
Appeal Decision

Site visit made on 29 April 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 May 2024

Appeal Ref: APP/H4505/D/24/3337515

Anndale, Stannerford Road, Clara Vale, Gateshead, Ryton NE40 3SN

- 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 and Mrs Andrew Daverson against the decision of Gateshead Council.
 - The application Ref DC/23/00093/HHA, dated 31 January 2023, was refused by notice dated 1 December 2023.
 - The development proposed is single storey extension to the front and rear of existing house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Policy CS19 of Planning for the Future – Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) (CS) deals with the Green Belt and seeks to protect it in accordance with National Policy. I have therefore afforded significant weight to the requirements of the Framework¹ with regard to the Green Belt approach.
3. The description of the proposal has altered from the application form to the decision notice. That on the application form sufficiently describes the proposal and I have considered the appeal on that basis.

Main Issues

4. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - ii. the effect of the proposal on the openness of the Green Belt;
 - iii. the effect of the proposal on the living conditions of occupiers at Lindale with particular regard to light and outlook; and
 - iv. if the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by

¹ National Planning Policy Framework 2023.

other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development & openness

5. The Framework at paragraph 154 establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate unless they are a type of building identified under a list of exceptions.
6. One such exception at c) relates to the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
7. The evidence indicates that the original building has previously been extended, although I do not have full details of that before me. I have also been supplied with some volume calculations, but regardless of this, the rear extension alone would be a large and bulky addition with a ridgeline extending out from that existing and a substantial width. This would add significant additional volume when compared even to the existing dwelling as it stands.
8. As a result, even not accounting for the proposed front extension, the rear extension would form a disproportionate addition over and above the size of the original building regardless of any SPD volume guidance. The proposal therefore represents inappropriate development within the Green Belt under the terms of paragraph 154 of the Framework. I have taken into account the submitted appeal decision APP/T0355/D/22/3300670 and this does not lead me to any other conclusion on this matter.

Openness of the Green Belt

9. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.
10. The rear extension would add substantial bulk and volume to the property. Given that this is the end property of this run of dwellings along Stannerford Road, the site is prominent in views when approaching from the north-east. The rear extension, particularly with respect of the additional bulk and roof height would limit views through the site to the rising landforms beyond.
11. Consequently, there would be a harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the Framework is clear that substantial weight should be given to any harm to the Green Belt.

Living conditions

12. The Kitchen window serving Lindale is not set especially close to the rear part of the appeal property where the most substantial part of the extension works would be placed. The appeal property incorporates a reasonable set off from the boundary with Lindale. With these matters in mind, there is nothing within the evidence which indicates that there would be any loss of light or outlook which would result in any significant adverse impact on the living conditions of the occupiers of this neighbouring property.

13. There would therefore be no conflict with CS14 of the CS and Policy MSGP17 of Making Space for Growing Places Local Plan Document for Gateshead (2021). These amongst other things seek to maintain and improve the wellbeing and health of communities and require development to provide a good standard of amenity for existing occupants of buildings.

Other considerations

14. My attention has been drawn to permitted development rights as a fall-back position. However, limited detail is provided on any particular set of proposals that the appellant might pursue under permitted development rights. This leads me to conclude that utilising these rights is nothing more than a theoretical possibility and even what might be possible and permissible is very unclear on the basis of the evidence before me. I therefore give this matter limited weight.
15. The need to extend the property to accommodate other family members is not justified in detail and I cannot afford this matter anything more than limited weight. I was able to view existing development around the site but I am not aware of all the circumstances surrounding that other development and I afford this limited weight.

Planning Balance and Conclusion

16. I accept that this is an appropriately designed scheme in that its design would be acceptable in theory to the host property when referencing the character and appearance of the area. I note that the proposal has been revised from its originally intended design.
17. However, I have found that the development would be inappropriate development within the Green Belt and would be harmful to Green Belt openness. It therefore should not be approved except in very special circumstances. I must attach substantial weight to the harm to the Green Belt and as such, the harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
18. For the reasons set out above, and having regard to all other matters, the appeal is dismissed.

T Burnham

INSPECTOR