
Appeal Decision

Site visit made on 8 October 2019 by Ifeanyi Chukwujekwu BSc MSc PIEMA Assoc RTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/A4520/D/19/3233299

25 Hylton Road, Jarrow, NE32 5QX

- 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 Paul Trosh against the decision of South Tyneside Council.
 - The application Ref ST/0150/19/HFUL, dated 25 February 2019, was refused by notice dated 10 July 2019.
 - The development proposed is the erection of side extension and remodelling of existing flat roof to provide gable roof to rear.
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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 Issue

3. The effect of the proposed development upon the living conditions of occupants of no. 23 Hylton Road with regard to outlook and light.

Reasons for the Recommendation

4. No. 25 is a two-storey semi-detached dwelling. No. 23 is also a semi-detached property which lies to the west of the appeal property. The gable elevations of these properties face each other at a slight angle.
5. The proposed two-storey side extension would extend towards the boundary with 23 Hylton Road. The proposed extension would marginally exceed a projection of 3 metres to the side. It also would not have a minimum 1 m gap between the extension and the side boundary of the application site. It would not provide a minimum 1 m set-back between the front wall of the upper storey extension and the main front wall of the host dwelling and would not provide a significantly lowered ridge line and a roof shape that corresponds to the host dwelling. It would not accord with South Tyneside Council's Local Development Framework Supplementary Planning Document 9: Householder Developments (the 'SPD'). Nonetheless, I concur with the Council that, given that the site's corner position with no definable building line, the development would appear subordinate.

6. However, by virtue of its bulk, scale and position the proposed extension would have a detrimental visual effect when viewed from the kitchen window of no. 23, which is an opening to the ground floor gable elevation of this property and faces the appeal site. Given orientation and the juxtaposition of the two properties, the proposed extension would have a negative effect upon outlook because of its scale, massing and proximity. It would significantly reduce the amount of daylight reaching the habitable space. Taken together, the proposed extension, by virtue of its siting, would have an unacceptable overbearing impact on the occupants of no. 23. The development would not meet with the aims and objectives of the SPD.
7. I find that the development would have a materially harmful effect upon the living conditions of the occupiers of no. 23. Accordingly, it would conflict with the objectives of Policy DM1 of South Tyneside Council's Local Development Framework Development Management Policies (2011).

Conclusion and Recommendation

8. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

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

A U Ghafoor

INSPECTOR