



Appeal Decision

Site visit made on 21 November 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2023

Appeal Ref: APP/P2935/D/23/3328930

29 Front Street, Newbiggin-by-the-Sea, Northumberland NE64 6NU

- 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 Angie Main against the decision of Northumberland County Council.
 - The application Ref 23/01881/FUL, dated 22 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed is rear single-storey extension with roof terrace.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although I was unable to enter the appeal property at my site visit, I was able to sufficiently judge the proposal from the neighbouring garden of 31 Front Street and the rear access road, and in conjunction with the submitted plans, make a decision under the appeal on this basis.

Main Issues

3. The main issues in this appeal are:
 - The effect of the roof terrace on the living conditions of the occupiers of 27 and 31 Front Street, with particular regard to privacy; and
 - Whether the roof terrace would preserve or enhance the character or appearance of the Newbiggin-by-the-Sea Conservation Area (the CA).

Reasons

Living conditions

4. The appeal property is a two-storey, mid-terrace dwelling. The proposal involves a single-storey rear extension with a roof terrace above, although it is only the roof terrace which is the focus of the Council's concerns. The roof terrace would be surrounded by low parapet walls and accessed via a new set of glazed doors leading from bedroom 2. While the Council's officer report refers to stairs leading down to ground level, no stairs are shown on the plans.
5. The roof terrace would extend beyond the rear wall by around 3.7 metres. This would likely afford its users the opportunity for views into the first-floor windows of No 27 and No 31 to either side of it. It would also allow for more open and direct overlooking of the rear garden of No 31. Similarly, the users of the roof terrace would be seen and heard from these neighbouring windows

and garden, such that there would be a general perception of being overlooked at all times when the terrace was in use. In these regards, the roof terrace would cause an unacceptable intrusion and loss of privacy to the neighbouring occupiers, to the detriment of their living conditions. A lack of neighbour objections does not lead me to a different view.

6. I therefore conclude, on this issue, that the roof terrace would unacceptably harm the living conditions of the occupiers of 27 and 31 Front Street through loss of privacy. This is contrary to Policies QOP2 and HOU9 of the Northumberland Local Plan 2022 (the LP), which amongst other things, require that development does not adversely affect the privacy levels of neighbouring occupiers. It is also contrary to paragraph 130 f) of the National Planning Policy Framework (the Framework) which seeks a high standard of amenity for existing and future users.

Conservation Area

7. The appeal property is located within the CA, which draws some of its special interest and significance from the architectural qualities and layout of its mostly 19th century traditional terraced housing.
8. The terraced row containing the appeal property is identified in the Newbiggin by-the-Sea Conservation Area Management Strategy as a positive building in the CA. However, while the terraced row presents a relatively simple traditional stone frontage to Front Street, the back of the terrace faces a short access street and contains a variety of two-storey and single-storey extensions and garages, all of different sizes, form, age, and materials, contributing to a mixed street scene at the rear. The appeal property itself has a flat-roofed, two-storey extension constructed in brick, which does not add positively to the qualities of the CA.
9. While the rendered parapet walls of the proposed roof terrace would be visible in the rear street scene, the structure would have a limited physical presence and would be set appreciably back from the rear boundary. Given the mixed street scene context at the rear, I am content that the roof terrace would not be a visually intrusive addition, notwithstanding the use of contrasting materials. As such, the effect on the CA would be neutral.
10. I therefore conclude, on this issue, that the character and appearance of the CA would be preserved. In this respect, the proposal complies with the design and heritage protection aims of Policies QOP2, HOU9 and ENV9 of the LP, and the Framework.

Conclusion

11. The harm I have identified to the living conditions of neighbouring occupiers brings the proposal in conflict with the development plan taken as a whole. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR