



Appeal Decision

Site visit made on 2 July 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2024

Appeal Ref: APP/P2935/D/24/3339555

22 Cockshaw, Hexham, Northumberland NE46 3EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by David Dunne against the decision of Northumberland County Council.
 - The application Ref is 23/04157/FUL.
 - The development proposed is extension of existing property including, replacement of existing two storey extension to the side and rear and replacement with new pitched roof and part flat roofed two storey extension to the side and rear, including new solar panels to the south and roof lights to the east and west. Replacement of existing single storey flat roof extension to the front with new single storey pitched roof extension with roof light to the west. Replacement of existing windows and doors and formation of new window opening, reroofing, part rendering and general repairs to existing stonework. Replacement of existing garden shed with new garden shed, and reconfiguration of existing internal garden wall, landscaping and resurfacing of driveway.
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Decision

1. The appeal is allowed, and planning permission is granted for extension of existing property including, replacement of existing two storey extension to the side and rear and replacement with new pitched roof and part flat roofed two storey extension to the side and rear, including new solar panels to the south and roof lights to the east and west. Replacement of existing single storey flat roof extension to the front with new single storey pitched roof extension with roof light to the west. Replacement of existing windows and doors and formation of new window opening, reroofing, part rendering and general repairs to existing stonework. Replacement of existing garden shed with new garden shed, and reconfiguration of existing internal garden wall, landscaping and resurfacing of driveway at 22 Cockshaw, Hexham, Northumberland NE46 3EB in accordance with the terms of the application, Ref 23/04157/FUL, subject to the conditions in the attached schedule.

Procedural Matter

2. A plan titled 'Proposed Roof Plans and Daylight/Sunlight Impact' has been provided demonstrating the 45-degree assessment for the neighbouring property, Dene Bungalow. It is unclear if this plan formed part of the original application. However, given that the plan does not change the overall scheme, then I do not find it to be prejudicial to any party. I have therefore taken this plan into account in reaching a decision.

Main Issues

3. The main issues are:

- The effect of the proposed development on the character and appearance of the existing dwelling and surrounding area, including whether it would preserve or enhance the character or appearance of the Hexham Conservation Area (CA); and
- The effect of the proposed development on the living conditions of existing occupiers of the neighbouring property to the west, Dene Bungalow with particular regard to outlook and daylight/sunlight.

Reasons

Character and appearance

4. The appeal site relates to a two-storey detached property located at No 22 Cockshaw, Hexham. It comprises a stone dwelling with a rendered two-storey extension to the side and rear towards the southern end with a slate tiled roof and a single storey flat roof extension to the front. It is orientated to have its gable elevation facing the street to the north.
5. It is understood that the appeal property has been extended on a number of occasions, the most significant of these being the two-storey wrap around extension. This comprises the rendered section of the property and is already visually contrasting with the host building to an extent and is not of any distinctive character. The appellant explains that the property overall is in a poor state of visual and structural repair and is highly inefficient. At my site visit, I was able to see the overall construction/condition of the property and noted signs of disrepair. I therefore have no reason to disagree with this.
6. The site lies in the CA and I have a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have had regard to paragraph 205 of the National Planning Policy Framework (the Framework) which explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The CA is noted for its elevated position on a glacial terrace overlooking the Tyne valley which is of immense visual importance. With a rural backdrop of fields and tree clad slopes, views of the town dominated by the silhouette drawn by the medieval buildings spread across the scarp of the terrace are extremely attractive. The Hexham Conservation Area Character Appraisal (CACA) sets out character areas identifying Cockshaw/Tyne Green as Character Area 2: The Early Industrial Belt'. A unifying factor of this area is its dense and interwoven complexity of form, with buildings set at varying heights and angles alongside roads which twist and curve downhill.
8. The CACA explains that most of the older buildings are of sandstone, laid as coursed rubble or occasionally ashlar; terraces are of warm red brick. All have Welsh slate roofs and brick chimneys. Timber sash windows are white painted, doors dark green or similar painted timber; rainwater gutters and downpipes black painted cast iron. The CACA explains that uPVC windows and plastic rainwater goods are becoming commonplace in parts of the area. Boundary walls are of sandstone rubble, surface treatments include granite cart tracks and whin setts.

