



Appeal Decision

Site visit made on 22 February 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2023

Appeal Ref: APP/M4510/D/23/3314392

69 Beatty Avenue, Newcastle Upon Tyne NE2 3QS

- 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 McDonough against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2022/0536/01/HOU, dated 30 March 2022, was refused by notice dated 16 December 2022.
 - The development proposed is the erection of single-storey extension to the rear, dormer loft conversion with roof extension and replacement porch.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of single-storey extension to the rear, dormer loft conversion with roof extension and replacement porch at 69 Beatty Avenue, Newcastle Upon Tyne NE2 3QS in accordance with the terms of the application, Ref 2022/0536/01/HOU, dated 30 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: BTA01/E01 Rev A; BTA01/P02 Rev B; BTA01/P03 Rev A; BTA01/P05; BTA01/V01; RPS01-MFD-031-0270-001.
 - 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.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the appeal site and the surrounding area.

Reasons

3. The appeal property is a semi-detached two-storey house on Beatty Avenue which has been previously extended to the side. The property sits on a wedged shaped plot on the outside of a corner in the avenue. The nature of which had led to an unusually shaped extension and complex roof arrangement.
4. Dwellings on the avenue and the surrounding streets are of similar age with common design features to that of the appeal property. Many of which have undergone extensions, including rear dormers, roof alterations and side extensions. Many of the dwellings have hipped roofs, although gables and half-hipped roofs are relatively common features within the locality.

5. The appeal proposal involves the alteration of the main roof of the property from a hipped to a half-hipped roof in order to allow a dormer extension to be constructed on the rear elevation. The proposal also includes a single storey extension on the rear and a porch to the front, neither of which are matters in dispute.
6. The appeal property is situated on a relatively prominent location within the avenue, particularly when viewed from the south. It is, however, viewed in the context of other similar dwellings and as a result does not form a particularly dominant feature in the street scene.
7. The proposed alteration to the roof would add bulk to its form and alter its shape from a hipped to a half-hipped roof. However, in the broader context of the avenue where roof forms are varied, it would not be exceptional. Moreover, the majority of the roof of the side extension would be unaltered and would remain subservient to that of the main dwelling. This would reduce the impact of the proposal when viewed from both a distance and in proximity to the appeal site. Furthermore, a gap between the main house roof and the adjacent dwelling would remain. Therefore, the proposed alteration to the roof would not appear alien or overly imposing.
8. It is accepted that the proposed dormer on the rear elevation would be large in scale. Whilst the dormer would be visible from rear garden areas in the immediate vicinity, from the primary school grounds directly to the rear and at an oblique angle from Hillcrest Gardens, it would not appear overly prominent from any of these perspectives. Furthermore, the extended roofscape of the side extension would mean that the dormer would not appear as a dominant feature on the appeal property's rear elevation.
9. Whilst it is noted that there could be scope for some form of dormer on the rear elevation under permitted development rights, as I have found the proposal acceptable in its own right, this has not been a determinative factor in the appeal before me.
10. I am satisfied that the proposal would not harm the character and appearance of the appeal site or its surroundings. Consequently, there would be no conflict with Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne (2015) or Policies DM20 and DM23 of the Newcastle Upon Tyne Development and Allocations Plan (June 2020) which seek, amongst other things, to ensure that development results in high quality design having regard to character and local distinctiveness. There would also be no conflict with the design aims of paragraph 130 of the National Planning Policy Framework (the Framework).

Other Matters

11. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conditions

12. I have considered the Council's suggested conditions in light of the advice set out in the Framework and Planning Practice Guidance. I agree that time limit and plans conditions are necessary and reasonable in order to provide certainty

and in the interests of good planning. A materials condition is also necessary in the interests of character and appearance.

Conclusion

13. For the above reasons, having considered the development plan as a whole and all other matters raised, I conclude that the appeal should succeed subject to the conditions set out above.

K L Robbie

INSPECTOR