



Appeal Decision

Site Visit made on 24 August 2021

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2021

Appeal Ref: APP/M4510/W/21/3278185

447 Salters Road, Gosforth, Newcastle Upon Tyne NE3 4XJ

- 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 Daniel Cassidy against the decision of Newcastle City Council.
 - The application Ref 2021/0426/01/DET, dated 26 April 2021, was refused by notice dated 22 June 2021.
 - The development proposed is loft conversion with erection of dormer and balcony to rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the area, and ii) the living conditions of neighbouring occupiers with particular regard to privacy, outlook and light.

Reasons

Character and appearance

3. The appeal relates to an upper floor 'Tyneside flat' located at the end of a two-storey terraced block. Whilst many of the rear outriggers in this terraced block have been subject to extension, the rear roof slopes are free from alteration. This results in a uniform roof line, which contributes very positively and distinctively to the character and appearance of the local area.
4. The proposed rear dormer would be a wide and bulky structure, resulting in a top-heavy addition to the distinctive unbroken roofline of the appeal property and terraced block. Its form, large openings, and dark grey cladding would not reflect the proportions, architectural detailing and roofing materials of the existing building. However, even with a more suitable cladding material and window design, the bulk and massing of the proposal would still result in a substantial box-like structure interrupting the unaltered roofscape of the terraced block. The balcony and its frosted glass balustrading projecting out from the dormer and above the outrigger would further add to the incongruity of the proposal, and could fairly be labelled as an alien feature.
5. I do not have any details of how the existing dormer structure to the rear of 51 Northumberland Avenue came to exist. Nevertheless, it does not contribute positively to the area, and for the reasons above, the proposed development would exacerbate this. The dormers and balcony-type structures further down Salters Road are on separate terraced blocks and therefore have limited

influence on the character and appearance of the area surrounding the appeal site. They are also in the minority and do not reflect the distinctive character of the area. The presence of these examples is therefore not a reason to allow unacceptable development. In any event, I have considered the appeal on its own merits and found that it would be harmful for its own specific reasons.

6. I therefore conclude, on this issue, that the development would cause unacceptable harm to the character and appearance of the area. As such, it would conflict with the design aims of Policy C15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (2015) (the CS); Policies DM20 and DM23 of Newcastle's Development and Allocations Plan (2020) (the DAP); and the guidance contained within the Council's 'Extending Your Home Supplementary Planning Guidance (2011). These require, among other things, that development protects the distinctive character of the existing building and the surroundings in terms of design, scale and materials, and takes opportunities to improve the character and quality of an area. It would also be contrary to paragraph 130 of the National Planning Policy Framework (the Framework) in this regard.

Living conditions

7. The proposed balcony at attic level would introduce an elevated and projecting vantage point, which would afford its users a closer and more open view into the garden of 51 Northumberland Avenue, and to a lesser extent No 49. The users of the balcony would also be more evident from within these gardens than would be the case from any overlooking from existing windows. Consequently, there would be an unacceptable effect on the living conditions of the occupiers of 51 and 49 Northumberland Avenue as a result of intrusion and loss of privacy within their gardens.
8. Furthermore, owing to its height, projection and orientation in relation to the rear windows of the neighbouring first floor flat at 443 Salters Road, the balcony would likely be apparent from those windows and would restrict the amount of light they receive for part of the day, notwithstanding the translucency of the frosted balustrades. Consequently, there would also be an unacceptable effect on the living conditions of the occupiers of 443 Salters Road in respect of outlook and light.
9. I therefore conclude, on this issue, that the development would cause unacceptable harm to the living conditions of the aforementioned neighbouring occupiers, with particular regard to privacy, outlook and light. As such, it would conflict with Policy DM23 of the DAP insofar as it states that development will maintain a good standard of daylight, sunlight, outlook and privacy for all existing and future occupants of buildings. It is also contrary to paragraph 130 f) of the Framework in this regard

Conclusion

10. The proposal conflicts with the development plan and Framework as a whole and there are no other considerations that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR