



Appeal Decision

Site visit made on 2 December 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/M4510/W/25/3373526

30 Vauxhall Road, Walker, Newcastle Upon Tyne NE6 4YH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Manjit Grewal against the decision of Newcastle Upon Tyne City Council.
- The application Ref 2021/0492/04/RVC.
- The application sought planning permission for change of use at ground floor to shop (Class E); erection of single storey extension to proposed shop; installation of new shop front with roller shutters to front elevation; erection of first floor side extension to provide bathroom and bedroom to existing dwelling (Class C3) and provision of bedroom in roofspace; installation of rooflights to front and rear elevations at Nos. 28 and 30 Vauxhall Road. Erection of single storey rear extension to two separate hot food takeaway units; installation of flue to rear; erection of first floor side extension to provide bathroom and bedroom to existing dwelling (Class C3) and provision of two bedrooms in roofspace; installation of rooflights to front and rear elevations - at Nos. 32 and 34 Vauxhall Road (Amended Description), without complying with a condition attached to planning permission Ref 2021/0492/01/DET, dated 05 March 2021.
- The condition in dispute is No 3 which states that: The development to which this permission relates shall be carried out in accordance with the approved plans and documents referenced: Fume Extraction Plan, Existing and Proposed Plans and Elevations, Written Scheme of Investigation for Archaeological Watching Brief, Fume Extraction Quotation.
- The reason given for this condition is: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and DM20 of the Development and Allocations Plan and Policies CS1 of the Core Strategy and Urban Core Plan.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address detailed above has been taken from the planning application form. However, the address in the description of the original approval relates to 28, 30, 32 and 34 Vauxhall Road, and I have determined the appeal on this basis.

Background and Main Issue

3. In 2021 planning permission was granted, subject to a number of conditions, for the change of use of part of the building to a shop and alterations and extension to the building. The planning permission included condition 3 which specified the approved plans. The proposal seeks removal of condition 3 and its replacement with a condition specifying the plans that reflect an amended design to facilitate changes to the proposal to allow for the formation of a gable rather than a hipped roof.

4. The main issue is the effect of the amendments on the character and appearance of the host property and the immediate area.

Reasons

5. The host property is located on Vauxhall Road a predominantly residential street. Most properties are generously spaced and have large front gardens, mostly bound by metal fencing, which gives the area an open and spacious quality. The properties in the locality are two storey and semi-detached and their built form is largely consistent in terms of shape, size, scale and bulk, resulting in a regular rhythm of development. Most properties share a palette of external materials which include red brick and white UPVC windows and are designed with hipped roofs, which create a pleasing uniformity.
6. The host property reflects the dwellings in the area and is a two storey, semi-detached building with a hipped roof.
7. The proposed development would utilise external materials that are reflected in the vicinity. However, the proposed gable roof design would not reflect the established built form of existing properties in the area which is a factor that makes a positive contribution to local distinctiveness. My concerns in this regard are not addressed by the commercial use of the building, which was originally designed and built to reflect the other dwellings in the area.
8. There are other commercial premises close to the appeal site but based on the evidence before me they reflect the established built form and have a hipped roof. As such it is not clear how the commercial use of the building, or proximity of other commercial premises, warrants the proposed amendments to the approved design.
9. The appellant asserts that the viability of the development is dependent on the amendment of the approved design. Still, there is no substantive evidence before me to demonstrate that this is the case.
10. The proposed amended design may reduce the visual impact of a flue. Nonetheless, this does not warrant the introduction of roof form that would appear incongruous within the established street scene.
11. For the reasons detailed above the proposed amendments would have a harmful effect on the character and appearance of the host property and the immediate area. Therefore, it would conflict with Policy CS15 of the Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne 2010-2035 and Policy DM20 of the Newcastle upon Tyne Development and Allocations Plan 2015-2030, which require new development to respond positively to local distinctiveness and character and provide high quality inclusive spaces and buildings.

Other Matters

12. The scheme involves the regeneration of the host building, which at the time of my site visit was in a derelict state. The commercial use of the building may provide employment and also beneficial services or facilities to local residents. However, I am not certain the amended design is essential to achieve these benefits.

Conclusion

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

C Livingstone

INSPECTOR