

Appeal Decision

Site visit made on 12 January 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/M4510/D/20/3261218

20 Stanley Grove, Newcastle upon Tyne NE7 7RA

- 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 Steven Sibley against the decision of the Newcastle City Council.
 - The application Ref 2020/0302/01/DET, dated 17 February 2020, was refused by notice dated 30 July 2020.
 - The development proposed as described on the application form is: The existing dwelling has a single storey lean-to that extends beyond the side elevation of the dwelling by approximately 1.2m. The proposal seeks to demolish this lean-to and replace with a two-storey extension, extending by 3.8m beyond the side elevation of the existing main dwelling. The proposal shall match the proportion and balance of the original dwelling and shall be visually subordinate to the main dwelling. The front walls of the extension shall be set back from the existing dwelling and the roof of the extension shall have a lower ridge height than that of the existing dwelling. The eaves, pitch angle, shape and materials of the roof on the extension shall match the existing dwelling. The bricks to the extension shall be of the same size as the existing dwelling and shall match the existing as close as is reasonably practicable. The existing brick course line shall be maintained.
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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 effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons for the Recommendation

4. No. 20 is a semi-detached dwelling located in a residential area which contains a mix of detached and semi-detached properties. The pattern of housing is set back from the highway providing a noticeable spaciousness to the street scene. This is particularly evident where Stanley Grove forms a broad crossroads with Carol Gardens and Dovedale Gardens. Housing is set back on all corners to the crossroads, reinforcing the openness, of the corner plots, particular as all four corner properties are aligned with each other. Similarly, as part of the established pattern of development the semi-detached properties along Stanley
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Grove follow a distinct building line which provides a uniformed and pleasant rhythm to the streetscape.

5. An existing single storey lean-to addition covers a small portion of the original flank wall. This side addition appears to have a similar projection as the surrounding bay windows that are features upon the flank walls of other corner properties overlooking Carol Gardens. I observed a number of properties along Carol Gardens have been extended at the side with modest single storey extensions. Despite these additions, the form and scale of the original building and the distinct building line, particular the strong building line at first floor, along this side street remains clearly discernible.
6. The proposed two storey extension would extend out into the side garden with the proposed width appearing as more than half the width of the original dwelling. Although the hipped roof would be stepped down from the original roof and the front elevation would be marginally set in from the front of the property the scale would be substantial in comparison to the existing dwelling and other modest extensions in the area.
7. As a result of its width, bulk and form, the proposal would appear as an overly dominant and protruding feature on this corner location. The proposal would thereby appear as a dominant addition to the original dwelling, rather than a subordinate one. This would result in the existing balanced appearance of the pair of semi-detached properties being significantly undermined and the pleasant rhythm along this section of Stanley Grove being irreversibly altered.
8. Furthermore, the openness and spaciousness that currently exists along this part of Carol Gardens along with the distinct building line, particularly at first floor, would be lost to the detriment of the areas open character and appearance. Accordingly, the proposal fails to comply with the guidance contained within the Councils Design Guide Series *Extending Your Home* 2011. The aim of which seeks proposals located on corner plots to retain an open aspect and to ensure that development matches the proportions and balance of the original house, thus appearing subordinate to the original dwelling.
9. Having regard to the above, the proposal also fails to comply with the aims of the National Planning Policy Framework (the Framework) which seeks proposals to be sympathetic to the areas local characteristics. Whilst its design, including the proposed bay windows, and use of materials are similar to the original dwelling, these factors alone do not override the significant harm that would arise as a result of the loss of openness and the unbalanced appearance of the existing pair of semi-detached properties as a result of the scale and form of the proposal.
10. The proposal would harm the character and appearance of the appeal property and the surrounding area, therefore, does not accord with Policy CS15 of the Gateshead and Newcastle upon Tyne Core Strategy and Urban Core Plan Development 2010 – 2030 (2015) (CUSP) and Policies DM20 and DM23 of the Development and Allocations Plan 2015 – 2030 (2020), which seek to secure development that responds positively to local distinctiveness.

Other Matters

11. The appellant has referred to No. 19. Ribbledale Gardens and states this development has breached the building line along Carol Gardens, therefore setting a precedent. As noted above, it is accepted that there are a number of single storey developments and existing projecting bay windows that project forward from the flank wall of properties overlooking Carol Gardens. These additions, however, appear in the main to be single storey and do not cover the entire flank wall, appearing subordinate to the original dwelling, and bearing no comparison with the proposal before me. The development at No.19 Ribbledale Gardens, in my opinion, does not therefore set a precedent. In any case, each proposal is considered on their own individual merits and circumstances.
12. A number of other examples¹ have also been referred to, however, these appear to have been constructed many years ago and significantly prior to the adoption of the CUSP. Therefore, I cannot be certain that the planning policy situation was comparable and no details regarding those applications and the way they were considered have been submitted to enable a clear comparison.
13. Similarly, no specific details of the planning history have been provided of the other examples of two storey side extensions in the wider area, including those on corner plots. However, there are no other two storey corner extensions which overlook Carol Gardens. I have considered the proposal in its specific context and found for the above reasons that the existing openness and uniformity of the pair of semi-detached properties enhances the character of the area. Therefore, whilst there may be other examples elsewhere, I have limited information regarding those applications and their presence does not alter my conclusions on the harm that would be caused in the vicinity of the appeal site.
14. Whilst I appreciate the appellant's need for additional accommodation and his long-standing connections with the house, little weight can be attached to such personal circumstances which will seldom outweigh more general planning considerations.

Conclusion

15. I have found that the proposed development would harm the character and appearance of the appeal property. The proposal conflicts with the most relevant policies in an up to date development plan. No material considerations have been identified which would out-weigh the harm identified and warrant granting planning permission for the proposal which does not comply with the development plan. Paragraph 12 of the Framework states that the presumption in favour of sustainable development does not change the status of the development plan as the starting point for the decision and proposals that conflict with the policies of an up to date plan should not usually be granted.
16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Inspector's Decision

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

¹ Examples No. 1, 2 3, 4, 5,6,7,8,9,10,12,16,17,18.

Chris Preston

INSPECTOR