



Appeal Decision

Site Visit made on 9 March 2021 by S Witherley CIHCM MRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2021

Appeal Ref: APP/M4510/W/20/3263307

34 Huntingdon Close, Newcastle upon Tyne NE3 2XY

- 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 & Mrs David & Joanne Grey against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2020/0356/01/DET, dated 28 February 2020, was refused by notice dated 25 September 2020.
 - The development proposed is Erection of a new dwelling within the large garden area.
-

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 1) the character and appearance of the appeal property and surrounding area and 2) the living conditions of the occupiers of No. 34 and nearby neighbours with respect to noise and disturbance and their outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal site comprises a detached dwelling with a large side garden with shared access leading to off street parking.
5. It sits within an estate where there is a limited range of house types which primarily includes detached two storey properties, similar to No. 34, semi-detached properties and dormer bungalows with long flat roof dormers which sit entirely on the front and rear roof planes. A number of properties share vehicle access which lead to private off-street parking. Plot sizes vary throughout the estate as a result of modifications and infill development. Nevertheless, No. 34 stands out from its neighbours due to its large side garden which provides an open and spacious aspect between the house and the neighbouring properties to the south which contributes positively to the character and appearance of the area.
6. The proposed 4-bedroom dwelling would be located in the side garden of No. 34. It would provide accommodation over two floors with the first floor partly

contained in the roof space. It would be rectangular in form and would sit back in the plot with its long axis running north to south. Whilst its ridge line would sit lower down than No. 34, its overall footprint would be larger, thereby appearing as a large and prominent dwelling in this location. Furthermore, although its footprint may be comparable to some other houses nearby, such as No. 30, the footprint of those houses includes a number of single storey elements, whereas the proposal would be wholly two-storey.

7. Despite adequate space to create a small garden at the rear, which as a result of its size would be comparable with others in the area, the overall prominence of the proposed dwelling would be exacerbated by its siting close to the shared boundary with No. 34.
8. Its design would feature a traditional pitched roof with dormer inserts upon the west facing roof plane. However, its eaves would not reflect those of the dormer bungalows at Nos 36 and 38, nor those of the two-storey host dwelling. As such the proposal would be neither discernible as either a dormer bungalow or a two-storey dwelling. As a result, its hybrid design would appear at odds with the areas prevailing house typography and its incongruous appearance and form would be further accentuated by its contrasting ridge line which would run in the opposite direction to all of the adjoining neighbouring ones.
9. A central floor to ceiling glazed atrium would sit upon the east facing elevation. This would create a principal façade that would have a somewhat contemporary appearance particularly when viewed against the unassuming and somewhat traditional style of the surrounding properties. Despite this, the lack of any other first floor windows on the front wall of the dwelling would result in a greater solid to void ratio which would appear at odds with the surrounding properties where the distribution and the proportion of walls and window openings are more evenly distributed. As such the proposal would appear markedly different and incongruous with the surrounding dwellings in this part of the estate.
10. Despite the proposal being set back and located behind No. 36, it would be highly visible from various viewpoints in and around the estate and along Brunton Lane. Thus, as a result of its design, scale and siting it would draw the eye and not only would it have a detrimental effect on the character and appearance of the area, it also would irrevocably diminish the existing open and spacious character of the site.
11. On this main issue the development would harm the character and appearance of the host property and surrounding area and as such would conflict with the Planning for the future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-30 (2015) (CS) Policy CS15 and the Development and Allocations Plan 2015 – 2030 (2020) (DAP) Policy DM20 which seek to secure high quality design that responds positively to the character and local distinctiveness of an area.

Living Conditions

12. The existing shared access to No. 34 would be used to allow access for off street parking for up to four vehicles. This area would be located adjacent to the shared boundary with No. 36.

13. Shared access, as noted above, is a common feature throughout the estate with parking and vehicle access being located close to dwellings. Whilst the proposal would create an additional driveway, forecourt and parking areas, the residential nature of the proposal would have little if any additional impact in regard to vehicle noise from comings and goings, than is currently experienced by residents within the surrounding area.
14. The proposal would result in a development of significant bulk which would project further towards the neighbouring properties to the south. The proposed dwelling would be set back from the shared boundaries to the south with the separation distance been confirmed by the appellant as 13.5 metres from the existing building lines at the first floor of Nos. 48 and 59 and 8 metres from their respective ground floor rear extensions. The appellant has provided an extract of the Development Control Policy Statement *Spacing Standards for Residential Development* which advises a separation distance of 12.5m should be maintained. I attach limited weight to this document as it is unclear what its status is. Nonetheless, it is clear that due to the distance of 8m between the development and the ground floor extensions of the neighbouring properties, the proposal would not meet the advice in this document and the presence of the existing boundary treatment would not fully mitigate this. As such, the proposal would, as a result of its height, breadth and form, present as an overbearing and dominant feature when viewed from the rear of these neighbouring properties. This would significantly reduce the outlook from these neighbouring rear windows resulting in an unacceptable overbearing and unneighbourly impact on the occupants of these properties.
15. On this main issue whilst it is considered that the proposal would not harm the living conditions of the occupiers of No. 34 in respect of noise and disturbance, it has been found to cause harm to the living conditions of the neighbours to the south with respect to outlook, and significant weight has been attached to this harm. The proposal therefore does not comply with Policy CS 14 of the CS and DM23 of the DAP which seek to prevent negative impacts on residential amenity.

Other Matters

16. There have been a number of objections from nearby residents which include access issues, traffic safety, parking, design, loss of privacy, noise and disturbance. A number of these issues have been addressed in the reasons above and given the above findings it is not necessary to conclude on matters outside of the main issues.

Conclusion and Recommendation

17. The proposal has been found to harm the character and appearance of the area and the living conditions of neighbouring occupiers in terms of outlook. This outweighs the lack of harm found in regard to the living conditions of neighbouring occupiers with regard to noise and disturbance. For the above reasons and having had regard to all other matters raised, it is recommended that the appeal should be dismissed.

S Witherley

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR