
Appeal Decision

Site visit made on 27 January 2021

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th February 2021

Appeal Ref: APP/H4505/D/20/3260132

6 Coalway Lane, Whickham NE16 4BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr P Churnside against the decision of Gateshead Council.
 - The application Ref DC/20/00438/HHA, dated 3 June 2020, was refused by notice dated 27 August 2020.
 - The development proposed is described as a first-floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect that the proposed development would have on the character and appearance of the streetscene.

Reasons

3. The steeply inclined road in which the appeal property is located comprises bungalows on one side and 2-storey dwellings with a saw-tooth style roof arrangement on the other. Each of the bungalows is arranged so that it is slightly off-set such that the end elevation does not run flush with its neighbour. In between each bungalow and attached to the side elevations of the host and the neighbour is a single storey single garage set back several metres from the front of the dwelling. The road is not subject to any protective historical or environmental designations.
4. When viewed from the front the appeal property has been altered through the incorporation of a single storey extension at the front and a slightly raised roof. In other respects, however, its front elevation is essentially the same as those of the other bungalows in the road. The proposed development comprises the construction of a first-floor extension above the garage of No. 6 adjacent to its neighbour at No. 4. It would accommodate an en suite bathroom for an existing upstairs bedroom.
5. The first-floor extension would be set back from the front of the host dwelling and from the front of No. 4 by around 3 metres and 1 metre respectively. It would project forward of the host garage by around 3 metres. A narrow gap of around 0.5 metres would separate the proposed extension from the side elevation of No. 4. Although the roof would run flush with the host dwelling, by virtue of its set back and its modest size the extension would still be subordinate to the existing property.

6. A previous proposal for a first-floor side extension was larger in size than that subject to this appeal. That proposal was refused by the Council whose decision was upheld on appeal.¹
7. Council policy for householder extensions is set out in Household Alterations and Extensions Supplementary Planning Document 2011 (SPD). This document emphasises the importance of retaining spaces between dwellings and avoiding large 2-storey or first-floor side extensions. It considers that these might lead to a loss of uniformity that characterises the existing pattern of development and the creation of an undesired terrace-effect.
8. The garage belonging to the dwelling on the other side of the appeal property has been extended through the addition of a pitched roof. However, it is set down from the ridge and the additional space which this roof has created would be much more modest than the proposal subject to this appeal. As a result, the gap separating the two adjacent dwellings has been largely maintained.
9. There are one or two other dwellings of a similar architectural style within the wider neighbourhood that have been extended to the side at first-floor level. These include No. 2 Church Rise which runs parallel with Coalway Lane. No details have been provided about that property's planning history and so it is not possible to comment as to how that development has been brought forward. Moreover, and in any event, each application is treated on its individual merits and so one decision does not set a precedent binding the determination of future proposals.
10. Although smaller in scale than the proposal considered at the previous appeal the current scheme would still be large enough to result in most of the gap above the garage between the two neighbouring properties being filled in. Consequently, there would still be a terrace effect created by the proposed development. Furthermore, whilst the proposed narrow separation between the first-floor extension and the neighbouring wall might be intended to prevent this terrace effect, it would look rather contrived and odd and simply serve to draw more attention to the extension.
11. The development would disrupt the regular pattern of gaps between dwellings that has been established and maintained on that side of Coalway Lane. Although the Government has attached a high importance in both the National Planning Policy Framework ('the Framework') and since, in response to Covid-19, to approaching development in a positive way this is still subject to the need to protect the character and appearance of neighbourhoods.
12. For the foregoing reasons the proposed development would harm the character and the appearance of the streetscene. It would therefore fail to accord with Policy CS15(1)(i) of Planning for the Future: Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne 2010-2030 2015 which seeks to ensure that new development responds positively to local character and distinctiveness. Furthermore, it would fail to accord with Saved Policy ENV3 of the Gateshead Unitary Development Plan 2007 (UDP) which seeks to ensure that development respects established design principles and is sensitive to the relationship between buildings.

¹ See APP/H4505/D/18/3216576

13. It would also fail to accord with the advice set out in the SPD that side extensions should respect the spaces between buildings and avoid creating a terrace effect. Although this document is quite old it should still be accorded considerable weight since it expresses the design principles set out in Saved Policy ENV3 of the UDP which is still part of the Development Plan.
14. Finally, it would fail to accord with the advice set out at Paragraphs 127 and 130 of the Framework that new development should be visually attractive, maintain a strong sense of place by respecting the arrangement of streets and spaces and should take account of local design standards set out in Supplementary Planning Documents.

Conclusion

15. For these reasons the appeal should be dismissed.

William Walton

INSPECTOR