



Appeal Decision

Site visit made on 3 February 2020 by S Witherley

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th March 2020

Appeal Ref: APP/M4510/D/19/3241558

25 Highfield Road, Westerhope, Newcastle upon Tyne, NE5 5HS

- 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 Justain Bateman against the decision of the Newcastle upon Tyne City Council.
 - The application, Ref 2019/0718/01/DET, dated 16 May 2019, was refused by notice 1 August 2019.
 - The development proposed as described on the application form is: proposed two storey side extension, single storey rear extension & proposed front dormers/rooms in roof space.
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Decision

- 1) The appeal is allowed and planning permission is granted for a proposed two storey side extension, single storey rear extension and proposed front dormers/rooms in roof space, at 25 Highfield Road, Westerhope, Newcastle upon Tyne, NE5 5HS, in accordance with the terms of the application 2019/0718/01/DET, dated 16 May 2019, and subject to the following conditions:
 - 1) The development, hereby permitted, shall begin not later than three years from the date of this decision.
 - 2) The development, hereby permitted, shall be carried out in accordance with the following approved plans: Amended existing and proposed elevations – received 29/07/2019, Amended existing and proposed floor plan- received 29/07/2019, Amended proposed site plan – received 29/07/2019, Location plan- received 16/05/2019.
 - 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.

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.

Procedural Note

3. Planning permission was granted for extensions and alterations to the appeal property in 2018¹ and copies of the approved plans were sent by the Council at my request. The plans submitted by the Council show a flat roof dormer to the rear of the appeal property.

¹ Application Reference 2018/1423/01/DET

4. At my site visit I noted that a rear dormer was under construction. Whether that structure was the dormer approved in 2019 is not immediately clear from the information before me. However, for the avoidance of doubt, the rear dormer does not form part of the proposal in relation to the appeal before me which has been determined on the basis of the plans submitted with the planning application.

Main Issues

5. The main issues in this case are:
- i) Effect on the character and appearance of the property and the surrounding area, with particular regard to the design and scale of the proposed dormer windows on the front elevation; and
 - ii) Effect on the living conditions of neighbouring and future occupiers of the appeal property with regard to overlooking and privacy.

Reasons for the Recommendation

Character and appearance

6. No. 25 is a traditional two-storey semi-detached dwelling located at the southern end of Highfield Road. The tree lined road contains a mix of house types including detached and semi-detached properties in a wide variety of styles, materials and ages.
7. The proposal seeks a two-storey side extension, single storey rear extension and two dormer windows to the front roof slope. The Council indicates that the proposed dormer windows subject to this appeal would be uncharacteristic of the area and that there are no other examples of front dormer windows within the street. At the time of my site visit, I observed two properties with dormer windows in their front elevations, at Beech House and No. 5 Highfield Road. Whilst these properties are of a different style and design to the appeal property, it is this variety in dwelling style and features that contributes to the overall character and appearance of the street scene.
8. The proposed dormer windows would as a result of their pitched roof design, scale and form appear proportionate to the existing and proposed roof slopes and in keeping with the existing character of the appeal property. Whilst they would appear as an additional element when viewed in relation to the adjoining property, they would not appear as a discordant feature, nor would they create an imbalance between the pair of semi-detached properties. Consequently, the dormer windows would appear in keeping with the style of the original dwelling and that of the adjoining property and would reflect the character and appearance of the wider street scene. The proposal would, therefore, comply with the Development Management, *Extending your home, A design guide series* (2011) (DGS) which states that dormers on front elevations should be built in proportion to the overall roof size and designed to reflect the traditional style and architectural character of the house.
9. The Council is concerned that the proposal would set an unwelcome precedent. However, each case must be considered on its merits. In this case, and having observed other front dormers within Highfield Road, which contribute to the overall character and appearance of the street scene, I conclude that due to their scale and design, the proposed dormer windows would not cause material harm to the character and appearance of the appeal property and surrounding area. The proposed development therefore complies with the National Planning Policy Framework (The Framework), Policy CS15 of the Planning for the Future, Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-30 (2015) (CS) and Policies EN1.1 and H2 of the Unitary

Development Plan (UDP) which collectively seek to ensure that new development meets high standards of design which responds positively to local distinctiveness and character.

Living Conditions

10. The proposed bedroom window of the first-floor side extension has the potential to increase overlooking towards the windows located in the rear elevation of the property at No. 1 Berkshire Close. However, given that No. 1 does not directly face onto the rear of the appeal property, but is set back and to the side, any inter-visibility between the two properties would be from an oblique angle which would be unlikely to give rise to a significant degree of overlooking or loss of privacy to either the occupants of No. 1 or to the occupants of the appeal property. I consider that any degree of overlooking would not be significantly greater than already occurs from the existing rear first floor windows of the appeal property.
11. Representations were received from a neighbour located at No. 27 Highfield Road regarding the potential for overlooking from the proposed side windows. Due to the separation distance between the appeal property and No 27 Highfield Road together with the vegetation on the common boundary, the proposed ground floor windows in the side elevation would not cause material harm to the living conditions of the adjoining occupiers from overlooking.
12. Accordingly, the proposal would not have an adverse effect on the living conditions of adjoining occupiers or the future occupiers of the appeal property with regard to overlooking and privacy. The proposal, therefore, complies with Policy CS14 of the CS, and Policy H2 of the UDP which seek, amongst other things, to maintain and improve the health and wellbeing of residents and to ensure satisfactory living conditions. The scheme would also accord with the provisions of the Framework which seeks to ensure that new development achieves a high standard of amenity for existing and future users.

Conditions

13. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. A condition is necessary for the materials to match those that are used in the existing property to maintain the character and appearance of the area.

Conclusion

14. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

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

Sarah Housden

INSPECTOR