9. At my site visit, I observed the properties nearby and noted that whilst materials comprising sandstone or brick are commonly used being of a traditional style, there were a number of other materials such as the use of render and timber cladding nearby as well as the use of timber for boundary treatments including gates and fences. Overall, I found there to be a diverse mixture of properties in terms of size, scale, positioning and overall appearance and character. Windows and doors also range from uPVC to timber and metal and there were many rooflights varying in size visible from the street along Cockshaw.
10. The proposed development seeks planning consent for various works including the replacement of the existing two storey extension to the side and rear with a new two storey extension which would have a pitched and flat roof form finished in timber cladding. It would also replace the flat roof to the existing single storey extension to the front with a slate tiled pitched roof with rooflight to the west. The application also proposes to install new solar panels to the south elevation of the property and rooflights to the east and west elevations of the property.
11. Whilst the works would add more bulk and mass to the property than at present, the property and plot is able to accommodate a larger extension which would comprise an uncomplicated built form that allows the host building to remain the dominant element and would be in keeping in terms of size and scale with other properties in the area. The two-storey extension would comprise different materials than that used in the host property although I note that materials are already different for this section of the building. It's contemporary design and materiality, whilst not entirely in keeping with the host building, differentiates old from new thereby creating interest. It would not visually jar with the more traditional form/materials of the host property where a good proportion of the building and particularly those elevations which are most prominent would retain their traditional appearance and more distinctive character. The proposals would also improve the current condition of the property including stonework repair which is welcomed.
12. The proposed development would largely be restricted to the rear of the property where views of the rear extension are limited given the substantial tree coverage/vegetation along the Cockshaw Burn. Views of the two-storey extension including that to the side would also be restricted when travelling along Cockshaw given its positioning between the properties of Dene Bungalow and No 21a Cockshaw located either side of the site. It would also be located back from the pavement whereby views would only be apparent when viewed from the direct north of the site. On this basis, the extension including its use of timber materials would have very limited impact upon the street scene and would not appear discordant when viewed in context of the diverse appearance of properties nearby which comprise elements of timber including for boundary treatments.
13. As set out above, there are already a number of roof lights that form part of the character of the street scene. Consequently, I do not find the proposed rooflights to the east and west elevation to be overly large in this context.
14. The properties in the area vary in terms of their overall positioning/relationship with the road. At my site visit, I did not find there to be a consistent building line along this part of the road with some properties abutting the pavement

and others set further back within their plots with varying heights of built form. Whilst the proposed development would replace the existing single storey flat roof extension to the front with a new single storey pitched roof extension, the alterations would retain this part of the dwelling as single storey as well as retaining its overall position in relation to the road. Although the scale would increase, this overall change would be relatively minor and would be an appropriate response in this location given that pitched roofs are widely used of varying heights. It would not therefore lead to any significant impact to the overall street scene including levels of space/openness. Elements of timber are proposed on this front structure including its northern and eastern elevations which would be more visible within the street scene to that of the two-storey extension located further back within the site. That said, I do not find the use of timber in the particular circumstances of this case to be visually jarring in this context particularly when the majority of the material choice would be less visible in any case.

15. For the above reasons, I conclude that the proposed development would not appear as a prominent addition and would not unacceptably harm the character and appearance of the existing dwelling and surrounding area. It would therefore preserve the character and appearance of the CA. Accordingly, I find the proposed development to accord with Policies QOP 1, QOP 2, HOU 9, ENV 1, ENV 7 and ENV 9 of the Northumberland Local Plan 2016-2036, 2022 (NLP) and Policies HNP 2 and HNP 3 of the Hexham Neighbourhood Plan 2020-2026, 2021 (NP) which together, amongst other matters, provides support for development which respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting. The policies also require development to conserve the Hexham Conservation Area and its setting.
16. For the same reasons, the proposed development would also accord with chapter 12 of the Framework relating to achieving well-designed and beautiful places as well as chapter 16 which relates to conserving and enhancing the historic environment.

Living conditions

17. The appeal property is located within the front northern part of the plot and is located at the western site boundary. The proposed two-storey extension would therefore be in very close proximity to the neighbouring property to the west, Dene Bungalow. Dene Bungalow is a single storey property which has a rectangle shape with an almost central projection outwards to the rear and sits slightly forward of the rear elevation of the appeal property. In addition to the windows located in the rear elevation of Dene Bungalow, there is also a window located within the side elevation of the rear projection which faces out onto the appeal property and garden area.
18. The proposed extension would be located slightly forward of the rear elevation of Dene Bungalow which is located closest to the boundary and would therefore be visible from occupiers of this property including their associated amenity area. However, the limited overall projection beyond the rear elevation of Dene Bungalow and its overall appearance which I have covered further above would mean that the proposed development would not represent a visually overbearing feature for the existing occupiers of Dene Bungalow. Moreover, the tall wall that currently exists along the boundary would continue to screen a

proportion of the extension and views particularly from the rear elevation located closest to the boundary would be at an angle given the window positioning which is set in from the sides. Overall, I am content that outlook would not be so severely restricted from the rear elevation and amenity area serving Dene Bungalow. In coming to these conclusions, I have had due regard to the height differences of both properties but ultimately this would not alter my findings as the proposed extension would still only result in a slight projection forward of the rear elevation located closest to the boundary.

19. Given the limited projection beyond the rear elevation of Dene Bungalow, I am satisfied that it would not result in any unacceptable harm having regard to daylight/sunlight matters. Further, I have also had regard to the plan submitted relating to impact on daylight/sunlight which demonstrates that the 45-degree line is achievable.
20. For the above reasons, I conclude that the proposed development would not have an unacceptable impact on the living conditions of existing occupiers of the neighbouring property to the west, Dene Bungalow with particular regard to outlook and daylight/sunlight. It would therefore accord with Policies QOP 2 and HOU 9 of the NLP and Policy HNP 2 of the NP which together, amongst other matters, requires development to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area. For the same reasons, the proposed development would also accord with chapter 12 of the Framework relating to achieving well-designed and beautiful places.

Other Matters

21. The Council has assessed the amenity of No 23 Cockshaw (No 23) located to the north of the appeal site in relation to privacy and outlook matters whereby it has been concluded that the new opening proposed on the north elevation would not be significantly adverse. This is due to the orientation of the two properties which do not appear to face directly onto one another and the existence of permitted development rights. It was also concluded that the changes proposed to the flat roof of the single storey extension to a pitched roof would be a minor alteration. It would not therefore have a significant effect on outlook for the existing occupiers of No 23 particularly given that the road of Cockshaw separates both properties. Based on the plans provided, my own observations onsite coupled with my findings above, I have no reason to disagree with the Councils' assessment in relation to No 23.

Conditions

22. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary to ensure that the approved development is carried out in complete accordance with the approved plans. The suggested condition relating to matching materials is not relevant in the particular circumstances of this case given that materials proposed are different to that used in the existing building. Whilst materials are shown on the plans provided, I find it necessary to apply a condition relating to the submission of samples to ensure the satisfactory appearance of the development in the interests of visual amenity. Conditions relating to ecology have been attached to maintain the favourable conservation status of a

European protected species and maintain the biodiversity value of the site including the protection of nesting birds.

Conclusion

23. For the reasons given above and having had regard to the development plan as a whole, the appeal is allowed, and planning permission is given subject to the attached conditions.

N Teasdale

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan date produced 06-Nov-2023; Proposed Floor and Roof Plans Drawing No. 05; Proposed Elevations Drawing No. 10.
- 3) No development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved sample details.
- 4) Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either: a. licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or b. confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or c. written justification by a suitably qualified ecologist confirming why a licence is no longer required. The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Section 8 and Appendix 3 of the report ('Ecological Impact Assessment and Bat Survey, 22 Cockshaw, Hexham, Northumberland, Ruth Hadden, Summer 2023') which details the methods for maintaining the conservation status of bats unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England. The measures specified include: • Adherence to timing restrictions and precautionary working methods • A Low Profile Woodstone bat box will be located on the eastern garden wall prior to work commencing. • An external crevice will be created on the east gable walltop to provide a roosting site for crevice-loving bats. • Wooden beams and timbers will be treated only with 'bat friendly' products, permethrin or cypermethrin as insecticides for example. • A traditional bitumen felt (F1) or wood sarking that would give bats some grip will be used in the region of any bat roost potential and not a more modern smooth or breathable roofing membrane (BRM) that may fray and entrap bats. No BRM (Breathable Roofing Membrane) to be used in any areas where bats could gain access to roof as a result of new roost provision. • Any external lights will be set on a motion detector and short timer and be positioned in such a way that they do not shine on any of the bat access positions or the buildings, as this can deter bats. Any external lighting will be designed to meet the minimum recommendations of the Guidance Note 8 - Bats and Artificial Lighting at Night, published in 2023 by the Bat Conservation Trust and Institute of Lighting Professionals.
- 5) No demolition, development, tree felling, or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

End of schedule