
Appeal Decision

Site visit made on 8 November 2016

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2016

Appeal Ref: APP/M4510/D/16/3157919

28 Heaton Grove, Newcastle upon Tyne, Tyne & Wear, NE6 5NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs N Redfern against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2016/0382/01/DET, dated 1 March 2016, was refused by notice dated 21 July 2016.
 - The development proposed is front dormer windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues in this case are the effect of the proposal on: the character and appearance of No. 28 and the surrounding area; and, the living conditions of residents of Nos. 28 and 29 Heaton Grove, with particular reference to privacy.

Reasons

Character and appearance

3. Nos. 28 and 29 are a pair of semi-detached houses, which front onto the northwestern side of Heaton Grove. The 2-storey front elevations of these properties are symmetrical in appearance and include a single dormer window centrally positioned in the roof slope. The well-ordered appearance of Nos. 28 and 29 makes a positive contribution to the surrounding area. I saw that the dormers of these neighbouring houses are visible when approaching the appeal site along Heaton Grove. Although the viewing angle of the roof from the footway in front of No. 28 is steep, as the building is situated close to its front boundary, a large part of the existing dormer is still visible from there. The southeastern side of Heaton Grove adjoins an area containing railway tracks, the southeastern boundary of which abuts North View. I saw that the 2-storey front elevations of Nos. 28 and 29 are clearly visible from North View, although their prominence is limited by the intervening distance and those views would be limited further, if not interrupted, by trees along the southeastern side of Heaton Grove when in leaf. In the vicinity of the appeal property, development along the northwestern side of Heaton Grove is predominantly characterised by terraced housing, the front facing roof slopes of
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which are generally plain. There are a small number of properties within the street scene with roof slopes that contain 1 or 2 dormer windows.

4. The proposal includes the addition of 2 more dormer windows to the front roof slope of No. 28; one positioned either side of the existing dormer. The 3 closely spaced dormer windows, resulting from the appeal scheme, would dominate the front roof slope of No. 28 and give it a cluttered appearance. The disruption of the symmetrical appearance of the 2-storey elements of Nos. 28 and 29 would further emphasise the incongruous appearance of the extended appeal property. I consider that the roof slope, extended as proposed, would have an obtrusive appearance which would detract from the character and appearance of No. 28, the semi-detached pair of which it forms part and the surrounding area. It would not accord with the Council's *Design Guide-Extending Your Home, 2011*(DG), which indicates that where a dormer is to be built on the front elevation it should be built in proportion to the overall roof size and designed to reflect the traditional style and architectural character of the house.
5. I acknowledge that it would be possible to ensure that the materials used in the external surfaces of the proposed dormers would be in keeping with the existing property, through the imposition of a suitable condition.
6. Nevertheless, I conclude overall, that the proposal would cause unacceptable harm to the character and appearance of No. 28 and the surrounding area. It would conflict with Policy CS15 of the *Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030* as well as Policies EN1.1 and H2 of the *Newcastle upon Tyne Unitary Development Plan, 1998* (UDP), which, between them, require good design, including seeking to ensure that development responds positively to local distinctiveness and character. These Policies are consistent with the aims of the *National Planning Policy Framework* (the Framework), which also promotes good design and the need for development to respond to local character.

Living conditions

7. The facing glazed side panels of the existing dormers of Nos. 28 and 29 are likely to allow overlooking between the two, over a short distance. However, due to the narrow widths of the dormers, it is unlikely that it would be possible to look from one of those dormers into the main area of the habitable room served by the other. Therefore, the existing arrangement is unlikely to have a material detrimental effect on the privacy of residents of either property. The proposal would shorten the distance between neighbouring dormers, thereby increasing the potential for overlooking to a degree. However, it would be possible to safeguard the privacy of the residents of both properties by imposing a condition that requires the glazing in the northeastern elevation of the proposed dormer closest to No. 29 to comprise obscured glass. Nonetheless, in my judgement, this would not amount to an improvement of any significance relative to the existing situation, in relation to which the potential for overlooking is negligible.
8. I conclude overall that, subject to the imposition of a suitable condition, the effect of the proposal on the living conditions of residents of Nos. 28 and 29, with particular reference to privacy, would be acceptable and in this respect it would not conflict with UDP Policy H2 or the aim of the Framework to secure good standards of amenity.

Other matters

9. Whilst the appellant has drawn my attention to a number of properties with dormer windows elsewhere along Heaton Grove and I saw others on neighbouring streets, none are directly comparable to the proposal before me, which would include 3 closely spaced dormer windows in a single front roof slope. Although consistency is desirable, each case must be considered primarily on its own merits and the examples referred to would not justify harmful development at the appeal site.
10. I note that the Council did not receive any consultation responses objecting to the scheme. However, neither this, nor any other matters raised are sufficient to outweigh the considerations which have led to my conclusions on the main issues.

Conclusions

11. Notwithstanding my finding that the effect of the proposal on the living conditions of residents of Nos. 28 and 29 would be acceptable, in my judgement, this would not outweigh the harm that the scheme would cause to the character and appearance of No. 28 and the surrounding area. I conclude on balance, that the proposal would conflict with the Development Plan taken as a whole and there are no other material considerations which indicate that the appeal should nevertheless be allowed. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR