



Appeal Decision

Site Visit made on 24 May 2021

by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2021

Appeal Ref: APP/M4510/D/21/3268751

13 Elmfield Grove, Newcastle Upon Tyne NE3 4XA

- 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 Persepolis Architecture Ltd against the decision of Newcastle Upon Tyne City Council.
- The application Ref 2020/1590/01/DET, dated 14 October 2020, was refused by notice dated 21 January 2021.
- The development proposed is described as Loft conversion including internal alterations to ground and first floor. Ground floor alterations include conversion of garage and utility room into a kitchen, pantry and utility room with front extension and new covered porch. Relocation of study on first floor to allow stair up to loft conversion. New en-suite to front bedroom. New bedroom with en-suite, dressing room, and store within loft conversion including large front dormer.

Decision

1. The appeal is dismissed in so far as it relates to the installation of a dormer window to front. The appeal is allowed in so far as it relates to 3no rooflights to rear to create loft conversion, single storey extension to front including canopy above front entrance and new roof to bay window, creation of first floor Juliet balconies to front and rear and alterations to existing elevations at 13 Elmfield Grove, Newcastle Upon Tyne NE3 4XA, in accordance with the terms of planning application Ref: 2020/1590/01/DET, dated 14 October 2020 so far as relevant to that part of the development hereby permitted and 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: A-198-0920-01B, A-198-0920-02B, A-198-0920-04B, A-198-0920-05B, A-198-0920-06B, A-198-0920-07B, A-198-0920-08B, A-198-0920-09A so far as relevant to that part of the development hereby permitted.
 - 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.
 - 4) The flat-roof areas atop the proposed front extension and existing rear extension hereby permitted shall not be accessed for use as a balcony or similar amenity area.

Procedural Matter

2. The description of development in the banner heading above is taken from the application form. However, I have used the description of development in the Council's decision notice in the decision above as it is more precise.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property is a two storey, semi-detached house in a residential area where there is a broad range of property types and designed including others that have been altered and extended. The proposal included various elements including internal alterations, Juliet balconies and roof lights, none of which the Council has raised an objection to. I have no reason to disagree with this view.
5. The points of contention between the parties relate to the proposed dormer and extension to the front elevation. The front extension would consist of a new box window which would replace the existing garage door projecting around 675mm onto the driveway. A canopy roof would form the roof of the new box window, extending across the front elevation of the property and terminating above the existing box window at the other side of the front door.
6. The addition of the new front window and canopy would undoubtedly alter the appearance of the semi-detached pair. However, the modest scale, use of matching materials and general variety of property styles and designs in the vicinity means that it would not appear out of keeping. Accordingly, I do not consider that the proposed canopy or small front extension would result in harm to the character and appearance of the host property or surrounding area.
7. The proposed dormer would be positioned on one side of the principal roof, close to the adjoining property. It would have similar pitched roof to that of the host property and would be set in from the property boundary, ridge and eaves. Notwithstanding this, a dormer in this position on the principal elevation would not reflect the character of the property or the surrounding area. In a location where there is a consistency of simple roof lines, particularly amongst the semi-detached pairs similar to the appeal property, the introduction of a dormer would stand out in the street scene as an unduly prominent and incongruous feature that would detract from the character and appearance of the host building and the local area.
8. In this regard the proposal would be contrary to the character and appearance requirements of Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2015 and Policies DM20 and DM23 of the Newcastle upon Tyne Development and Allocations Plan 2020.

Conditions

9. Planning permission is granted subject to the standard three year time limit condition. In the interests of certainty it is necessary that the development shall be carried out in accordance with the approved plans.

10. The Council has suggested a condition that would restrict the use of the flat roof areas outside of the proposed Juliet balconies. I concur that in the interests of the living conditions of neighbouring occupiers it is necessary in order to prevent overlooking.

Conclusion

11. The proposal consists of several elements. The elevational alterations, roof lights, single storey front extension, canopy and Juliet balconies are acceptable and comply with relevant planning policies. These parts of the development are clearly severable from the remainder of the scheme, as they are physically and functionally independent. Therefore, I shall issue a split decision in this case, and allow these elements.
12. In respect of the front dormer, I have concluded that this element would have a detrimental impact on the character and appearance of the property and surrounding area, therefore, I dismiss the appeal in respect of the front dormer.

J Hunter

INSPECTOR