



Appeal Decision

Site visit made on 15 July 2019 by S Witherley BA, PGDiP, PGDiP, Cert CIH, Assoc RTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/H4505/D/19/3227202

Etherley, 17 Marlboro Avenue, Swalwell, Newcastle Upon Tyne, NE16 3ER

- 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 Jack Collins against the decision of Gateshead Council.
 - The application, Ref DC/18/01046/HHA, dated 8 October 2018, was refused by notice 16 April 2019.
 - The development proposed as described on the application form is for a single storey flat roof extension to the side of the property.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The effect of the development on: 1) the character and appearance of the host dwelling and street scene, and 2) the living conditions of occupiers of neighbouring properties having regard to overshadowing and outlook.

Reasons for the Recommendation - *Character and appearance*

4. The appeal property is a detached bungalow with linked flat roof garage located at the top of a steep embankment. The property faces south onto Marlboro Avenue and has a large side garden. The proposal would replace the existing flat roof linked garage with a single storey flat roof extension which would extend out almost double the width of the garage and be set back slightly from the shared boundary to the west. The plans show that the proposal would have a similar height as the eaves of the original dwelling. This would give it an awkward appearance that, due to its width and the mass of the flat roof, would be seen as a bulky and overly dominant addition to the front elevation and would upset the uniformity of the host dwelling.
 5. The appellant maintains that the parapet wall, which is a distinctive feature on the original garage and a common feature seen throughout the street, would be continued along the width of the proposed extension, there are no details of this feature on the submitted drawings. Nevertheless, this design feature would not overcome the visual harm that would be caused to the appeal property as a result of its overall width and flat roof design. The proposal would conflict with the aims of the Supplementary Planning Document – *Household Alterations and extension* (SPD).
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6. It is acknowledged that there were letters in support of the proposal. Nevertheless, the development would be out-of-keeping with the character of the street scene given the overall design of the extension. Due to the harm that would occur to the character of the wider streetscape, the development would not be either outstanding or innovative. I find that the proposal would have a visually harmful effect upon the character and appearance of the host dwelling and street scene. Accordingly, it would not comply with Policy CS15 Place Making of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (2015), and saved Policy ENV3 Character and Design of the Gateshead Unitary Development Plan (2007) (GUDP).

Living conditions

7. The neighbour to the north, No. 15 Marlboro is a two-storey semi-detached property facing east with linked garage to the south. To the west and overlooking the appeal site are the rear elevations and gardens of No. 13, 15 and 17 Grosvenor Avenue. As a result of the staggered rear elevation, the window of the main living area would be set back from the shared boundary which overlooks the rear garden of No.15 Marlboro Avenue. The most direct views from this window would be towards the part of the garden furthest from the dwelling, which is most likely to be used for outdoor activities. There is, however, currently effective screening by a high fence atop a brick wall to this part of the garden which would screen any undue overlooking and maintain the privacy between occupiers of these properties. Given the siting and existing boundary treatments in relation to No.15, it is unlikely that there would be any significant increase in terms of overshadowing to the garden area or indeed the dwelling as a result of the development.
8. In terms of impact upon the other neighbouring occupiers, given the height of the proposal, along with the existing boundary treatments and that the proposal would be set back from the common boundary it would not result in an unduly overbearing or oppressive effect upon these occupiers. As a result of the window placements there would be no risk of overlooking or loss of privacy to these residents.
8. I find that the proposal would not have a materially harmful effect on the living conditions of neighbouring occupiers. Accordingly, the development would comply with GUDP Policy DC2.

Conclusion and recommendation

9. On balance, the finding on the second main issue do not outweigh findings on the first issue. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too concur that the appeal should be dismissed.

A U Ghafoor

INSPECTOR