



Appeal Decision

Site visit made on 7 January 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th February 2020

Appeal Ref: APP/P2935/W/19/3239489

Westfield, C132 Heps cott Junction to Shadfen Junction, Heps cott, NE61 6LN

- 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 Brooman against the decision of Northumberland County Council.
 - The application Ref 18/04418/FUL, dated 13 December 2018, was refused by notice dated 4 October 2019.
 - The development proposed is new single-storey dwelling adjacent to Westfield, Heps cott.
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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 main issues are:
 - i) The effect of the proposed development upon the character and appearance of the host property and the surrounding area.
 - ii) The effect on living conditions of residents of the proposed dwelling and those of the existing dwelling at Westfield, with particular regard to privacy and overlooking and whether the proposed dwelling would have an overbearing impact when viewed from the existing property.

Reasons for the Recommendation

4. Westfield is a large detached two-storey dwelling centrally located within a sizeable plot. The surrounding area is residential, and the character of the area is derived from low density detached properties with generous wooded garden land.
5. The proposed dwelling would be located upon the existing tennis court in the garden within the residential curtilage of Westfield. By virtue of its elevated position, the garden and tennis court are prominent from the front of the

property and the gardens of Eden Lodge, Magnolia Cottage and The Sycamores amongst other properties, create a run of green space, including some mature trees, which adds significantly to the character of the surrounding area. The open and green character is visible from numerous private vantage points, through gaps in the building line, as well as from public access and the open aspect and greenery are important features in a low-density rural settlement. For the most part the gardens are free from substantial built development.

6. In contrast, the proposal would result in the loss of a significant proportion of the existing green area and the dwelling would take up a large proportion of the available space, being extremely close to the boundaries on the northern side of the site. In contrast to the presently open character of the garden space the development would result in a cramped pattern of development detrimental to the appearance of the host property and the surrounding area. Additionally, the new access track which would require the loss of a few smaller trees and other changes in order to increase the width of the entrance gateway would create further built development that would impact on the natural landscaped character of the existing site.
7. The proposal would have significantly less open amenity space when compared to other dwellings in the area. The lack of space surrounding the property would set it at odds with the prevailing character, reinforcing the impression of a cramped form of development that would appear prominent and represent an incongruous addition to the area.
8. The appellant contends that the curtilage of the proposed dwelling would be broadly similar to average plot sizes in the area. However, little information is provided to enable an understanding of how the appellant's calculations have been derived. My observation on site visit is that the area is characterised by detached properties with generous wooded garden land and, for the reasons given above, the present garden area reinforces and enhances the character of the surrounding area and the development would appear cramped and at odds with the established character. In the absence of any details I cannot compare that impact with the other examples and the site-specific impacts of those developments may not be the same as those in this instance.
9. Taking all the above points together, I find that the design, scale and layout of the proposed single-storey dwelling would harm the character and appearance of the host property and the surrounding area. Accordingly, there would be conflict with the aims and objectives of the National Planning Policy Framework and Policies Set2 and Des1 of the Morpeth Neighbourhood Plan 2011 – 2031 (2016) and policies H11 and H15 of the Castle Morpeth District Local Plan 1991 – 2006 (2003) (the 'LP') which amongst other things seek to ensure new development respects and enhances the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features.

Effect on living conditions of existing and future residents

10. According to drawing M645/04 the proposed single-storey dwelling would be at only 6.5 metres to the current dwelling. However, the proposed dwelling would be at an elevated position from the existing dwelling and drawing M645/05 suggest there would be a wall between the dwellings. It further shows that the rooms which would be otherwise be in view from the first-floor window of the existing dwelling would be utility and storage with no windows. I am also

satisfied that the wall is at a sufficient height and higher than any views from the first floor window to provide a reasonable screen and prevent any significant overlooking into the courtyard or habitable room of the proposed dwelling.

11. However, the fence and the flank wall of the utility would appear imposing when viewed from the existing property due to the height, proximity to Westfield and position on higher ground. As a result, those elements would have an overbearing impact and result in a poor outlook when viewed from windows in the existing house.
12. I find that there would be no harm to the living conditions of future residents of the proposed property with regards to overlooking. Given that the proposal would have an overbearing domineering effect, I find that this would have a detrimental effect to the living conditions of residents of the existing dwelling with regards to outlook. Consequently, there would be conflict with the aims and objectives of the National Planning Policy Framework and Policies Set2 and Des1 of the Morpeth Neighbourhood Plan 2011 – 2031 (2016) and policies H11 and H15 of the Castle Morpeth District Local Plan 1991 – 2006 (2003) (the 'LP') which amongst other things seek to ensure that that the development does not cause an unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

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

Chris Preston

INSPECTOR