



Appeal Decision

Site visit made on 3 October 2024 by J Reed MPlan

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

Appeal Ref: APP/P2935/D/24/3349793

15 Cambo Avenue, Bedlington, Northumberland, NE22 5NJ

- 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 Mrs Kirsty Chamberlin against the decision of Northumberland County Council.
 - The application Ref is 24/01174/FUL.
 - The development proposed is proposed side extension and front extension to existing dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the surrounding area.

Reasons for the Recommendation

Character and appearance

4. The appeal site is located within a residential area. The appeal dwelling is a two-storey semi-detached building surrounded by other residential properties which are predominantly two stories high, and are terraced or semi-detached which helps create a consistent design to the area.
5. The proposed two storey extension would be slightly stepped down from the existing host dwelling's ridge height, would be flush with the principal elevation and would be of a substantial width. The proposed single storey front extension would also occupy a majority of the principal elevation. The resultant extension would be an awkward, bulky addition which would dominate the existing property and would alter the existing dwelling's character and design.
6. Although the proposed extension would use appropriate materials, it would be viewed as an incongruous feature due to its scale and massing in comparison to the host building and would unbalance the pair of semi-detached properties. This is further exacerbated by its large width, forward projection, and lack of

set back to the front elevation. As a result, the proposal would not relate well to the host dwelling, would be a dominant feature in the street scene and would adversely affect the character and appearance of this residential area.

7. I observed on my site visit that there were other two storey side extensions within the vicinity and notably at 1 Dene View East. However, that side extension is clearly read as a subordinate addition by virtue of its set back at the principal elevation and modest width allowing the original dwelling to still be clearly legible.
8. Notwithstanding the proposed use of matching materials, due to its form, style and siting, the scheme would significantly harm the character and appearance of the host property and the area. It would thereby conflict with Policy HOU 9 of the Northumberland Local Plan (2022) and the National Planning Policy Framework which, amongst other things, seeks for development to be designed to the highest standards, and to harmonise and integrate with its local context.

Personal circumstances

9. In determining this appeal, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Disability is a relevant protected characteristic to which the PSED applies.
10. It has been brought to my attention in the appeal statement that there is someone within the appeal dwelling with additional needs. The appellant has made an additional submission of annotated plans outlining how the scheme will improve accessibility for the individual and comply with Part M of the Building Regulations Guidance (2010).
11. The proposal has been designed to provide additional space for the use of a wheelchair for the appellant. This is a matter of significant importance to which I afford considerable weight. However, in this instance, the development proposed is permanent and would remain indefinitely regardless of the needs of the future occupiers of the dwelling. As a result, the requirement to provide additional space for wheelchair usage to meet the appellant's needs does not outweigh the wider public interest in ensuring that the character and appearance of the area is protected from the permanency of harm that would arise from the proposal. Furthermore, I am not persuaded that the improvements could not be provided via an alternative scheme and achieve the requirements of Part M of the Building Regulations Guidance (2010) whilst alleviating the harm identified.
12. I have also considered the rights of the appellant under Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998. Article 1 of the First Protocol states that every person is entitled to the peaceful enjoyment of their home. Article 8 affords the right to respect for private and family life. Dismissal of the appeal would interfere with the appellant's rights under both Article 1 of the First Protocol and Article 8. However, these are qualified rights, and any interference may be justified where it is in accordance with the law and is necessary in a democratic society, applying the principle of proportionality.

13. I acknowledge that the consequence of dismissing the appeal would be that the appellant's free use of all rooms in their home would be restricted. However, the harm I have identified to the character and appearance of the area is such that dismissal of the appeal would be a proportionate and necessary response that would not violate the appellant's rights under Article 1 of the First Protocol or Article 8.

Other Matters

14. I note that there have been no objections to the appeal scheme, but this would not obviate the need for an assessment as to its effects in the context of the main issue.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR