



Appeal Decision

Site visit made on 26 May 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2022

Appeal Ref: APP/M4510/W/22/3295424

127 Cardigan Terrace, Newcastle Upon Tyne NE6 5HS

- 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 Miss Molly Jowsey against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2021/2432/01/DET, dated 17 December 2021, was refused by notice dated 17 March 2022.
 - The development proposed is erection of a dormer extension to rear and installation of solar panels to front.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a dormer extension to rear and installation of solar panels to front at 127 Cardigan Terrace, Newcastle Upon Tyne NE6 5HS in accordance with the terms of the application, Ref 2021/2432/01/DET, dated 17 December 2021, 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: 303-1146-1; 303-1146-2; 303-1146-3; 303-1146-4; 303-1146-5; 303-1146-LAYOUT; 303-1146-LOCATION
 - 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.

Preliminary Matters

2. For the sake of brevity and clarity I have used the description of development from the Council's decision notice.
3. The Council have indicated that there are no concerns with the proposed solar panels. I have assessed the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposal on (i) the character and appearance of the appeal property and surrounding area; and (ii) the living conditions of occupiers of neighbouring properties with regards to privacy.

Reasons

Character and appearance

5. The area surrounding the appeal site is characterised predominantly by residential terraced streets of traditional architectural design and detailing. The roof form in the immediate area of the appeal site is varied with a number of properties in close proximity having dormer style extensions. It is this varied roof form that contributes to the character of the immediate surrounding street scene.
6. The proposed dormer extension would be located to the rear of the building, set back from the eaves of the roof and set down from the ridge line, appearing subservient to the original property. Due to its siting, scale and design, it would not be an incongruous feature that would dominate the roof space or detract from the appearance of the appeal building.
7. The roof form of Cardigan Terrace is clean of protrusions with there being no dormers present. However, there are several dormer extensions directly adjacent to the appeal property which add to the built appearance of the street scene in this locality. The introduction of the proposed dormer extension would not be a foreign feature and would be in keeping with other similar structures in the area.
8. Two of the dormer extensions on Roxburgh Place were consented prior to the adopted Newcastle City Council Extending Your Home - A Design Guide (DG). It appears from appellants photographic evidence and what I witnessed at my site visit that another dormer extension has been constructed adjacent to the appeal site. Regardless of when the dormer extensions were constructed, they now contribute to the built form and the appearance of the street scene, and the proposal would not be out of character with these street features.
9. The proposed dormer extension would not be a discordant structure and would not be harmful to the character and appearance of the appeal property and surrounding area. The proposal would be in accordance with Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead Newcastle upon Tyne 2010-2030 (CS), Policy DM20 of the Newcastle upon Tyne Development and Allocations Plan (AP), the DG and the National Planning Policy Framework (the Framework) which seeks development to respond positively to local distinctiveness and character, and deliver high quality design.

Living conditions

10. The proposed dormer extension incorporates a Juliet style balcony with double doors. Given the position and height of the dormer window, the natural outlook from the Juliet balcony would not be down towards neighbouring gardens. Whilst there may be some elements of overlooking when stood right at the doors of the balcony, this would not differ much from views from windows overlooking neighbouring gardens. The proposed dormer extension, by virtue of its design, location, height and proximity, would not result in any adverse overlooking issues that would compromise the privacy of neighbouring garden areas.
11. Accordingly, the proposed dormer extension would not have a harmful effect on the living conditions of occupiers of neighbouring properties with regards to privacy. The proposal would accord with Policies CS15 of the CS, Policy DM23 of the AP and the Framework which seeks development to provide a high quality environment and a good standard of residential amenity for existing and future occupants of land and dwellings.

Conditions

12. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. In the interests of character and appearance a condition is necessary in relation to materials

Conclusion

13. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
14. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR