
Appeal Decision

Site visit made on 27 July 2020

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2020

Appeal Ref: APP/M4510/D/20/3255424

40, Stocksfield Avenue, Fenham, Newcastle-upon-Tyne NE5 2DX

- 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 Qisar Khan against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2020/0147/01/DET, dated 16 January 2020, was refused by notice dated 11 June 2020.
 - The development proposed is described as a 2 storey side extension, ground floor rear extension, porch to front.
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Decision

1. The appeal is allowed, and planning permission is granted for a 2 storey side extension, ground floor rear extension, steps and front porch at 40, Stocksfield Avenue, Fenham, Newcastle-upon-Tyne NE5 2DX in accordance with the terms of the application, Ref 2020/0147/01/DET, dated 16 January 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing Site Plan, Proposed Site Plan Rev A and Proposed Plan and Elevation Rev A submitted 1 March 2020.
 - 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.

Procedural Matters

2. The description of development on the decision notice differs to that cited on the planning application form. I have used the former description in paragraph 1, with the exception of some superfluous wording, as this accurately describes all of the components shown on the proposed plans.
3. It has been drawn to my attention that since the Council made their decision, an emerging development plan has been adopted and Policies EN1.1 and H2 have been superseded. I am satisfied that the appellant was aware of this change in making the appeal. Therefore, the appeal proceeds on that basis.

Main Issue

4. The main issue is the effect of the proposed 2 storey side extension on the character and appearance of the host property and wider area, with particular regard to design and scale.

Reasons

5. This well-established residential area is characterised by evenly spaced brick built semi-detached properties, more often connected by their side garages and any subsequent first floor extensions. Bay windows and hipped roofs are distinct design features. Front gardens and driveways tend to face onto the public highway and are enclosed by a low means of boundary treatment. The appeal site is set within a corner plot on the junction between Stocksfield Avenue and Rothley Avenue and as such, enjoys a more generous plot width and spacing with its neighbour, No 42 Stocksfield Avenue. Notwithstanding the more exposed corner position, the side and rear garden areas enjoy a degree of seclusion from both Rothley Avenue and Stocksfield Avenue given the presence of a hedgerow of a substantial height and density and partition fence.
6. From my site inspection, it is evident that extending to the side of properties has been a common means of increasing living accommodation in the area. The appeal proposal would have a stepped ridge and recessed first floor elevation. I observed that such measures have been employed on other extensions in the area to varying degrees. The levels proposed in this instance would not be inconsistent with these and would enable the proposal to be distinguished from the host dwelling, thereby conveying an adequate degree of subservience.
7. Furthermore, the appeal proposal would incorporate many of the positive design characteristics of both the host property and its neighbours, including its hipped roof, bay windows, vertical proportions and materials of construction. Contrary to the Council's assessment, I find that the proposed porch and bay window features would not neutralise the intent of these design measures. Rather, these features would serve to successfully break up the expanse of the front elevation, present an appropriate degree of symmetry and rhythm with the host property, adjoining dwelling and wider street scene and distract attention from its more generous width than the norm for the area.
8. Overall, a reasonable level of private amenity space would be retained, and the proposal would not have a cramped disposition within the plot. The areas of the plot that would accommodate the proposal do not significantly contribute to the sense of openness in the current street scene at ground floor level given the nature of the existing boundary treatment. Furthermore, an intervening area of side garden would be retained between the appeal proposal and the public footpath which serves Rothley Avenue. I find that these, combined with the width of the intervening public highway and positioning of No 42, would mean that the sense of space and openness of this part of the street would not be eroded to an extent that would adversely alter that positive characteristic of the street scene.
9. I agree with the Council's assessment of the relationship of the proposal with the building line with No 41 Rothley Avenue. Given the changes in levels between streets, I observed that the rear elevation of the proposed side extension would be read against the existing built form of properties on the opposite side of Stocksfield Avenue when viewed from Rothley Avenue.

Therefore, the vista and sense of openness from that part of the street scene would not be significantly interrupted by the presence of an extension of the scale and width proposed.

10. The Council has raised no objections to the front porch or rear single storey extension and, subsequent to my site inspection, I have no reason to find otherwise.
11. Consequently, I do not find that the design and scale of the appeal proposal would be such that it would represent over development of the dwelling or plot. Neither would it cause a noticeable imbalance in symmetry with the host property, its adjoining neighbour, nor No 41, Rothley Avenue. Furthermore, I do not find that it would adversely disturb the pattern of development of the street scene.
12. For the reasons given, I do not find that the proposed two storey side extension would be harmful to the character and appearance of the host property and wider area, with particular regard to design and scale.
13. The Council's 'Extending Your Home' Householder Design Guide' advises on how side extensions should be designed to be subordinate to the original dwelling and avoid a terracing effect. The degree of set-back required will depend upon the potential for terracing, amongst things, and the extension should be in proportion to the original house. In the absence of harm, I find no conflict with this guidance.
14. Policy CS15 of the 'Core Strategy and Urban Core Plan for Gateshead and Newcastle-upon-Tyne (2010-2030)' requires development to respond positively to local distinctiveness and character. Policy DM23 of the Council's 'Development and Allocations Plan (June 2020)' states that development will be required to provide a high quality environment and protect the distinctive character of existing buildings and the surrounding area with respect to the design, scale and materials used. Although not cited within the decision notice, my attention has also been drawn to Policies CS14 and DM20. Policy CS14 seeks to maintain and improve wellbeing and health. Policy DM20 sets out design criteria that includes taking advantage of positive site features, making efficient use of land, taking account of the character of the area and location and using materials appropriate to the characteristics of the area. In the absence of any harm, I find no conflict with any of these policies.

Conditions

15. In addition to the standard time limit, a condition specifying the approved plans is necessary to provide certainty. I have imposed a condition specifying materials as this is necessary to safeguard the character and appearance of the host property and wider street scene.

Conclusion

16. For the reasons set out above, the appeal should be allowed subject to the conditions identified.

C Dillon

INSPECTOR