



Appeal Decision

Site visit made on 5 December 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 14th December 2017

Appeal Ref: APP/M4510/D/17/3179873

6 Layfield Road, Brunton Park, Newcastle upon Tyne NE3 5AA

- 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 and Mrs Steven Evans against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2017/0564/01/DET, dated 10 April 2017, was refused by notice dated 6 June 2017.
 - The development proposed is replacement of an existing dormer window and construction of a new flat roof dormer window to existing loft.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing dormer window and construction of a new flat roof dormer window to existing loft at 6 Layfield Road, Brunton Park, Newcastle upon Tyne NE3 5AA in accordance with the terms of the application, Ref 2017/0564/01/DET, dated 10 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans The development hereby permitted shall be carried out in accordance with the following approved plans: 328 AL(0) 5; 328 AL(0) 6; 328 AL(0) 13 Rev B; 328 AL(0) 15; 328 AL(0) 16; 328 AL(0) 17 Rev B; and 328 AL(0) 100.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The proposal was amended following submission to the Council but prior to its determination. The changes, shown on amended plans, reduced the size of the proposed dormer window. I am satisfied that all relevant parties have been made aware of the amendments and would not be prejudiced. I have, therefore, determined the appeal on the basis of the amended plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

4. The appeal relates to a two-storey, semi-detached dwelling in a predominately residential area. The area is characterised by inter-war style, two-storey, semi-detached housing. With a repetitive pattern of architectural composition, the properties are red brick with bay windows at ground and first floor level and Mock Tudor gables above. Whilst the appeal property has previously been extended to the side at first floor level and to the rear at ground floor, it retains a hipped roof, a double bay and gable. It therefore makes a positive contribution to the street scene.
5. It is proposed to replace the existing pitched roof dormer window on the rear roof slope with a larger, flat roof dormer. The Council's Extending Your Home Design Guide 2011 (Design Guide) states that, in most instances, it is only appropriate to install a pitched roof dormer on the rear elevation to reflect the character of the property. In this instance, it is proposed to replace the existing pitched roof dormer window on the rear roof slope with a larger, flat roof dormer. Thus, it would not accord with the guidance.
6. Nevertheless, the Design Guide goes on to state that any dormer on the rear elevation should be designed in proportion to the overall size of the roof slope so as to reduce the visual impact whilst it should also be set back into the roof slope and the ridge height should be dropped below the ridge of the original roof so that it appears subservient.
7. The dormer would measure around 2.4m in height and around 3.5m in width. It would also be set back from the eaves, below the ridge and set in some distance from the sides of the roof. A considerable proportion of the existing roof would therefore be maintained unaltered.
8. Moreover, the dormer would use hanging tiles to reflect the existing property, and, whilst I recognise some flat roof dormers in the area were constructed under permitted development rights or predated the introduction of the Design Guide, they are an uncommon feature of the locality. Indeed, I was able to see on my site visit that 2 Layfield Road has a similarly designed flat roof dormer. I note the Council's concern that the windows would not align with existing first floor rear windows or be of the same design. However, aligned fenestration on the rear does not appear a particular characteristic of the property given the previous extensions and alterations nor indeed is there a particular consistency in the design of fenestration to the rear. The proposed windows would be central to the dormer which in itself would be broadly central to the original width of the house.
9. Furthermore, the dormer window would not be readily visible within the public realm. Views would be restricted to adjoining gardens whilst vegetation would largely screen views from the houses to the rear. As a result, I am satisfied the dormer would be a subservient addition to the property and would not appear incongruous or dominant.
10. I conclude, therefore, that the proposal would not have a harmful effect on the character and appearance of the host property and the area. It would, consequently, accord with Policy CS15 of the Planning for the Future: Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) which requires development to contribute to good place making through the delivery of high quality and sustainable design which responds

positively to local distinctiveness and character. It would also accord with saved Policies EN1.1 and H2 of the Newcastle upon Tyne Unitary Development Plan (1998) which require development to relate to the design characteristics of the surrounding built environment and for alterations and extensions to protect the character of the locality and the existing building. Finally, it would accord with the high quality design aims of the National Planning Policy Framework.

Conditions

11. In addition to the standard time limit condition, I consider a condition relating to the approved plans necessary to provide certainty whilst a condition in relation to materials is necessary to protect the character and appearance of the area.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Jason Whitfield

INSPECTOR