



Appeal Decision

Site visit made on 30 August 2022

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2022

Appeal Ref: APP/M4510/D/22/3304200

14 Harbottle Avenue, Gosforth, Newcastle Upon Tyne NE3 3HR

- 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 Ms Angela Swann against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2022/0468/01/HOU, dated 18 March 2022, was refused by notice dated 4 July 2022.
 - The development proposed is described as front single storey extension, front second storey extension & rear single storey extension.
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Decision

1. The appeal is dismissed in respect to a proposed front single storey extension and front second storey extension.
2. The appeal is allowed and planning permission is granted for a proposed rear single storey extension at 14 Harbottle Avenue, Gosforth, Newcastle Upon Tyne NE3 3HR in accordance with the terms of the application, ref 2022/0468/01/HOU, dated 18 March 2022, 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 only insofar as they relate to the proposed rear single storey extension: the revised 1:100 scale drawing titled "Proposed Work: rear single storey extension & front second storey extension" received on 14 June 2022, the site location plan, existing site plan and proposed site plan all of which are undated but accompanied the planning application dated 18 March 2022.
 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.

Procedural Matters

3. The description contained in the decision notice differs to that cited on the planning application form. The heading above reflects the latter as that is what the appellant sought planning permission for.
4. I have discretionary powers under section 79(1)(b) of the Town and Country Planning Act 1990 to allow one part of an appeal scheme and dismiss the rest. I am satisfied that the main parties have been given an opportunity to

comment upon the applicability of this power in the context of this particular appeal. I have reached my Decision in the context of these powers.

Main Issue

5. The main issue is the effect of the appeal proposals on the character and appearance of the host dwelling and wider street scene, with particular regard to their scale and design.

Reason

6. Situated within a mature residential suburb, the appeal site comprises a 2 storey semi-detached dwelling located mid-way along Harbottle Avenue. It falls within a run of 4 pairs of semi-detached dwellings which provide a strong residential street frontage on this side of Harbottle Avenue. The front gardens and driveways of these dwellings occupy the intervening space between property frontages and the public footway and road beyond. Although the commercial premises opposite provide for a wider mixed use street scene, these private spaces reinforce a sense of space and a well-define and consistent positioning of residential development on this side of the street.
7. The appeal property has been previously extended to the front, side and rear to provide additional living accommodation at both ground and first floor level. These changes are of a scale, position and design which are subservient to the original property. They reflect the original defining features which characterise this street, including the original position of the first floor frontage relative to its neighbours, the materials of construction, hipped roof form and ground floor bow window detail. As such in terms of scale and design, a consistent built form remains clearly evident within this street scene. Crucially, the appeal dwelling's positive design attributes which help define the wider street scene's original character and appearance continue to prevail.
8. The Newcastle City Council Householder Design Guide (December 2001) ("the Design Guide") sets out the standards expected for all householder development, including extensions in the plan area. Paragraph 130 of the National Planning Policy Framework ("the Framework") states that planning decisions should ensure that developments add to the overall quality of the area, not just for the short term but over the lifetime of the development. Amongst other things, it states that they should be visually attractive as a result of good architecture and are sympathetic to local character.
9. In respect to the proposed rear single storey extension, the Council has raised no objections, having confirmed that it does not conflict with the approach to the design of extensions set out in the Council's Design Guide. Given the orientation, discrete positioning, scale and design proposed relative to this semi-detached property's partner, No 12 Harbottle Avenue, I have no cause to disagree with that assessment.
10. For these reasons, I find that this component of the appeal scheme would not harm the character and appearance of the host dwelling and wider street scene, with particular regard to the scale and design. This particular component of the appeal scheme aligns with the Design Guide. Furthermore, this component does not conflict with paragraph 130 of the Framework.
11. In the absence of harm there is no conflict with Policy CS15 of the Gateshead and Newcastle Upon Tyne Core Strategy and Urban Core Plan ("the Core

Strategy”) or with Policy DM20 of the Newcastle Upon Tyne Development and Allocations Plan (“the DAP”). I am satisfied that these relevant development plan policies are not out of date.

12. Nonetheless, the proposed first floor addition will extend significantly beyond the existing first floor frontages of all dwellings which face onto Harbottle Avenue. Neither the proposed alignment with the projection of the previous front ground floor extension, the incorporation of a hipped roof which is set down from the existing ridge lines nor the use of matching external materials adequately reduce the scale and imposing nature of this particular extension. It represents a building form which is both discordant with its built context and, visually, will be unduly imposing within the public street view.
13. The proposed front single storey extension will extend to the party boundary with No 12 and protrude significantly beyond the line of the original frontage which is common to the appeal property and the wider run of dwellings within which it sits. This means that this particular extension will sit uncomfortably with its partner property, giving rise to a cramped, domineering arrangement with No 12’s front elevation.
14. Although a new bow window feature is proposed at ground floor level, its narrower width weakening its appearance. Furthermore, it is set much further forward than the existing window arrangement of those respective properties. These measures do not justify or adequately mitigate the adverse visual effects of the appeal proposal.
15. These components of the appeal scheme do not align with the approaches set out in the Council’s Design Guide. In light of my findings, neither do they represent innovative design which is supported by paragraph 130 of the Framework. Contrary to the appellant’s stance, both individually and collectively these front extensions will substantially alter and undermine the appearance of the existing principal frontage of the host dwelling in terms of its design and scale. This change is of a level and nature that will unduly disturb the rhythm of what is currently a relatively consistent pattern of development. This will significantly undermine the relatively uniform character and appearance of the wider street scene context.
16. On approach from Guyzance Avenue, the presence of both of these extensions to the host’s principle frontage will be softened by existing neighbouring mature garden vegetation. Nonetheless, these significant changes, both individually and in combination, will be highly visible from the open views afforded on approach from public vantage points along Rothbury Avenue and in the vicinity of its junction with Harbottle Avenue. Both individually and collectively, these extensions will be incongruous in respect to the scale and design of the host property and the wider street scene. Consequently, the Council’s reference to an alien feature is not over stated.
17. Therefore overall, I do not agree with the outcome of the appellant’s assessment against CABE’s design criteria in respect to these particular components of the appeal scheme.
18. For all of these reasons, the proposed front single and second storey extensions will cause unacceptable harm to the character and appearance of the host dwelling and wider street scene, with particular regard to their scale and design.

19. Policy CS15 (1i and vii) of the Core Strategy states that development will contribute to good place-making through the delivery of high quality and sustainable design and will be required to respond positively to local distinctiveness and respond to local design guidance. Policy DM20 of the DAP states that development will be required to deliver high quality and sustainable design by, amongst other things, taking full advantage of positive site features and securing opportunities to improve the character and quality of the area and demonstrate a positive response to built landscapes.
20. Although these development plan policies do not specifically rule out front extensions, in this particular instance I have found unacceptable harm and therefore conflict with both of these policies. As the policies which are most important for determining this appeal are not out of date, paragraph 11(d) of the Framework is not engaged in this particular instance.
21. In summary, I have arrived at 2 different conclusions in respect to the front and rear components of the appeal scheme. The proposed rear single storey extension is clearly separable from the remainder of the appeal scheme. It is therefore appropriate in this particular instance to split my Decision accordingly under the powers available to me.

Other Matters

22. The appellant has highlighted that no objections have been made by neighbouring residents. However, that is not necessarily an indicator of acceptability for the lifetime of the proposal, and I attach very limited weight to that argument.
23. The appellant has drawn my attention to a number of examples of existing extensions to the fronts of dwellings in the locality. However, I do not find that any of these have significant similarities with the appeal scheme in terms of their design and the contribution their appearance makes to their individual context. Therefore, I attach limited weight to them.
24. The appellant has advised that the appeal proposal will result in the retention of a decent size plot and will provide their family with the benefit of more space to accommodate the demands of a growing family and home working within proximity to their existing community and extended family. The personal benefit to the appellant is not disputed. The limited nature of this householder development proposal has scope to provide some environmental benefits from reduced trips and more intensive use of the site and also some limited economic benefits in terms of supporting the housing market and the local construction industry. These each attract limited weight in favour of the appeal proposal.

Planning Balance

25. I have found that the proposed rear single storey extension does not present any conflict with the development plan. This is a separate development and therefore, there is no reason to delay the grant of planning permission for this component of the appeal scheme.
26. However, the identified unacceptable harm that will arise from the particular proposed front single and second storey extensions will give rise to such conflict. Crucially, the matters weighing in favour of those particular

components of the appeal scheme do not outweigh the identified conflict with the development plan when taken as a whole.

Conditions

27. In addition to the standard time limit, a condition requiring the rear single storey extension to be carried out in accordance with the approved plans specified is necessary as it provides certainty for this split decision. I have imposed a condition specifying materials as this is necessary to safeguard the character and appearance of the host site and its surrounding area.

Conclusion

28. For the reasons given above, I conclude that the appeal should be dismissed insofar as it relates the proposed front single and second storey extensions. However, in exercising my powers under section 79(1)(b) of the 1990 Act, the appeal should be allowed in respect to the proposed rear single storey extension, subject to the conditions identified.

C Dillon

INSPECTOR