



Appeal Decision

Site visit made on 14 January 2025

by **N Kempton BAHons PGDip MA IHBC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2025

Appeal Ref: APP/P2935/D/24/3353462

47 Woodside, Darras Hall, Ponteland, Northumberland NE20 9JB

- 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 Jennie Rosby against the decision of Northumberland County Council.
 - The application Ref is 24/02781/FUL.
 - The development proposed is proposed extension and alteration with disabled adaptations.
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Decision

1. The appeal is allowed and planning permission is granted for proposed extension and alteration with disabled adaptations at 47 Woodside, Ponteland, Northumberland NE20 9JB in accordance with the terms of the application, Ref 24/02781/FUL and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.

Preliminary Matters

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) (published December 2024). Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by this.
3. The description of development is taken from the decision notice rather than the application form as this is succinct and omits extraneous information pertaining to grant funding and the planning application fee payable.

Main Issues

4. The main issues relevant to this appeal are the effect of the proposed development on:
 - the character and appearance of the host dwelling and the area;
 - the living conditions of occupiers of 49 Woodside with particular regard to privacy and external amenity space.

Reasons

Character and appearance

5. The appeal property is located within the Darras Hall estate in Ponteland. The estate is characterised by a variety of architectural styles and a mixed palette of

materials. Properties range from original bungalows to modern mansions that have been developed in recent years. Dwellings are set well back behind extensive front gardens and screened to a greater or lesser extent by mature trees, gates, piers, boundary walls and high hedges. This provides properties in this part of the estate with an arcadian feel and a sense of privacy. Predominantly residential, the essential character of the estate derives from the relationship between the mature landscape and the low density of the built form.

6. The Council has not identified conflict with the side and rear elevations, as proposed, and I see no reason to find any. With regards to the front elevation, the massing of the extension is articulated with a pair of asymmetrical gables, which are abridged by a flat roof, projecting out and stepped down from the principal ridge, thereby remaining subordinate to the host dwelling. As such, the legibility of the host dwelling is retained.
7. I observed large residential dwellings in the immediate locality- both with wide facades orientated to the street and dwellings that are deep in plan projecting out to the front and extending to the rear. Front gable projections feature in the local architecture. The bulk and massing of the front extensions, as proposed would not therefore, constitute a departure. The extensions would not exceed the width of the existing footprint of the dwelling and adjoining garage. Rather it would maintain the gaps between houses.
8. The scale of the proposed development would be larger than the neighbouring dwellings flanking both sides of the appeal property. However, given the diversity that characterises the built form in the local context and the existence of large modern mansions in the vicinity of the appeal site, the scale and massing of the proposed development would not appear incongruous and would not assume undue prominence to the detriment of the character and appearance of the area.
9. Given the varied building line and the position of the appeal dwelling, behind the extensive and well vegetated front garden, its bearing on the street scene would be diminished. Furthermore, in view of the diversity in architectural styles and external materials exhibited in this part of the Darras Hall estate, the proposed development would not be conspicuous by reasons of material palette or design detailing, including fenestration.
10. The size, scale, siting, and design of the development proposal would not be inappropriate to its context. Rather, it would satisfactorily integrate with and respect the distinctive character and appearance of the host dwelling and the area.
11. For these reasons, the proposed development would accord with the following policies of the Northumberland Local Plan (LP) (2022): LP Policy QOP 2 which relates to good design and amenity and requires development to provide a high standard of amenity for existing and future users of the development itself. The policy sets out criteria that development proposals are expected to meet, including criterion a.) the physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring users; and LP Policy HOU 9 which states that householder proposals for extensions will be supported where, amongst other things, the enhancement is well-related and subordinate in size and massing to the existing dwelling, and in combination with the existing dwelling forms a visually indivisible single dwelling as a whole.

12. The proposed development would accord with policies Policy PNP 2 and PNP 4 of the Ponteland Neighbourhood Plan (NP) (2017). Policy PNP 2 relates to high quality and inclusive design and supports proposals which meet the criteria set out, including where development: creates a sense of place by protecting and adding to an area's quality, distinctiveness and character; respects the character of the site and its surroundings in terms of its location, layout, proportion, form, massing, density, height, size, scale, materials and detailed design features. NP Policy PNP 4 supports proposals for extensions to dwellings within the Darras Hall estate where they conform to criteria, including: criterion a.) the proposed extension should be respectful of the scale and massing separation of adjacent dwellings and the street scene, particularly in relation to the frontage of the application site to the highway.

Living conditions- occupiers of 49 Woodside

13. The orientation of 49 Woodside affords principal windows at ground and first floor level, direct view into the appeal property. The proposed development would introduce additional, secondary windows into the side elevation facing 49 Woodside. However, by reasons of the orientation of the appeal property, the spacious plots, and the mature planting along the established shared boundary, the proposed development would not unduly exacerbate the existing situation with regard to intervisibility or unacceptable loss of privacy.
14. As such, the proposed development would not result in unacceptable harm to the living conditions of occupiers of 49 Woodside with particular regard to privacy and external amenity space.
15. Therefore, the proposed development would be in accordance with Policy QOP 2 of the LP which relates to good design and amenity and requires development to provide a high standard of amenity for existing and future users of the development itself. The policy sets out criteria that development proposals are expected to meet, including criterion c.) which states that the appropriate levels of privacy, according to the use of buildings and spaces, are incorporated into the design of the new development and are not unacceptably harmed in existing neighbouring development.
16. The proposed development would also accord with HOU 9 of the LP which states that householder proposals for extensions will be supported where, amongst other things, the enhancement does not have a significant adverse impact on the amenity of adjoining properties in terms of unacceptable loss of privacy.
17. Furthermore, the proposed development would accord with the following policies of the NP: Policy PNP 1 which seeks to ensure development is sustainable and requires proposals to demonstrate how the development would, amongst other things minimise its impact on amenity for new and existing residents in the vicinity of the development; and Policy PNP 2 which relates to high quality and inclusive design and supports proposals which meet the criteria set out, including where development will not have an unacceptable adverse impact on the amenities of occupiers of nearby properties.

Other Matters

18. I have had due regard to Article 19 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD), the Human Rights Act 1998 (HRA), and to the Public

Sector Duty (PSED) under Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, advance equality of opportunity and access, and foster good relations between persons who share a protected characteristic and those who do not share it. Disability is a relevant protected characteristic to which the PSED applies.

19. These rights are engaged in reaching my decision and I have kept these interests at the forefront of my mind. However, they are qualified rights and interference may be justified where in the public interest. The concept of proportionality is key. I recognise that the proposed development has been designed to meet the appellant's personal circumstances and specifically to enable care of a dependent child with a protected characteristic. Based on the evidence before me, I have found the proposed development to be compliant with the development plan and as such, this matter is not determinative.

Conditions

20. I have imposed the following conditions: the statutory time condition (1), which is required to ensure compliance with Section 91 of the Town and Country Planning Act 1990; a condition listing the approved plans (2) which is needed to ensure clarity of what has been permitted; condition (3) refers to materials to be used in the external finishes of the development and is warranted to secure an appropriate palette, in the interests of the appearance of the development and the visual amenities of the area; condition (4) is required to maintain the conservation status of priority species in accordance with Policy ENV2 of the Northumberland Local Plan (2017).

Conclusion

21. I have found that the proposed development would not harm the character and appearance of the host property and the area. It would not be detrimental to the living conditions for the occupiers of 49 Woodside with particular regard to privacy and external amenity space.
22. For the reasons given, the development is in accordance with the relevant policies of the development plan when read as a whole and there are no material considerations to indicate that a decision should be taken other than in accordance with that plan.
23. The appeal is allowed.

N Kempton

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing Site Plan drawing no. 10257 03.A1 Rev 1

Existing Floor Plans drawing no. 10257 01.A1 Rev 1
Existing Elevations drawing no. 10257 02.A1 Rev 1
Proposed Site Plan drawing no. 10257 06.A1 Rev 2
Proposed Floor Plans drawing no. 10257 04.A1 Rev 2
Proposed Elevations drawing no. 10257 05.A1 Rev 2
Location Plan, date produced 11-Aug-2024
47 Woodside-12.A3(-) Surrounding Development Ratio

- 3) No development above ground level shall take place until details of all external walling and roofing 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 details.
- 4) Development shall be carried out in accordance with the recommendations of the Preliminary Bat Roost & Ecological Assessment 47 Woodside, Darras Hall (A1 Ecology Ltd, July 2022) report, including adherence to the method statement.

END OF SCHEDULE OF CONDITIONS Appeal Ref: APP/P2935/D/24/3353462