



Appeal Decision

Site visit made on 19 December 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2023

Appeal Ref: APP/M4510/W/22/3309185

School House, 13 Gretna Road, Newcastle Upon Tyne NE15 7PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Azhar Hossein against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2022/0631/01/DET, dated 13 April 2022, was refused by notice dated 25 August 2022.
 - The development proposed is demolition of existing bungalow and erection of new dormer bungalow on site.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of the appeal are:
 - The effect of the proposed development on the character and appearance of the surrounding area; and
 - The effect of the proposed development on the living conditions of existing occupiers of No. 11 Gretna Road in relation to privacy.

Reasons

Character and appearance

3. The appeal site accommodates a detached bungalow which is located within a row of other detached and semidetached properties and is modest in size with a simple appearance. The existing bungalow is relatively small when viewed within the street scene and while there are variations in the size and scale of dwellings along this side of Gretna Road, the properties largely comprise single storey, modest bungalows and the topography of the area which rises towards the south helps ensure that the overall ridge line is reasonably consistent.
4. The proposed development would be highly visible when viewed from the footpath and main road due to the site's location adjacent the road and the topography of the surrounding area, even taking into account existing vegetation which surrounds the site.
5. Whilst the property has a simplistic appearance, this results in it being relatively discrete. The proposed development would be overly large in terms of its height in comparison to the height of the neighbouring property at No. 11 as well as the row of properties and this, together with the enlarged footprint

would result in a bulky building that would appear visually prominent within the street scene, appearing as inconsistent with other properties.

6. Whilst I accept that there are two storey buildings elsewhere along Gretna Road, such properties are generally located on the other side of the road and are read differently when viewed as part of the immediate street scene. I also note that the proposed floor area would not exceed the size of the plot. However, the significant height, coupled with the enlarged footprint would still be visually overbearing.
7. The submitted plans show large expanses of brickwork above the windows on the front elevation which would not be in keeping with the proportions and detailing of other properties and would further draw the eye to the overall height when viewed from Gretna Road. The Council raise concern regarding the elongated roof form and dormers. However, such features would be well shielded from views given the location to the rear elevation and vast amount of vegetation within the area. On this basis, such features would have very limited impact upon the street-scene.
8. I conclude that although the elongated roof and dormers would have limited impact, the proposed development as a whole would unacceptably harm the character and appearance of the surrounding area and would be contrary to Policy CS15 of the Core Strategy and Urban Core Plan (CSUCP) and Policy DM20 of the Development and Allocations Plan (DAP) which together, amongst other things, seek to respond positively to local distinctiveness and character. The proposed development would also be contrary to chapter 12 of the National Planning Policy Framework (the Framework) relating to achieving well-designed places.

Living conditions

9. No. 11 is located within close proximity of the site and there is a clear glazed dormer window to the gable elevation which is relatively large in size. The proposed development would further reduce the separation and would incorporate two habitable room windows to the gable which would overlook No. 11. Given the close proximity and positioning of windows, there would be an undue loss of privacy for occupiers of No. 11.
10. I note the appellant's frustrations regarding the installation of the dormer window at the neighbouring property. However, my decision must be based upon the current context of the site. I also note the appellant's suggestion to overcome the matter of privacy. However, any removal/obscure glazing from first floor windows would remove all outlook for the proposed bedrooms, therefore this would have knock on affects for the standard of accommodation.
11. I conclude that the proposed development would harm the living conditions of existing occupiers of No. 11 Gretna Road in relation to privacy. The proposed development would therefore be contrary to Policy CS14 of the CSUCP and Policy DM23 of the DAP which together, amongst other things, seek to provide a good standard of residential amenity for existing occupants of land and dwellings. The proposed development would also be contrary to chapter 12 of the Framework relating to achieving well-designed places.

Other Matters

12. I note that the site is not located within an area of historic value and the applicant wishes to use this property in the most effective way. However, this would not outweigh the harm I have identified.
13. In considering this appeal, I have had due regard to the Public Sector Equality Duty (PSED) set out under Section 149 of the Equality Act 2010, in particular the need to eliminate discrimination against persons with the protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others. Following careful consideration of the family circumstances, I am satisfied that the impact of dismissing the appeal is proportionate and necessary.

Conclusion

14. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR