

## RECENT APPEAL DECISIONS TO 6 August 2012

**Application Ref: S11/0967/MJRF KJC**  
**Planning Inspectorate No: APP/E/2530/A/12/2171469/NWF**

Appeal Type: **Informal Hearing**

Appellant:	McCarthy & Stone Retirement Lifestyles L
Proposal:	Demolition of 49 St Catherines Road and 1A Dudley Road and construction of retirement accommodation for the elderly including provision of communal facilities, landscaping and car parking
Site:	49, St. Catherines Road, Grantham, NG319DE

Appeal Decision – Date:	Appeal allowed with conditions - 02 August 2012
-------------------------	---

### SUMMARY

This application was recommended for approval by officers but deferred by committee on 07 February 2012 *“pending a review of the design to reduce the size and bulk of the buildings and to reconsider the car parking and access arrangements and if possible to incorporate the existing building into the scheme.”*

The applicant subsequently submitted an amended application (S12/0863) on 01 May 2012 and appealed against non determination of S12/0967 on 21 March 2012. The amended scheme was submitted as part of the appeal. The Planning Inspectorate agreed that the appeal would be dealt with by way of a hearing on 14 June 2012.

At the committee meeting of 03 April 2012, the Committee agreed that they were *“minded to refuse the application on the basis of the adverse impact of the development on the street scene and the amenities of neighbours due to the scale and bulk of the proposed buildings, and that the Committee also have issues with the access and egress at the site, as well as the on-site parking issue, and that these be included subject to professional advice received in connection therewith.”*

Following further examination of the issues raised and after taking professional advice, the Council based its case on two issues which it was considered could be reasonably defended:

1. The scale and bulk of the building and its impact on the streetscene and form and character of the area.
2. The impact on highway safety, of the position of the access off Dudley Road.

The Council also took the view that the inspector should not consider the amended plans as part of the appeal given that these were the subject of another application still under consideration.

At the hearing, the inspector decided that it was appropriate to consider the amended scheme and that his decision would apply to the amended scheme.

In considering the Council's arguments, the inspector decided that the proposal would be an appropriate form of sustainable development of an acceptable scale, bulk and appearance and would not be detrimental to the streetscene or character of the area. He disagreed with the Council's highways argument, considering that the access from Dudley Road would not significantly affect highway safety.

In respect of the other issues including those raised by Conserving Grantham and other objectors, the inspector did not consider St Catherines House to be a heritage asset and gave very little weight to the Grantham Townscape Character Assessment. He also considered that the development would not be detrimental to ecology and biodiversity or on neighbours' residential amenities, or lead to an unacceptable increase in traffic, and that landscaping could be dealt with adequately by condition.

**RECENT APPEAL DECISIONS TO**

The appeal was **allowed** subject to conditions and a Section 106 agreement.

The applicant stated at the hearing that the planning application (S12/0863) for the amended scheme would be withdrawn if the appeal were allowed.

No application for costs was made by either party.