



Appeal Decision

Site visit made on 22 July 2025

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

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/P2935/D/25/3364004

Rosslyn, 16 Woodcroft Road, Wylam, Northumberland NE41 8DJ

- 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 Jane Kirsopp-Reed against the decision of Northumberland County Council.
 - The application Ref is 25/00103/FUL.
 - The development is a loft conversion and internal alterations for disabled use.
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Decision

1. The appeal is allowed, and planning permission is granted for a loft conversion and internal alterations for disabled use, at Rosslyn, 16 Woodcroft Road, Wylam, Northumberland, NE41 8DJ in accordance with the terms of the application, Ref 25/00103/FUL, and the plans submitted with it.

Preliminary Matters

2. During my site visit, I observed a development which appeared the same as that shown on the application plans. I have therefore determined the appeal on the basis that planning permission is sought to retain the development that has been constructed.
3. Article 8 of the Human Rights Act 1998 (HRA) establishes a right for respect for private and family life and the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 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. Based on the description of development and my site visit observations an occupier at the appeal property has protected characteristics for the purposes of the PSED.
4. Mindful of the effect of the decision on this occupier, further information was requested in relation to the purpose of the development and the appellant's personal circumstances. The Council were given the opportunity to comment. I have taken the main parties' comments into account in reaching my decision.

Main Issues

5. The main issues are the effect of the development on the character and appearance of the area; and the personal circumstances of the occupiers of the appeal property, with regard to the need for the development in providing additional accommodation.

Reasons

Character and appearance

6. The appeal site is located within a residential area with a varied character and appearance owing to a range of house types, varying materials and a number of alterations and extensions. Despite the variations, the similarity in the general scale of the built form creates a sense of balance and a harmonious character and appearance that contributes positively to the area.
7. Even if the development meets the volumetric calculations under permitted development rights and dormer roof extensions are a characteristic of the area, materiality is an important consideration to ensure the creation of high-quality places. Which the National Planning Policy Framework sets out is fundamental to what the planning and development process should achieve.
8. Cladding was chosen rather than hanging slate to match the existing roof to avoid rattling in windy conditions and for maintenance reasons. However, owing to the scale of the dormer which sits prominently in the roof, the use of dark grey cladding draws the eye rather than blending into the lighter grey tiles of the rest of the roof. In doing so it exacerbates the bulky scale of the dormer and does not form a visually indivisible single dwelling as a whole, required by Policy HOU9 of the Northumberland Local Plan 2016 – 2036 (2022) (NLP).
9. The development is seen in the context of a mix of property types and styles with varied appearance, including the use of cladding and where dormers are a feature, which mitigates the effects of the development. Nevertheless, the development disrupts the harmonious character of the area, causing some limited, localised visual harm and an unacceptable adverse impact on the style and character of the existing dwelling and its setting.
10. To conclude, the development harms the character and appearance of the area and conflicts with NLP Policies HOU9, QOP1 and QOP2. Amongst other things, these policies require residential extensions to deliver good design, make a positive contribution to local character and not be visually obtrusive.

Personal circumstances

11. The appeal property is occupied by a person with a significant medical condition and who has associated lifelong care needs that affect their ability to carry out day-to-day activities, which are likely to increase over time. I understand that the individual is managing a disability due to these medical conditions.
12. The appeal bungalow was purchased with age and increasing health issues in mind. The evidence indicates that the occupier's care needs have increased significantly over the last year. In addition, the appellant themselves has medical complaints that mean it is increasingly challenging to provide the required care and support. As such, the dormer extension was constructed to provide an additional bedroom and ensuite facilities which can accommodate live-in support to ensure adequate care to manage the occupier's disability while remaining at their home. I have no clear reason to doubt the appellant's personal circumstances. Without the live-in accommodation, the occupiers would be subject to the emotional stress of finding suitable alternative accommodation to meet their specific needs, negatively affecting their health and wellbeing.

13. The development provides the opportunity for the occupier with disabilities to choose their place of residence and with whom they live, in accordance with Article 19 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Furthermore, the development will advance the equality of opportunity for a user with a protected characteristic which is a clear benefit of the development.

Planning Balance

14. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. I have found that the development causes harm to the character and appearance of the area, in conflict with NLP Policies HOU9, QOP1 and QOP2. The level of harm is limited due to the variety of materials in the surrounding area and the presence of existing dormer extensions of varying sizes. I give the identified policy conflict moderate weight.
15. Against this, and mindful not only of the rights of a disabled person to a family life and home under HRA Article 8 but also their rights under Article 19 of the UNCRPD, I must balance the fact that the development will allow the property to be adapted such that it would meet the specific needs of a person with disabilities and allow them to remain in their home. While the PSED does not necessarily override other considerations, the evidence before me in this case is compelling. I find that the scale of the development does not exceed the necessary requirements of the person with the protected characteristic and would bring about associated significant improvements to their quality of life and standard of care. This weighs heavily in favour of the appeal development.
16. In this case, the positive contribution the development will make to the personal circumstances of the current occupiers outweighs the limited harm to the character and appearance of the area. As such, even with the identified conflict with development plan policies, there are particularly important and persuasive material considerations that indicate that the development should be allowed.

Conclusion

17. For the above reasons, the material considerations indicate that this decision should be made otherwise than in accordance with the development plan. Therefore, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR