The Planning Inspectorate

Appeal Decision

Site visit made on 30 June 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2020

Appeal Ref: APP/P2935/W/19/3237837
4 Prospect Close, Felton, Morpeth NE65 9PL

- 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 Keith Bates against the decision of Northumberland County Council.
- The application Ref 19/00007/FUL, dated 2 January 2019[1], was refused by notice dated 3 July 2019.
- The development proposed is alter loft space to two bedrooms.

Decision

1. The appeal is allowed, and planning permission is granted for the alteration of loft space to two bedrooms at 4 Prospect Close, Felton, Morpeth NE65 9PL, in accordance with the terms of the application 19/00007/FUL dated 2 January 2019 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 approved plans: Proposed Site Plan, Proposed Ground and First Floor Plan, Proposed Front Elevation (South East Facing) and Proposed Side Elevation (North East Facing), Proposed Roof Plan and Proposed Rear Elevation (North West Facing) and Proposed Side Elevation (South West Facing).

   3) Prior to the application of any external finishing materials on the exterior surfaces of the dormer hereby approved details of the materials shall be submitted to and agreed in writing by the LPA. Thereafter the development shall be completed and maintained using the agreed material specification.

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.

[1] Taken from Appeal form as application is not dated.

Procedural Matters

Planning Policy

3. According to the officer report the emerging Northumberland Local Plan (the ENLP) is at the submission stage. However, it is not clear if there are any outstanding objections to it and it has yet to be examined by an Inspector. Consequently, in line with paragraph 48 of the National Planning Policy Framework (the Framework), little weight can be given to the ENLP in the determination of this appeal.

4. The development plan for the area is made up of the Alnwick District Wide Local Plan (1997) (the LP) and the Alnwick District Local Development Framework: Core Strategy Development Plan Document (2007) (the CS). Those plans are of some vintage and both pre-date the publication of the Framework. However, the policies mentioned in the reasons for refusal are consistent with the Framework and in accordance with paragraph 47 of the Framework are given considerable weight in consideration of this appeal.

Main Issues

5. The appeal site is located within the Felton Conservation Area (the 'CA'). The main issues are: 1) whether the proposed development would preserve or enhance the character or appearance of the CA; and 2) the effect of the proposal upon the living conditions of occupants of 17 Park View, having particular regard to overlooking and privacy.

Reasons for the Recommendation

Character and Appearance of the CA

6. No. 4 is a detached bungalow located at Prospect Close which is a cul-de-sac off Main Street in Felton and is situated within the boundary of the Felton Conservation Area (the CA). The CA encompasses much of the historic section of the village which is a linear settlement set to either side of Main Street. It is characterised by two-storey terraced buildings built up to pavement with roofs parallel to street and chimneys on ridge line. The predominant building material is local stone but there are some rendered properties.

7. Prospect Close is a modern cul-de-sac which was constructed on a backland site formerly used as a lorry park. The layout, with properties randomly sited around a central turning area does not reflect the linear pattern of the rest of the CA and the small estate appears as a modern addition that is not reflective of the overarching character of the CA. However, the entrance to the estate is well concealed between modern dwellings which front onto Main Street, in accordance with the established pattern. Consequently, the properties to the rear do not impinge on views from Main Street and the estate can be regarded as having a neutral impact on the character and appearance of the area. The appeal property is situated in the rear corner of the cul-de-sac such that it is not visible from wider vantage points beyond the small estate. Its modern design and layout is such that it does not contribute positively to the character of the CA but has a largely neutral impact.

8. The proposed development would be located at the rear of the property, and there would be no change to the front elevation of the property which is viewed on Prospect Close. Consequently, the proposal would have little impact within

the wider CA and would not alter the prevailing character on Prospect Close. When viewed from within the cul-de-sac the profile of the roof would be retained would appear largely unaffected. Although the dormer would be substantial in size, it would be set down from the ridge, set in from each end of the dwelling and set back behind the eaves, such that the original roof form of the dwelling will still be apparent. Having regard to those matters, the modern design of the existing property and the discreet location, the proposal would not cause harm to the character and appearance of the dwelling or the wider area.

9. Whilst the Council has expressed an objection 'in principle' to any roof alterations I am required to assess the specific impact of the proposal on a case by case basis. For the reasons given the proposal in this instance would not cause harm to the character and appearance of the property and would preserve the key features and character of the CA. It does not follow that an approval would set a precedent for further roof alterations because each proposal would need to be assessed on its merits and the discreet location of the extension at the rear and the specific design have had a significant influence on my assessment.

10. Taking all the above points together, I find that the proposal would preserve the character or appearance of the CA and would conform with the aims and objectives to the Framework and Policies S16 and S15 of the CS and BE8 of the LP which seek amongst other things to ensure that new development achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials and take full account of the need to protect and enhance the local environment having regard to their layout, scale, appearance, access and landscaping.

Living conditions at 17 Park View

11. The proposed bedrooms would have windows at the rear facing onto the rear garden. 4 Prospect Close shares a boundary at the rear with the garden at 17 Park View. Though this property is at a lower elevation than the appeal property, both gardens are reasonably well screened by mature vegetation. The rear garden at the appeal property is reasonably sized which would create some distance from the proposed rear windows to the boundary. As such, though the proposal might afford some degree of view, this would be filtered by vegetation and would be no worse than could be reasonably expected in a built up area where some degree of overlooking from upstairs windows into adjacent gardens is not uncommon. As such, the proposal would not result in any significant loss of privacy.

12. I find that the proposal would not have any significant adverse effect on the living conditions of occupants of 17 Park View with regards to outlook and privacy and would conform with the aims and objectives of paragraph 127 of the Framework which seeks to ensure that new development create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The Council hasn't referred to any local policy relating to living conditions.

Conditions

13. Other than the statutory condition relating to the commencement of work it is necessary, in the interests of clarity, to attach a condition to ensure that the

development is constructed in accordance with the plans submitted with the application. The Council has suggested a condition which requires samples of external finish materials be submitted in the interest of obtaining a satisfactory finish to the development in keeping with the character and appearance of the listed structure. Whilst I agree that details of materials should be agreed to ensure a satisfactory appearance, I am not satisfied that physical samples need to be deposited and details could be agreed through submission electronically and/ or in writing. As such, I have amended this condition accordingly. No other conditions have been suggested and I am satisfied that none are necessary.

Conclusion and Recommendation

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

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 allowed.

Chris Preston

INSPECTOR