



Appeal Decision

Site Visit made on 1 November 2021

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2021

Appeal Ref: APP/M4510/D/21/3273496

40 Alwinton Terrace, Gosforth, Newcastle Upon Tyne NE3 1UD

- 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 Dr Mark and Ms Susan Lee against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2020/1907/01/DET, dated 26 November 2020, was refused by notice dated 30 March 2021.
 - The development proposed is creation of gable roof extension (as amended 25/01/2021 and supplemented with supporting information 10/02/2021).
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Decision

1. The appeal is allowed and planning permission is granted for the creation of gable roof extension (as amended 25/01/2021 and supplemented with supporting information 10/02/2021) at 40 Alwinton Terrace, Gosforth, Newcastle Upon Tyne NE3 1UD in accordance with the terms of the application, Ref 2020/1907/01/DET, dated 26 November 2020, 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: Site Location Plan; Dwg Nos: 1047-01-1; 1047-01-2; 1047-01-3; 1047-01-4; 1047-01-5; 1047-01-6; 1047-01-7; 1047-01-8; 1047-01-9; 1047-01-10; 1047-01-11C; 1047-01-12B; 1047-01-13D; 1047-01-14B; 1047-01-15A; 1047-01-16A; and 1047-01-17A.
 - 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.

Applications for costs

2. An application for costs was made by Dr Mark and Ms Susan Lee against Newcastle Upon Tyne City Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The description in the banner heading above is taken from the decision notice which accurately reflects the description of development as amended during the planning application.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of No 42 Alwinton Terrace (No 42) with particular reference to the outlook from the first-floor side bedroom window.

Reasons

5. The appeal property is a two-storey semi-detached dwelling with a hipped roof located along a street containing terraced and semi-detached properties. The neighbouring property, No 42, has three windows on the first floor which face toward the appeal property over an attached flat roof garage. These serve a bathroom, stairwell and bedroom. The bedroom is positioned at the front of the house and is only served by the side window.
6. From within this room I saw that the existing side elevation and hipped roof is dominant and does not provide a particularly positive outlook. However, there is also a more open positive outlook, at an angle, toward the street and junction of Spital Terrace. The introduction of the gable extension would alter the outlook and the physical massing of the brickwork would have a closer presence than currently exists. However, the open angled aspect toward the street would remain and, as such, I do not consider that occupiers would feel unduly hemmed in, or enclosed, from within this bedroom.
7. On balance therefore, whilst there would be a minor level of impact on the outlook from the first-floor side bedroom window, the proposal would not be so oppressive that it would be harmful to the living conditions of the occupiers of No 42.
8. I have no firm evidence as to the reasons for the historic side extensions along the street, including the use of a hipped roof at the appeal property. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me and my on-site observations.
9. I therefore conclude that the proposal would have an acceptable effect on the living conditions of the occupiers of No 42 with particular reference to the outlook from the first-floor side bedroom window. As such, I find no conflict with the requirements of Policy CS14 of the Council's Core Strategy (2015), Policy DM23 of its Development and Allocations Plan (2020) or the revised National Planning Policy Framework (2021). These stipulate, amongst other things, that development will be required to provide a high quality environment and a good standard of residential amenity for existing and future occupants of land and dwellings.
10. In addition to the standard implementation condition, a condition is necessary to ensure the development is carried out in accordance with the plans submitted with the application. A condition to ensure that the materials match those used on the original building is necessary in the interests of the visual amenity of the area.
11. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Mr R Walker

INSPECTOR