



Appeal Decision

Site visit made on 5 June 2019

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2019

Appeal Ref: APP/M4510/D/19/3224117

61 Weidner Road, Newcastle Upon Tyne, NE15 6QR

- 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 Safar Payandeh against the decision of Newcastle City Council.
 - The application Ref 2018/0339/01/DET, dated 8 March 2018, was refused by notice dated 22 January 2019.
 - The development is erection of a single storey extension to side and changes to boundary.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to side and changes to boundary at 61 Weidner Road, Newcastle Upon Tyne, NE15 6QR in accordance with the terms of the application, Ref 2018/0339/01/DET, dated 8 March 2018 and the plans submitted with it, subject to the following condition:
 - 1) Within three months of the date of this decision, the horizontally boarded gate and fence panel on the Weidner Road frontage of the site shall be replaced with a vertically boarded timber fence and/or gate(s), not exceeding the height of those to be replaced.

Procedural Matters

2. The description of the development was amended during the application process to include changes to the boundary. The appellant has not objected to this amendment and has included it on his appeal forms. I have therefore dealt with the appeal on this basis.
3. The extension and boundary changes had already been erected at the time of my visit. I am aware that an enforcement appeal has also been lodged and is being dealt with separately. These matters have had no bearing on my decision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal property is a semi-detached house, located on a corner plot, with its front elevation facing Weidner Road and its side elevation facing Westholme

Gardens. There is a detached garage to the rear served by a vehicular access from Westholme Gardens. Weidner Road slopes down quite steeply from north to south, with the appeal property being located towards the top of the hill. The northern end of Westholme Gardens, which the side of the site faces, is relatively level.

6. The surrounding area is residential in nature comprising several long streets of predominantly semi-detached houses with single storey, flat or mono pitched roof, extensions to the side of and in between properties. Whilst there is a degree of uniformity in terms of the scale and layout of the original dwellings, the street scene is also quite varied in terms of porches, side extensions and boundary treatments. The boundary treatments vary in terms of height and materials but are typically higher on corner plots, particularly adjacent to side and rear gardens.
7. The boundary treatment erected at the appeal site comprises a red brick wall with brick pillars and vertical timber infill panels. There is a pair of vertically boarded timber gates enclosing the vehicular access from Westholme Gardens and a smaller horizontally timber boarded gate and fence panel to the front. With the exception of the horizontally boarded gate and fence panel at the front of the site, the boundary treatment is of good quality design and materials. A condition could be used to ensure the small, poor quality, section of the boundary is replaced, within a reasonable timeframe, with higher quality, vertically boarded gates and/or fencing, that is visually consistent with its surroundings and in particular, the timber infill panels on the rest of the new boundary treatment.
8. The variable height along the Weidner Road frontage is due to the location of the site at the top of a hill. The wall and fencing steps down in line with the level of the land. The boundary is not significantly higher than that of the neighbouring property, which is stepped further down the hillside, and it does not appear excessively high in relation to the ground floor windows in the front of the house, which remain clearly visible above the fence line. The Council also refer to the properties on the other corners of the crossroads having much lower boundary walls/fences. I observed that 42 Weidner Road had a low wall with a high hedge behind it. However, I found that other corner properties had similar walls and fences to the appeal site, which vary in height due to the topography of the area. When viewing the area as a whole, I do not find the boundary treatment of the appeal site to appear dominant or incongruous.
9. Turning to the lean to extension, this sits between a previously approved side extension and the boundary with Westholme Gardens. It has a shallow mono-pitch roof, which only marginally exceeds the height of the boundary fence and it is well below the eaves height of the earlier extension. Although it projects further forward beyond the building line of other properties facing Westholme Gardens, given its limited size and height it is not visually prominent in the streetscene and as such is not harmful to the character and appearance of the area.
10. Furthermore, the building line has already been breached by the approved extension to the appeal property and other side extensions, such as that at 52 Westholme Gardens. I observed during my site visit that most dwellings on corner plots in this area have been extended to the side and have enclosed gardens.

11. Although the combined width of the two side extensions is similar to the width of the original dwelling, they remain subservient to it, due to their single storey nature. Indeed the height and scale of the appeal extension is so limited that it can barely be seen and as such I do not find that it results in a loss of spaciousness, local distinctiveness or character.
12. I therefore find no conflict with policies EN1.1 and H2 of the Newcastle upon Tyne Unitary Development Plan or policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (2015), which seek to ensure new development responds positively to local distinctiveness and character, has regard to the scale and pattern of surrounding buildings and spaces, and relates to the materials and design characteristics of surrounding built development.
13. Whilst I have had regard to the Householder Design Guide (updated February 2011) as a material consideration, this document is informal guidance only, as opposed to part of the adopted development plan, and as such carries limited weight.

Conditions

14. As the development permitted has already been completed, the conditions requested by the Council on the appeal questionnaire are not necessary. However, I have imposed a condition to ensure that the small horizontally boarded fence panel and gate at the front of the site are replaced with vertically boarded fencing or gates, to match the remainder of the boundary. This is to ensure that the development as a whole is of an appropriate standard and quality that reflects the character and appearance of the area.

Conclusion

15. For the reasons set out above I conclude that the appeal should be allowed.

Rachael Bartlett

INSPECTOR