refused on 20 August 2021
<u>Appeal Decision</u>	Allowed
<u>Costs Decision</u>	Refused
<u>Date of Decisions</u>	18 January 2022

Appeal Decision

The Inspector identified the main issue as the effect of the development on the character and appearance of the area. The conclusions of the Inspector are summarised as follows:

- The proposed extension would appear subordinate to the host dwelling due to the roofline not protruding above the roofline of the existing dwelling, the setback, the width of the proposal being less than the width of the host dwelling, and there being sufficient space on site to accommodate the proposed extension's footprint.
- The proposal is not an overdevelopment of the plot or out of character with the surrounding area. Due to the spacious plot size, the proposal would not appear as a dominant mass and would not infringe the building line. Its design would be in keeping and its size would be similar to other extensions in the surrounding area.

Costs Decision

The appellant considers that the approach of the Council has been unreasonable in its conduct in the decision to call in the application to Planning Committee and the reason for refusal was manifestly unsound. The Inspector reached the following conclusions:

- The Council has followed their adopted call in procedure and has therefore acted reasonably in their decision to call in the application.
- The Council gave reasons as to why it was concerned that the proposal, by virtue of its design and massing, would be contrary to the principles of good design set out in the National Planning Policy Framework and would be harmful to the character and appearance of the area. These matters involve a degree of judgement and while, on balance, the Inspector did not agree with the Council's decision, sufficiently robust evidence was submitted to show that it did not apply its judgement in an unreasonable manner.

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

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00569/FUL>

Recommendation

That the appeal and costs decision be noted.