



# Appeal Decision

Site visit made on 4 July 2023

**by F Harrison BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> July 2023**

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**Appeal Ref: APP/P2935/D/23/3319772**

**63 Merley Gate, Loansdean, Morpeth NE61 2EP**

- 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 Paul Dunn against the decision of Northumberland County Council.
  - The application Ref 22/04665/FUL, dated 15 December 2022, was refused by notice dated 13 March 2023.
  - The development proposed is first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the proposal on:
  - the character and appearance of the area, including the appeal property; and
  - the living conditions of the occupiers of neighbouring properties, with regard to outlook.

## Reasons

### *Character and Appearance*

3. The appeal property is located within a residential area where detached dwellings are close to one another. At the rear there are a number of ground floor extensions within reasonably short gardens. The similarity in the general scale of the built form creates a clear sense of balance in the area which is characterised as having an open quality.
4. The footprint of the appeal property would remain the same and a complementary palette of materials is proposed, however the rear first-floor infill extension would result in a bulkier addition than which currently exists. While I note that the proposed roof would be set lower than the existing roof, there would be limited articulation between the original dwelling and the first floor, resulting in a prominent increase in massing. The overall effect is that the extension would not be subordinate to the original dwelling. Given the absence of two storey rear extensions in the locality, the proposal would result in an overly dominant built form. It would be an incongruous addition to the open character of the rear gardens, unbalancing the prevailing character and appearance of the area.

5. Consequently, the proposal would be unduly harmful to the character and appearance of the area, in conflict with policies QOP1, QOP2 and HOU9 of the Northumberland Local Plan (2022) (NLP) and policies SUS1 and DES1 of the Morpeth Neighbourhood Plan (2016) (MNP). These policies include a requirement for development proposals to make a positive contribution to local character and appearance and to not have a visually obtrusive impact, having particular regard to the form, scale and massing prevailing around the site. Householder proposals for the extension of an existing dwelling should also be well-related and subordinate in size and massing to the existing dwelling.
6. The proposal would be contrary to the provisions of the National Planning Policy Framework (the Framework) at Section 12 in relation to achieving well designed places.

#### *Living Conditions*

7. Owing to the short rear gardens in the locality, the proposed extension at first-floor level would appear as a dominant and oppressive feature in views from neighbouring properties. In particular, it would dominate the outlook for the occupiers of 62 Merley Gate. While the first-floor window at No. 62 is obscure glazed and a garage space is directly opposite the proposal, it would have an overbearing effect upon outlook from the ground floor kitchen window and would have a significant adverse effect on the levels of outlook that could reasonably be expected in a private garden.
8. Accordingly, the proposal would cause unacceptable harm to the living conditions of neighbouring occupiers, with regard to outlook, in conflict with policies QOP2 and HOU9 of the NLP and Policy DES1 of the MNP. Amongst other things, these policies require development proposals to not cause unacceptable harm to the amenity of existing and future occupiers, including an unacceptable loss of outlook from development that has a visually obtrusive or overbearing impact on neighbouring uses. It would also be contrary to the Framework which at Section 12 seeks places that have a high standard of amenity for existing and future users.

#### **Other Matters**

9. I acknowledge that there was engagement from the appellant with the Council while the application was under consideration and the proposal was amended in response to officer advice. However, the reasons for the eventual officer recommendation and decision are clearly set out in their report and the decision notice. While the appellant has expressed frustrations with the Council's handling of the case, this has not affected my consideration of the planning merits of the scheme.

#### **Conclusion**

10. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

*F Harrison*

INSPECTOR