



Appeal Decision

Site visit made on 3 December 2019 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: 2 April 2020

Appeal Ref: APP/M4510/W/19/3238162

1 Meldon Terrace, Newcastle upon Tyne, NE6 5XP

- 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 Damiano Rea of Heaton Property Limited against the decision of Newcastle City Council.
 - The application Ref 2019/0623/01/DET, dated 9 April 2019, was refused by notice dated 15 July 2019.
 - The development proposed is construction of garage and storage area on land to the rear of 1-7 Meldon Terrace, NE6 5X.
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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 main issue is the effect of the proposed garage and storage area upon the character and appearance of the surrounding area.

Reasons for the Recommendation

4. The appeal site is located at the rear of Nos. 1-7 Meldon Terrace. It backs into the rear lane which serves the north side of Meldon Terrace and Jesmond Vale Terrace. Whilst the lane runs to the rear of residential properties it is open to vehicles, fully surfaced, laid out with street markings and contains streetlamps which give the impression of an adopted highway. It is clearly well used and although at the rear any unsympathetic additions would be visible in the public realm.
5. The surrounding area at this rear lane is characterised by residential garages or outbuildings at the rear of Victorian terraced dwellings. There are a few large outbuildings within the rear lane, including the commercial garage directly opposite the appeal site which occupies a substantial red brick building. However, that building, which appears to be of a similar age to the terraced properties is of a distinctly non-domestic scale which sets it apart from the generally smaller domestic garages to the rear of the lane.

6. The majority of garages along the row at the back lane are of approximately similar height and width. The predominant design is also a 'typical' garage flat roof design. It is also notable that garages to the rear of Meldon Terrace are generally smaller than the occasional larger structure to the rear of Rothbury Terrace and a couple of larger structures to the rear of Jesmond Vale Terrace. Meldon Terrace is not directly perpendicular with the lane to the rear and the result is that the gardens become progressively larger as one moves from east to west. The gardens of the properties at the western end of the terrace and the adjoining properties on Jesmond Vale Terrace are long and thin with substantial green space between the garages at the rear and the rear of the dwellings. The depth of the gardens is an attractive and distinctive feature of that particular stretch of properties.
7. The proposed garage and storage area by virtue of its design, scale and massing would appear significantly larger than the majority of detached garages within the curtilage of residential properties in the immediate area, particularly those to the rear of Meldon Terrace. The submitted plans show that the garage would be significantly larger in width and depth than neighbouring existing garages at the rear of nos. 1 and 2 Jesmond Vale Terrace.
8. In particular, the depth of the structure would be notably greater than the adjacent garages and would take up a significant portion of the amenity space to the rear of the adjacent properties and the rear elevation would extend close up to the rear of Nos 3 & 5. That would contrast awkwardly with the prevailing pattern of large gardens between the outbuildings and garages at the corner of the two terraces. Even if the access gates to the side of the structure were closed, the proposal is significantly higher than the access gate and the depth would be visible over the height of the gate specifically from the eastern approach on this back lane. It would be particularly prominent when approaching from the east due to its position on the curve of the lane. The proposed garage which has a gable roof design would also contrast with the predominant flat roof design.
9. Having regard to all of those factors the garage would appear incongruously large in relation to the generally prevailing pattern and would take up a disproportionately large amount of the garden/ amenity space to the rear of the block on account of its depth which would be highly visible from the lane. Its proportions would have a non-domestic scale which would appear at odds with the established character of the area. The scheme would have a visually harmful effect on the appearance of the back lane given the overall design, scale and mass of the garage and storage. It would not integrate well into its setting and would not have a positive relationship with the neighbouring properties within the wider street scene.
10. The appellant has drawn attention to examples of outbuildings which are larger than the typical detached garages, including the structures to the rear of 8 and 9 Jesmond Vale Terrace. However, the comparative images provided are 3-D photographs which are not to scale, and the angle of view does not necessarily give a representative view of the respective depths of the structures. Based on the layout plan and site location plan provided it appears that the depth of the structure would be greater than those outbuildings. Moreover, the Council suggest that those outbuildings may have benefited from permitted development rights such that they were not assessed through a formal planning application. The two structures are larger than the normal garages to

the rear and appear as bulky structures in the street scene. The existence of other poorly scaled historic development in situ is not a strong enough reason to justify further visually harmful development, having regard to the aims of currently adopted policies.

11. As noted above, the existing commercial property directly opposite the site is of a substantially greater scale and not directly comparable to the domestic garages which predominate. Consequently, I do not consider that commercial building sets a precedent for larger domestic structures at the rear of residential properties in the lane. In any event, each application and appeal must be assessed according to its own merits and the appeal proposal has been assessed according to current policy regulation.
12. I note correspondence between the parties as to what size of structure may be considered representative of a 'typical' garage. However, the purpose of an appeal is to consider a specific proposal and it is beyond the scope of my report to comment on the merits of any alternative proposal.
13. For the reasons set out above, I find that the development would cause harm to the character and appearance of the back lane and would be inconsistent with the prevailing size of domestic garages in the area. Accordingly, there would be conflict with the aims and objectives of the National Planning Policy Framework, Policies EN1.1 of the Newcastle upon Tyne Unitary Development Plan (saved 2007), Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) (the 'CS'), which amongst other things seek to ensure that new development integrates with its surrounding setting with regards to scale and pattern of surrounding buildings.

Conclusion and Recommendation

14. 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

15. 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