
Appeal Decision

Site visit made on 20 September 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2021

Appeal Ref: APP/M4510/D/21/3279618

42 Denewell Avenue, Newcastle upon Tyne NE7 7YB

- 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 Mohsin Shah against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2021/0938/01/DET, dated 30 April 2021, was refused by notice dated 23 July 2021.
 - The development proposed is a 2 Storey extension to side and single storey extension to the rear.
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Decision

1. The appeal is allowed. Planning permission is granted for a 2 Storey extension to side and single storey extension to the rear at 42 Denewell Avenue, Newcastle upon Tyne NE7 7YB in accordance with the terms of the application Ref 2021/0938/01/DET dated 30 April 2021 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 002 & 003.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. However, whilst I note that alterations are proposed to the existing rear elevation, the original description adequately describes the proposals and I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the two storey side extension on the character and appearance of the area.

Reasons

4. The appeal site sits within a well established residential part of the City. The property fronts onto Denewell Avenue which runs in a north west/south east direction and is characterised in part by its wide grassed verge on its eastern side which contains mature trees. This feature limits the prominence of the appeal property within the street scene and distinguishes it from properties on the western side of Denewell Avenue and those on Westlands.

5. The two storey side extension would be most prominent in views when approaching the site from the east along Eastlands which intersects with Denewell Avenue, set on a south west/north east axis. The extension would puncture the front building line set by 54-58 Eastlands which the main side elevation of the dwelling currently matches.
6. However, the building line along the northern side of Eastlands is not uniform, with properties to its eastern end being set further back. Within this context, the building line created by the extension would merely follow the stepped and varied building line on this side of Eastlands.
7. No. 40 Denewell Avenue (No.40) sits closely to the south east and incorporates a two-storey side extension. No. 40 is set further away from the property on the southern side of Eastlands than the appeal site is from the closest dwelling on the northern side. However, the presence of this extension only further pays testament to the mixed building lines on Eastlands.
8. Within this context, the creation of a new building line to the side of the host dwelling would not be detrimental to the visual amenity of the area. The area would retain its spacious and open character which is in a large part derived from the wide verge on the eastern side of Denewell Avenue.
9. Whilst I appreciate that the extension would measure over half the width of the existing property, it would not appear as being excessively wide, and assisted by a set down from the ridgeline and a set back from the front elevation, would remain subservient to the host dwelling. The extension would not imbalance the pair of semi-detached properties as the adjoining dwelling to the north incorporates a reasonably wide two storey side extension itself.
10. The two storey side extension would not therefore harm the character or appearance of the area. It would subsequently accord with Policy CS15 of the Core Strategy and Urban Core Plan (CS) (2015) and policies DM20 and DM23 of the Development and Allocations Plan (DAP) (2020) which amongst other things require a high quality design appropriate to the character of the area. I have not found conflict with design guidance¹ on side extensions which amongst other things advises such proposals on corner plots should have regard to existing building lines. I have not identified conflict with Policy CS 18 of the CS nor Policy DM28 of the DAP. I have not identified conflict with the Framework².

Other Matters

11. My attention has been drawn to an appeal decision which relates to another property within the local area. The appeal was referenced APP/M4510/D/20/3261218 and related to a proposed two storey side extension. The appeal was dismissed. However, it is clear from the evidence that the situation at that site, especially in relation to building lines did not closely match the situation at and around the appeal site. I therefore afford this matter limited weight.

Conditions

12. Planning permission is granted subject to the standard three year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. A

¹ Newcastle City Council Extending Your Home A Design Guide Series 2011.

² National Planning Policy Framework 2021.

condition relating to details of materials is not necessary as the plans clearly specify materials to match those existing.

Conclusion

13. I have identified no conflict with the development plan and there are no material considerations to indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR