



Appeal Decision

Site visit made on 14 January 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2025

Appeal Ref: APP/X1355/W/24/3351671

45A Sunderland Road, Gilesgate, Durham DH1 2QH

- 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 Dr Raj Naik against the decision of Durham County Council.
 - The application Ref is DM/23/02504/FPA.
 - The development proposed is retention of existing 5-bedroom C4 HMO and two-bedroom C3 flat and extensions and alterations to create 2 no. additional two-bedroom flats (total 4 no. separate units) (description amended).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development is taken from the decision notice as the proposal has changed from that stated on the application form. Both parties have used the description in their submissions, so I am satisfied that no one is prejudiced by this approach. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have considered the changes and have determined the appeal having regard to the revised Framework, however as the changes are not material to the proposal, further comments were not sought from the parties.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including the appeal property.

Reasons

4. The appeal site accommodates a two-storey detached dwelling that fronts onto Sunderland Road. While there is variety within the street as a whole, the appeal property is located in between a bungalow and a two-storey detached dwelling and forms part of a row of dwellings. The area surrounding the appeal site therefore has a principally residential character. The similarity in the general scale of the built form and predominant use of red brick creates a sense of balance and a harmonious character and appearance that contributes positively to the area.
5. Amendments have been made to the design of the scheme following pre application advice. Nevertheless, the proposal would overly intensify the quantum of built form at the appeal site, resulting in an uncharacteristically large building that would be conspicuous in the street scene. The scale of the proposed extensions and alterations are such that they would not be subservient to the

existing property as advised in the Residential Amenity Standards Supplementary Planning Document (2023). In particular, the infill addition at first floor would have a poor degree of integration with the appeal property. This would result in the proportions of the property being so altered that it would have an appearance similar to a block of flats and the property's existing form would no longer be readily apparent.

6. Despite being set back from the road, the incongruous form of development would stand very prominently within the street scene along a key route, visually competing with the modest scale of the neighbouring dwellings and harmfully disrupting the rhythm of the row of dwellings. In this regard, the proposal does not secure high quality design that takes account of local character and surrounding built environment, as sought by the Framework.
7. The appellant contends that the proposal would be a visual improvement on the current appearance of the property. However, while a more uniform appearance would be achieved through a coherent palette of materials, the marked visual change created by the use of white render would draw the eye. In doing so it would detract from the harmonious appearance of the row of dwellings where red brick predominates. There are a large number of commercial properties and dwellings in the wider area that feature white render. Nevertheless, they are not generally seen in context with the appeal site, such that they do not inform the immediate character and appearance of the appeal site location. The examples provided do not therefore lead me away from my above findings.
8. Moreover, the presence of apparently similar development elsewhere on Sunderland Road does not indicate that the proposal's scale and massing would sit comfortably within the street scene. The proposal would achieve policy compliance on a range of other matters, including parking and highway safety, accessibility to shops and services and residential amenity. However, the lack of harm on these matters would be a neutral factor and would weigh neither for nor against the development.
9. For the reasons given, the proposal would be unduly harmful to the character and appearance of the area, including the appeal property, and would conflict with Policies 6 and 29 of the County Durham Plan (2020). Amongst other things, these policies require development to achieve well designed buildings that contribute positively to an area's character. In addition, proposals for alterations and extensions to residential property are required to be sympathetic to the existing building and the character and appearance of the area including design, scale, layout and materials.

Conclusion

10. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR