



Appeal Decision

Site visit made on 19 June 2024

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 30th July 2024

Appeal Ref: APP/J4525/D/24/3339403

1 Windbrook, Sunderland SR2 0FE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Kyle Blacklock against the decision of Sunderland City Council.
 - The application Ref is 23/02304/FUL.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant advises that an alternative part one and two storey side extension was discussed with the Council, and this was noted as being 'okay'. However, in the Council Officer Report, it is indicated that earlier design iterations of the side extension were considered but, found to be unacceptable and this was advised to the appellant. This appeal relates only to the Council's refusal of permission for a two-storey side extension and the alternative design is not before me. I have determined this appeal based on the scheme that was considered by the Council.

Main Issues

3. The main issues with the development are its effect on:
 - character and appearance of the host property and the surrounding area; and
 - the living conditions of the neighbours at 8 Burleigh Close in terms of privacy.

Reasons

Character and appearance

4. The appeal site is the end property in a row of three detached, two-storey houses which have shared access off Windbrook. It has an attached single-storey side double garage which is well set back to the rear of the house. The front area consists largely of paved access and parking with some landscaping. Beyond the front curtilage, there is a large grassed public open space and neighbouring properties.

5. The proposal would be a two-storey side extension with a gable roof to the garage side of the property. It would incorporate the existing garage structure and be of a similar width. The proposed first-floor windows would have dormer-type roofs. The proposed front elevation would be set back from the front of the host property at the ground and first-floor levels, and its roof ridge would be lower than the host property's roof. Proposed external finishes would typically match the materials of the host property.
6. With the front open space, the houses are highly visible in the street scene. Even with the houses in the row having a mix of designs and one having a two-storey side extension, the row has a reasonably regular and uniform appearance. Furthermore, the set back building line and paved area to the garage side of the appeal property provides a small but positive break in the built form to the surrounding neighbouring properties.
7. Being approximately a double garage width and two storeys in height, the size of the extension would be a substantial and prominent addition to both the host property and when viewed in the wider street scene. The front set backs, lower roof ridge and use of matching materials would do little to reduce these effects and the proposal would not appear as a sympathetic and subordinate addition.
8. While there may be over fifteen house types in the estate, and there are numerous existing extensions, little evidence has been provided to show any of these are directly comparable to the proposal. Furthermore, although the neighbouring property in the row of houses has a side extension, this is a single garage width and significantly narrower than the proposal. As such, it appears less imposing and more subordinate to its host property and the street scene than the proposal. Consequently, neither this nor the other extensions in the estate justify the harm I have found.
9. I acknowledge that, due to alterations such as house extensions, the street scene of the row and the surrounding area have changed from their original designed appearance. However, this does not mean the proposal's effect in the context of the current established street scene should be ignored. Accordingly, I have considered the proposal's effect on this and found harm.
10. Sunderland City Council's Development Management Supplementary Planning Document 2021 (SPD) provides design guidance for household extensions to prevent them from appearing dominating and not subordinate to the host property. Although the appellant refers to this guidance as being draft, the Council has confirmed the SPD was adopted in 2021 and no evidence to the contrary has been provided. It is also suggested that the SPD does not provide any defined recommendations for two-storey side extensions on detached houses. However, Section 4 of the SPD provides guidance for side extensions and no compelling evidence that this cannot apply to detached houses has been presented. As such I consider the SPD is relevant and appropriate in considering the proposal.
11. In this regard, the proposal would meet the SPD's recommendations in terms of the side extensions' front set back and lower roof ridge. However, it would not meet the SPD's recommendation that the width of side extensions should not be greater than 50% of the width of the original dwellinghouse. While I appreciate each case should be considered on its own merits, this failure to meet the SPD's width recommendations supports my findings that the proposal would be a substantial addition and cause harm.

12. In conclusion, the proposal would harm the character and appearance of the host property and the surrounding area. It would not accord with Policy BH1 of the Sunderland City Council Core Strategy and Development Plan 2015 to 2033 – January 2020 (CSDP) and the SPD. This policy and guidance, amongst other matters, seeks new development to be of a scale, massing, layout, appearance and setting which respects and enhances the positive qualities of nearby properties and the locality.

Living Conditions

13. Located to the front and close, approximately 15 metres, to the appeal site is 8 Burleigh Close (No 8). It has a number of windows at ground and first floor which face the appeal site. Due to its side orientation and high boundary fencing and planting, existing views from the appeal site into No 8 are limited.
14. The proposal's first-floor windows would directly face 31 Highclere Drive and the public open space. However, due to their closer and elevated positioning to No 8, views over the top of the fencing and planting and into No 8 would be possible. While these views would be angled to a degree, they would still allow unacceptable overlooking of the occupiers.
15. The appellant contends that the proposal would meet the SPD's recommendation that one or two-storey properties should have a minimum of 14 metres between main windows facing a neighbouring side or end elevation (with secondary windows or no windows). However, little evidence to show No 8's windows are secondary is presented. As such, I cannot be sure the proposal would meet the SPD's recommended spacing standard.
16. While the appellant indicates that this reason for refusal was not brought up during the discussions with the Council, due to the closeness of No 8, consideration of the impacts of the proposal on the living conditions of residents is reasonable and justified.
17. Consequently, the proposal would harm the living conditions of the neighbours at No 8 in terms of privacy. It would not accord with Policy BH1 of the CSDP and the SPD. This policy and guidance, amongst other matters, seeks new development to retain acceptable levels of privacy and ensure a good standard of amenity for all existing and future occupiers of land and buildings.

Conclusion

18. For the reasons given above the appeal should be dismissed.

J Symmons

INSPECTOR