



Appeal Decision

Site visit made on 24 May 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 June 2022

Appeal Ref: APP/P2935/D/22/3294869

62 Swansfield Park Road, Alnwick, Northumberland NE66 1AR

- 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 John Robson against the decision of Northumberland County Council.
 - The application Ref 21/04877/FUL, dated 16 December 2021, was refused by notice dated 17 February 2022.
 - The development proposed is a garden summerhouse to rear garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I saw at the site visit that the summerhouse was substantially complete and therefore consent is sought retrospectively. I have determined the appeal on this basis.
3. The Northumberland Local Plan 2016-2036 was adopted in March 2022 and consequently is the development plan for the determination of this appeal. As a result of the similarity of the objectives of the relevant policies in the old and new Local Plan, I am satisfied that no party is disadvantaged.

Main Issue

4. The main issues are the effect of the proposed development on (i) the living conditions of the occupiers of neighbouring properties with particular regards to privacy and outlook and (ii) the character and appearance of the area.

Reasons

Living Conditions

5. The summerhouse is located in the rear garden of the property, a substantial brick-built dwelling, immediately adjacent with the neighbouring property, 60 Swansfield Park Road. The gardens of properties fronting on to Swansfield Park Road back on to an open grassed area and this part of Swansfield Park Road rises steadily, such that residents enjoy an open outlook to the rear.
6. At the site visit I noted that, in common with many gardens in the area, the main garden area of the appeal property is situated at a slightly higher level than the house and the location of the summerhouse is notably higher than the house and garden at No.60.

7. The submitted plans show that the summerhouse, while including an open element, is of a substantial size and scale and is located in close proximity to the common boundary with No.60.
8. As a result of the change in levels, the proximity of the summerhouse to the shared boundary and the relatively low level of the boundary treatment between the summerhouse and No.60, users of the summerhouse are afforded direct views into and over almost all of the rear garden of No.60 and the rear elevation of that property. Furthermore, I saw that users of the summerhouse are afforded partial views of the rear gardens of other properties further down the hill.
9. Furthermore, as a result of the size, scale and proximity of the summerhouse to the boundary with No.60, the appeal scheme would dominate the otherwise open outlook to the rear of the property and would thus harm the outlook of the occupiers of No.60.
10. Consequently, the appeal scheme has an unacceptable impact on the living conditions of the occupiers of neighbouring properties with particular regards to privacy and outlook contrary to Policies QOP 1 and QOP 2 of the Northumberland Local Plan and Policy HD5 of the Alnwick and Denwick Neighbourhood Plan that, amongst other matters, requires that new development protect the living conditions of the occupiers of residents.

Character and Appearance

11. The area is typically suburban in character with open spaces to the front and rear of the dwellings that front on to the road. The rear gardens are of a reasonable size and generally in proportion to the dwelling.
12. The summerhouse subject of this appeal is located within the rear garden and as such is screened from the street by the appeal dwelling and adjacent properties. Nonetheless the summerhouse is widely visible from the rear elevations and gardens of neighbouring properties and the grassed area to the rear.
13. At the site visit I saw that other properties in the local area had various outbuildings in their rear gardens. Those that I saw were however of a markedly smaller size and scale than the appeal scheme and that the appeal scheme is in itself of a considerable size and scale.
14. Therefore, it is my planning judgement that the appeal scheme, as a result of its size and scale would harm the character and appearance of the area contrary to policies QOP1 and QOP2 of the Northumberland Local Plan and Policy H5 of the Alnwick and Denwick Neighbourhood Plan that, amongst other matters, requires that new development is of a high standard of design and preserves the character of the area.

Other Matters

15. The appellant states that "If the structure was 500mm lower or move 2m from the boundary to comply with permitted development the design, plan size and visual appearance would remain much the same as already constructed". Such a proposal is not however before me and a reduction in the height of the summer house and a greater separation to the common boundary with the neighbouring property would reduce the harm of the summerhouse to both the

character and appearance of the area and the living conditions of the occupiers of the neighbours. Therefore, I note the appellants comments with regards permitted development rights, but this does not outweigh the harm I have identified previously.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR