



Appeal Decision

Site visit made on 2 December 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 February 2026

Appeal Ref: APP/P2935/D/25/3374690

11 Windsor Road, Newbiggin-by-the-sea, Northumberland NE64 6UH

- 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 Mr Jordan Arkle against the decision of Northumberland County Council.
- The application Ref is 25/02542/FUL.
- The development proposed is erection of a two-storey rear extension, loft conversion, including the construction of a front and rear dormer. Part retrospective permission sought for the removal of existing render to expose the original stonework, along with alterations to the side elevation to introduce new windows.

Decision

1. The appeal is dismissed insofar as it relates to the front and rear dormers.
2. The appeal is allowed insofar as it relates to the two-storey rear extension and removal of existing render and alterations to the side elevation to introduce new windows; and planning permission is granted for the two-storey rear extension and removal of existing render to expose the original stonework, along with alterations to the side elevation to introduce new windows at 11 Windsor Road, Newbiggin-by-the-sea, Northumberland NE64 6UH, in accordance with the terms of the application, Ref 25/02542/FUL, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The two-storey rear extension and removal of existing render to expose the original stonework, along with alterations to the side elevation to introduce new windows, 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 insofar as they relate to the approved development:

WR-11-03-p Rev b - Proposed Plans; and

WR-11-04-p Rev b - Proposed Elevations
 - 3) The external materials of the two-storey rear extension and replacement windows, and removal of existing render to expose the original stonework, along with alterations to the side elevation to introduce new windows, hereby permitted shall match those used in the existing dwelling.
 - 4) Within three months from the date of this decision, the window located on the second-floor side elevation, as shown on Drawing WR/11/04/p Rev b,

shall be obscure glazing to Level 3, and this specification shall be retained as such thereafter.

- 5) Prior to the first use of the two-storey rear extension hereby permitted, a bird box shall be built into the two-storey rear extension. Its design and installation shall follow best practice guidance (e.g. as close to the eaves as possible, facing between the north and east elevation and away from artificial light). This feature shall then be retained thereafter.

Preliminary Matters

3. It was evident at appeal that the description used on the planning application form by the appellant and the Council during its assessment and on the initial consultation and advertisement omitted reference to the proposed front dormer. The description in the banner above has been taken from the Council's correspondence dated 23 December 2025, which was agreed with by the appellant, except where I have deleted reference to (amended at the request of the Planning Inspectorate on 17.12.2025), as these do not relate to an act of development. The Council has undertaken a further round of consultation on the amended description, and I am now satisfied that the description now reflects the development sought, and I can proceed with my assessment.
4. During the Council's consideration of the planning application, amended plans were submitted¹ showing changes, amongst other matters, to the rear extension. The appellant has requested that I consider these changes, which were before the Council when it took its decision. The Council contend that whilst the revised plans were not considered, the changes would still not have been considered acceptable due to the inclusion of inappropriate dormers. I have considered these plans, taking into account the tests on Holborn Studios Ltd². Given that the description of the proposed development remains the same and the overall footprint has not been enlarged, I do not consider that the amendments would lead to the scheme being substantially different to that considered at the application stage. Interested parties and the Council have had an opportunity to submit comments on the amended plans during the course of the appeal. In these circumstances and given the representations received during the course of the application, I am satisfied that my consideration of the proposed amendments would cause no injustice to any party were I to consider them as part of the appeal documentation. I have therefore determined the appeal on the basis of plans, WR-11-03-p Rev b - Proposed Plans, and WR-11-04-p Rev b - Proposed Elevations.
5. It was apparent during my site visit that some works have commenced, namely, the removal of the existing render and the introduction of new windows to the side elevation. I have therefore dealt with the appeal on the basis that planning is being sought for these retrospectively.
6. The proposal is for a rear extension, loft conversion, including the construction of a front and rear dormer and removal of existing render to expose the original stonework, along with alterations to the side elevation to introduce new windows. The Council has indicated that it has no objection to the removal of existing render or alterations to the side elevation to introduce new windows, and based on the evidence, I have no reason to take a different view. The dispute between the

¹ WR-11-03-p Rev a - Proposed Plans and WR-11-04-p Rev a - Proposed Elevations

² Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

parties relates to the rear extension and front and rear dormers, and these shall be the focus of my assessment.

7. The Council, in its second refusal reason, refer to the impact the proposed two-storey rear extension would have upon the occupants of No 8 Windsor Road (No 8). However, I saw that No 8 is on the opposite side of Windsor Road and that the adjoining property with which the appeal site shares a boundary is in fact No 9. Given my observations on site, I have taken this to be a typographical error, and I have not considered it necessary to seek the main parties' views. I have therefore considered the living conditions of No 9 and not No 8.

Main Issues

8. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and surrounding area, and whether the proposed development would preserve or enhance the character or appearance of the Newbiggin-by-the-Sea Conservation Area (the CA); and,
 - the effect of the proposed two-storey rear extension on the living conditions of occupants in No 9 Windsor Road (No 9) with particular regard to sunlight and outlook from within the property and private amenity space.

Reasons

Character and appearance and Heritage Assets

9. The appeal site (No 11) is located within the CA and positioned on the corner of Windsor Road and Thirlmere Terrace. I saw that No 11 occupied a prominent location and was clearly visible within the streetscene and the CA. There is a clear distinction between the rear of properties on Windsor Road and those on Thirlmere Terrace. Currently, the rear of several properties on Aqua Terrace and Gibson Street can readily be seen from the junction with Thirlmere Terrace and Windsor Terrace. The roofscape to the front and rear of Windsor Road is also currently largely free from development, with the exception of a few small dormers to the front.
10. The special interest and significance of this part of the CA predominantly comes from the architectural qualities of its 19th-century traditional, mainly two-storey domestic-scale terraced housing, largely focused on the coast with views funnelled towards the sea and the horse-shoe steps. This is aided by the predominantly simple roof line, which includes small front dormers. The largely uncluttered roofscape is significant to the views.
11. No 11 is a traditionally designed terraced property with ground and first-floor bay windows. I saw that it was representative of this part of the CA. Its existing form contributes to the historical context of the streetscape, which in turn contributes positively to the CA.
12. To the rear of No 11 is a range of single-storey extensions which occupy the majority of the rear yard up to the back lane, the roof of which vary in both height and design. Above the current kitchen, the roof is a mono-pitched design, which I saw projected above the cill of the upper floor windows on the shared boundary

with No 9. Beyond the kitchen, I saw that the roof above the current utility and garage was predominantly flat.

13. I also saw that a number of properties within the CA have two-storey rear extensions, many of which occupy approximately half the width of the property and have flat roofs. Several properties had dormer windows to the front and rear. Those visible from the appeal site were predominantly narrow with vertical timber features and had curved roofs.
14. I acknowledge that the rear extension would be visible from within the surrounding area and from within the CA; however, I note that the Newbiggin-by-the-Sea Conservation Area (Existing & Proposed) 2008 (the SPD) recognises that later offshoots and extensions are not uncommon.
15. The proposed amended rear extension, as amended, would be set away from the shared boundary with the adjoining neighbour and would project approximately half the width of the rear elevation. It would extend outwards from the existing main rear wall of No 11 up to the proposed garage and incorporate a largely flat roof. Its projection, width and design would match the consistency of the two-storey rear extensions I saw within the immediate vicinity. It would therefore not appear unusual to the rear of No 11 or the CA and would appear compatible in terms of scale and design with the appeal property and its immediate context.
16. I am mindful that the two-storey rear extension would obscure some current views of the rear elevation of Aqua Terrace and Gibson Street, however I note its distance from the back lane would retain a sense of openness between the host property and the flank elevation of Thirlmere Terrace. This would largely preserve the historic street alignment and character of the CA.
17. I note that the SPD does not resist new dormers; rather, it states that new dormers should be avoided unless carefully designed, are modest in scale, well proportioned, positioned and detailed, and preferably on rear or less visible roof slopes.
18. The proposed dormers would each comprise two windowpanes to the front, glazed cheeks to the side and a pitched roof over. The appellant contends that the proposed dormers have been amended; however, from the plans before me, and despite the lightweight design of their cheeks, the dormers would still retain two glazed panels to the front, which accentuates their horizontal emphasis.
19. Whilst I saw dormers visible both to the front and rear elevations of nearby properties, the width and design of these differed significantly from those before me. The proposed development would introduce a prominent mass at a high level on the front and rear roof slopes. The scale and design of the proposed dormers would therefore appear unsympathetic within its context, unbalancing the roofscapes, and resulting in harm to both No 11 and the CA. Whilst I accept that the harm to the significance of the CA would be less than substantial, Paragraph 215 of the National Planning Policy Framework (Framework) states that the harm should be weighed against any public benefit.

Public Benefits and Heritage Conclusion

20. Paragraph 213 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or

from development within its setting) should require clear and convincing justification.

21. The appellant has drawn my attention to caselaw³. There is no dispute between the main parties that the removal of the cement better reveals the original stonework, to which I attach moderate weight. They also contend that there would be energy-efficiency and durability enhancements through fabric improvements, but there is little explanation as to the technology or materials. As such, I can only attach limited weight to this. Furthermore, I have nothing to persuade me that without the front and rear dormers, the future use of No 11 would be unviable. As such, I attach limited weight.
22. Consequently, these moderate and limited public benefits would not outweigh the great weight attached to the conservation of the heritage assets, and the proposed dormers would therefore conflict with the Framework. The harm to the CA would not be outweighed by public benefits. Moreover, Local Plan Policies ENV1, ENV 7 and ENV9 and NNP Policy N4 collectively seek to ensure development preserves or enhances the character and appearance of CA's in Northumberland. The dormer extensions would not preserve or enhance, whereas, for the reasons above, the two-storey rear extension would at least preserve the character and appearance of the CA.
23. The appellant has also drawn my attention to caselaw⁴. It is open to me to reach a split decision on appeals, allowing the appeal in part and dismissing other elements. This is only possible where the separate parts of the proposal are clearly severable and are not functionally or physically linked. In this case, the two-storey rear extension, which I have found to be acceptable, is not physically or functionally linked to the proposed dormer extensions and therefore can be allowed. I will, therefore, issue a split decision allowing the appeal insofar as it relates to the rear two-storey extension but dismissing it in relation to the dormer extensions.
24. For the above reasons, I conclude that the front and rear dormers would have an unacceptable effect on the appearance of the host property and would fail to preserve the character and appearance of the CA. These aspects of the proposal fail to accord with Local Plan Policies ENV1, ENV 7 and ENV9 and NNP Policy N4 as set out above, and Local Plan Policies QOP1, QOP2 and HOU9, which collectively seek to preserve the character of the area. The proposal would also be contrary to the provisions of the Framework in relation to heritage assets and design which seek to ensure, amongst other matters, that development is sympathetic to local character.
25. With regard to the proposed two-storey rear extension, I am satisfied that this aspect would not harm the appearance of the appeal property and would preserve the appearance of the CA. Consequently, the proposed works accord with the aforementioned policies.

Living conditions

26. No 11 is an end of terraced property, with No 9 its immediate neighbour. I saw that No 9 currently has an open-ended single-storey, predominantly flat-roofed structure to the rear, which infills the majority of the rear yard and extends from the main rear

³ South Lakeland DC v SSE (1992) and Barnwell Manor (2014)

⁴ Timmins v Gedling BC [2014] EWHC 654 (Admin)

elevation up to approximately half the depth of the yard. Its roof partially encloses the main ground floor rear window, and a door and window within the existing single-storey outrigger.

27. At the time of my site visit (mid-morning), the sky was clear, and I saw that the majority of the flank and rear elevation of No 11, together with the rear elevation of No 9 and a large section of the remaining terrace within which the appeal site is situated, was in shade.
28. I have nothing before me from either of the main parties to demonstrate what the current level of sunlight the rear habitable rooms of No 9 currently receive. Based on the evidence before me and observations on site, it is unlikely that the amended proposed rear extension, which would be set off the boundary with No 9, would restrict the amount of sunlight to the rear habitable rooms of No 9 any more than the current situation.
29. With regard to the private amenity space of No 9, I saw that the area closest to the rear elevation was partially enclosed, and that the area closest to the rear lane was open to the elements. Given that the depth of the two-storey rear extension would be set off the rear lane, it is likely that it would terminate approximately in line with the open area of the yard. Based on the evidence before me and observations on site, I am not satisfied that the two-storey rear extension would adversely affect the living conditions of residents of No 9 when within their private amenity space.
30. The Council contends that the rear extension upon which it made its decision would be set approximately 0.9 metres from the shared boundary and that it breached its 45-degree test. The amended plans I am basing my assessment on were before the Council at the time it made its decision and demonstrate that the rear extension would now be set further from the shared boundary. The Council have not provided anything in its evidence to show the extent of the breach with regard to the amended scheme. From the evidence before me, given that the proposed development would now be set significantly further from the boundary, and in the absence of anything to the contrary, it is likely that the proposed development would no longer breach this test.
31. For the above reasons, I conclude that the proposed two-storey rear extension would not result in unacceptable living conditions for the occupants of No 9. Accordingly, there would be no conflict with Local Plan Policies HOU 9 and QOP 2, and NNP Policy N1 which collectively seek, amongst other matters, for development to ensure no harm to residential amenity with regard to sunlight.

Other Matters

32. I acknowledge that the appellant contends that they have sought to work with the Council and sympathise with the appellant's frustrations with the Council's handling of their planning application, which includes, amongst other matters, its failure to undertake a joint site visit. However, these matters are not within the scope of my assessment, which must focus on the planning merits of the appeal. Any concerns relating to its conduct are best addressed through direct engagement with the Council, utilising any complaints procedure that it may have.

Conditions

33. The Council has suggested a number of conditions which I have considered against the tests set out in the Framework and Planning Practice Guidance. I have only taken on board those which relate to the element I am allowing.
34. With regard to its suggested condition 2, whilst there is nothing in the evidence which sets out the reasoning behind its suggestion, the appellant, in their statement (paragraph 4.2), does state that the side gable window would be obscured to protect privacy. As this aperture has been installed and without anything to demonstrate that it is obscure, I consider it reasonable to impose a condition to require the installation of obscure glazing within three months of the date of this decision.
35. To ensure there is a biodiversity enhancement, it is necessary to impose a condition seeking a bird box to be installed in the two-storey rear extension, following best practice guidance.
36. Given that I am allowing the two-storey rear extension, I also consider it necessary to impose the standard time limit condition to ensure that works are undertaken within three years of this approval. Furthermore, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, I have also considered it necessary to impose a condition relating to materials matching those in the existing dwelling.

Conclusion

37. For the reasons given above, I conclude that the appeal in relation to the front and rear dormers should be dismissed due to the harm to the character and appearance of the building, the CA and conflict with the development plan. However, no harm would arise from the two-storey rear extension, and this part of the scheme would comply with the relevant policies of the development plan and should be allowed. Accordingly, I shall allow the appeal in part, subject to the conditions set out above, and dismiss the appeal insofar as it relates to the front and rear dormers.

L Clark

INSPECTOR