
Appeal Decision

Site visit made on 10 January 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 18 January 2017

Appeal Ref: APP/A4520/D/16/3164201

4 The Grove, Jarrow, South Tyneside NE32 4RU

- 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 James Hope against the decision of South Tyneside Metropolitan Borough Council.
 - The application Ref ST/0893/16/HFUL, dated 30 August 2016, was refused by notice dated 24 November 2016.
 - The development proposed is a two storey side extension and porch to front of house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I noted that at the time of my site visit a porch extension had been constructed at the front of the appeal property. For the avoidance of doubt however I have determined the appeal on the basis of the submitted plans, as considered by the Council, not what has subsequently been built.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the surrounding area.

Reasons

4. The appeal property is one half of a pair of two storey semi-detached dwellings at The Grove. The pair are in the middle of a row of three pairs of broadly similar properties close to the entrance to The Grove which have a prominent presence within the estate. This is not just due to the direct head-on views afforded of the row upon entering the estate but also from the open area to the rear and properties opposite. The simple proportions of these dwellings, and particularly the spacing and gaps between them, provide a welcome counterpoint to the longer, more regimented terraced rows to the rear and elsewhere within the estate.
 5. The proposal consists of a two storey extension to the side of No 4 with a smaller, projecting ground floor element under a lean-to roof, and a single storey front porch. The side extension would be built directly up to the side boundary with the neighbouring property at No 5, the first floor element of the two storey side extension set back some 2 metres from the front face of the
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- existing dwelling with a ridgeline and front roof plane lower than those of the main house.
6. Policy DM1 of the South Tyneside Local Development Framework Development Management Policies 2011 (DMP) aims to ensure that extensions and alterations to existing buildings are designed to convey sensitive consideration of their surroundings. This is consistent with the National Planning Policy Framework (the Framework) which, as one of its core planning principles, seeks to secure high quality design.
 7. South Tyneside Local Development Framework SPD9: Householder Developments (SPD) provides more detailed guidance in respect of extensions and alterations to dwellings. Section 3.14 of the SPD states that a key objective for side extensions is to achieve subordination and to avoid a visual "terracing effect", where the latter occurs when the spaces between semi-detached or closely spaced detached properties are lost. It goes on to state¹ that a subordinate appearance can be achieved, and terracing effect minimised, by retaining a minimum 1 metre gap between the extension and the side boundary of the property; by providing a minimum 1 metre set back between the front wall of the upper storey and the main front wall of the house; and by providing a significantly lower ridge line and a roof shape that corresponds to the main dwelling.
 8. The proposed extension would comply with the SPD in being both stepped back from the main front wall of the house by 2 metres, and stepped down at roof ridge level. Furthermore, I note that the Council also consider the side extension to be subordinate to the main house in having a lower roof ridge line and being of an appropriate width. I agree.
 9. However, the extension would not comply with the first bullet point of section 7.2 as it would be built up to the side boundary and would not achieve the 1 metre gap required by the SPD. Whilst the SPD recognises that the guidance may not be suitable in all situations and sets out a range of circumstances in which the requirements may be relaxed² the appellant has not advanced an argument that any of these criteria apply. Having viewed the site and the adjacent dwellings, it is clear to me that none of these exceptions apply in this instance. I note that the Council reached the same conclusion in this respect.
 10. The proposal would therefore extend up to the side boundary with No 5, where a single storey side extension already exists, and which is one that already extends up to the boundary with the appeal site. Should that property be extended in a similar manner to the appeal proposal there would be little or no gap between them. Although that dwelling has not been extended at upper floor level, I am not persuaded that in the current instance, the proposed upper floor set back combined with lower ridge height at No 4 would, in the absence of any gap to the common boundary with No 5, be sufficient to safeguard against a terracing effect within the street.
 11. Thus, as I have concluded that the proposed extension would not incorporate sufficient safeguards against the creation of a terracing effect, the erosion of the space around and between Nos 4 and 5 would have an adverse effect on the character and appearance of the area. The proposal would therefore fail to

¹ SPD, Section 7.2, pages 23 and 24

² SPD, Section 7.4, page 25

convey sensitive consideration of its surroundings and would not accord with DMP policy DM1, or with the guidance set out in the SPD. Furthermore, the proposal would not accord with the National Planning Policy Framework as it would not secure a high quality design.

12. The Council have drawn upon section 7.5 of the SPD in seeking an upper floor set-back equivalent to one third the depth of the dwelling. However, it seems to me that section 7.5 is quite clear as to the circumstances in which it should apply, and I am satisfied that those circumstances do not exist in relation to the appeal site. Therefore, whilst I have found that the proposal would result in a visual terracing effect for the reasons I have set out, I have reached that conclusion giving only limited weight to the guidance in section 7.5 of the SPD.

Other Matters

13. My attention has been drawn to a similar extension at another site within the area, and in very general terms to other similar extensions nearby. However, I have not been provided with any of the specific details of the decision making or the circumstances of these developments, and I have in any event considered the proposal before me on its planning merits.
14. I have taken into account all other matters raised by the appellant, who clearly wishes to build the proposal as submitted, and understand the reasons behind the submission of the application. I have noted that there are no other objections to the proposal in terms of the impact upon the amenities of neighbours or highway safety, and that there were no objections from the occupiers of neighbouring properties. However, none of these matters, nor any other factor, carries sufficient weight to change my conclusion in respect of the main issue.

Conclusion

15. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR