
Appeal Decision

Site visit made on 21 November 2016

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

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

Decision date: 30 November 2016

Appeal Ref: APP/M4510/D/16/3160779

204 Hillsvie Avenue, Newcastle upon Tyne NE3 3LB

- 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 Mr Kevin Jordan against the decision of Newcastle City Council.
 - The application Ref: 2016/0801/01/DET, dated 27 April 2016, was refused by notice dated 14 September 2016.
 - The development proposed is the erection of a two storey extension to side and single storey extension to western elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the application process the scheme was amended. The description set out above reflects the revised description for the proposals. This differs from the original scheme in that the western elevation projection has been reduced to a single storey and the side extension roof has been altered from a gable to a hipped roof. There is nothing before me to indicate that the smaller scheme has been reconsulted upon by the Council. However, given the changes would have a lesser impact on adjoining properties, my consideration of the scheme would not prejudice the interests of neighbours. I shall therefore consider the proposal on the basis of the revised plans which the Council considered in its determination.
3. At the application stage notice was served on Newcastle City Council. I note that at appeal stage the ownership certificate indicates that the whole site is within the appellant's ownership. This may simply represent a change in circumstances. As this matter does not affect the planning decision I have arrived at and as I shall dismiss the appeal little would be gained by seeking confirmation on this matter from the parties.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

5. The area surrounding the appeal site is mainly residential although there are some other uses such as the nearby medical centre. The buildings in this area
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- vary in style but each building group appears to be generally cohesive. The appeal property is an end of terrace dwelling. The terrace has a distinctive style with feature window and gables. Despite the articulation created by those features the terrace has a clear building line to both the front and the rear.
6. To the side of no. 204 there is an area of green space planted with trees and bushes and, beyond this, a footpath linking Hillside Avenue to the access road off Shandon Way. In this locality landscaping is a significant feature of the character of the area and softens the appearance of this urban environment.
 7. The proposed extension, with its westwards projection, would be prominent as the site is open to public view on three sides. The extension would be closer to the public footpath and extend further westwards than the existing dwelling albeit this part would be single storey. Thus, the massing and scale of the scheme, despite its revised form, would have a dominating impact upon the public footpath and detract from the surrounding area. It would also result in the removal of the existing landscaped area to the side of no.204 which would be used to provide external circulation space for this dwelling. This would exacerbate the impact of the proposed side and western extensions because it would make them more visually intrusive.
 8. Moreover, the western projection would be out of character with the distinctive building line at this side of the terrace. Indeed, this part of the extension scheme with its long and shallow mono-pitch roof would appear as a discordant addition that would detract from the cohesive design of the terrace as a whole. This would have a harmful impact on public views of the terrace. Thus, the proposed development would harm the character and appearance of the streetscene and surrounding area.
 9. The harm identified would conflict with policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 which requires that development contributes to good place-making through the delivery of high quality and sustainable design which, amongst other things, responds positively to local distinctiveness and character. It would also conflict with saved policy EN1.1 of the Newcastle upon Tyne Unitary Development Plan (1998) which seeks high standards of design that integrates development into its setting with regard to the scale and pattern of surrounding buildings and spaces. Those concerns accord with the provisions of the National Planning Policy Framework which is clear that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
 10. I appreciate that the appellant feels aggrieved that he altered the original submission to accord with advice given by an officer of the Council. However, that advice is not binding and I must consider the proposal on its planning merits which is what I have done.
 11. For the reasons set out above and having had regard to the matters raised, I conclude that the appeal should fail.

Zoë Hill

Inspector