
Appeal Decision

Site visit made on 27 January 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2022

Appeal Ref: APP/P2935/D/21/3288737

11 Quatre Bras, Hexham NE46 3JY

- 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 Greenwood against the decision of Northumberland County Council.
 - The application Ref 21/01697/FUL, dated 20 April 2021, was refused by notice dated 14 October 2021.
 - The development proposed is a single storey dual pitch extension to rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposal on the living conditions of the occupiers of No 12 Quatre Bras in respect of outlook and light and (ii) whether the proposal constitutes good design and preserves or enhances the character or appearance of the Hexham Conservation Area (CA).

Reasons

Living conditions – No 12 Quatre Bras

3. It is proposed to erect a dual pitched rear extension to a mid-terraced dwelling. The part of the extension adjacent to the side elevation of the two storey outrigger of No 10 Quatre Bras would have no adverse impact on the living conditions of this neighbouring property, taking into account the fact that such development has no window openings.
4. Notwithstanding the above, the northern part of the rear extension would be positioned alongside the boundary with No 12 Quatre Bras. The existing single storey extension to the appeal property, which is visible from the rear garden and ground floor window of No 12 Quatre Bras, is modest in terms of its scale and rear projection and includes a low pitched roof.
5. In contrast, the extension would project about a further 4.1 metres along the common boundary. This would be at a point where the boundary wall drops down by a significant degree thereby ensuring an otherwise more open aspect when viewed from the patio area and rear elevation window of the neighbouring property. Taking into account the resultant height and projection of the rear extension, I find that the development would have a significantly enclosing and dominating impact leading to a material loss of outlook for

occupants of No 12 Quatre Bras when viewed from the above areas. The appellant has indicated that the impacted window is '*understood to serve a secondary habitable room*'. Even if that is the case, that does not diminish the importance of ensuring an acceptable level of outlook when occupying this habitable room.

6. The proposed extension would be to the south of the window and patio area of No 12 Quatre Bras. I agree with the assessment provided by the appellant that while the proposed extension would likely have some impact on levels of light to the window and patio area of No 12 Quatre Bras, this change would not be significant taking into account the shadowing impact that is already caused as a result of the two storey outrigger of No 10 Quatre Bras and the existing rear extension to the appeal property. In this case, the proposal would not therefore give rise to a material loss of light to No 12 Quatre Bras. Loss of light would be negligible and would not justify withholding planning permission.
7. While the proposal would be acceptable in respect of its effect on levels of light to No 12 Quatre Bras, significant harm would nonetheless be caused to the occupiers of this neighbouring property in respect of loss of outlook. To this extent, the development would not accord with the amenity requirements of policies GD2 and H33 of the Tynedale District Local Plan 2000 (LP) and paragraph 130(f) of the National Planning Policy Framework 2021 (the Framework).

Design and Hexham Conservation Area

8. Quatre Bras is an attractive historic row of terraced houses to the west side of Hexham with relatively simple, albeit traditional, front facades and varied in terms of design. Nonetheless, there is an overall consistency in terms of the use of materials with most finished in sandstone and with some in brick or render. This part of the CA is characterised by mainly terraced areas including small groups of straight roads, their linearity emphasised by the line of the terraced housing on either side.
9. Most of the roofs in the area are slate and unbroken, adding to the simplicity and relatively unaltered appearance to the properties when viewed from the front. The appeal property is rendered to its front and is double fronted. The rear of the terraced dwellings, including the appeal property, are less uniform in design terms in so far that they include a variety of rear extensions and additions. Nonetheless, development at the rear of the terrace is relatively consistent in terms of the use of traditional materials such as brick or sandstone. Collectively, the aforementioned attributes add positively and significantly to the significance of the CA when considered as a whole.
10. As the development would be to the rear of the property, where there is generally less uniformity in terms of extensions and additions, I am satisfied that some form of rear extension would be possible and acceptable. The dual pitched roofs would add visual interest to the property, without looking unduly out of place, and the use of a large expanse of glazing to the northern part of the extension would, to a degree, help to soften its overall impact. However, and owing to the height and projection of the northern part of the rear extension, I find that as a whole the development would appear bulky and out of proportion on the rear of this property.

11. The above harm would be compounded by the fact that it is proposed to use white render for parts of the extension and a metal profiled roof. These materials are not prevalent in the immediate locality and would jar when seen against the more traditional materials used in the wider terrace and to the rear of the appeal property.
12. Given the above, the rear extension would appear incongruous when viewed from neighbouring properties and would not constitute good design. I acknowledge that only glimpses of the proposed development would be noticeable from Millfield Terrace, given intervening vegetation and garage development. Nevertheless, the extension would still be visible from this area. In any event, the character of the CA derives from the buildings, layout and surrounding spaces as a whole, regardless of whether particular elements are open to public view. Its significance does not therefore rely only on the elements that can readily be seen.
13. In the context of paragraph 202 of the National Planning Policy Framework 2021 (the Framework), the proposal would lead to less than substantial harm to the significance of the CA. However, there are no identified public benefits that would outweigh the less than substantial harm caused to the CA. While the appellant has referred to improving levels of light to the existing property, this is essentially a private matter and, in any event, it may be possible to improve levels of light to the property as a result of alternative development options that may not cause the same level of harm.
14. For the above reasons, I conclude that the proposal would not preserve or enhance the character or appearance of the CA and would constitute poor design. Therefore, it would not accord with the design and conservation requirements of policy HNP2 of the Hexham Neighbourhood Plan 2020; policy BE1 of the Tynedale LDF Core Strategy 2007; policies GD2 and H33 of the LP, and chapters 12 and 16 of the Framework.

Other Considerations

15. The appellant argues that it would be possible to erect a rear extension to the rear of the property utilising permitted development rights '*albeit the overall length of the extension would be less than that which is proposed as part of the appeal*'. I have not been provided with plans showing a permitted development scheme, but even if such permitted development rights existed the evidence is that it would not be possible to erect a permitted development extension that would project so far along the boundary with No 12 Quatre Bras. The appeal proposal is harmful owing to a combination of both its height and projection, but it is the latter which is of particular concern. In this context, a potential permitted development rear extension, as a fall-back position, does not alter or outweigh my conclusions on the main issues.

Conclusion

16. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley, Inspector