



## Appeal Decision

Site visit made on 4 January 2022

by **J Symmons, BSc (Hons) CEng MICE**

an Inspector appointed by the Secretary of State

Decision date: 19<sup>th</sup> January 2022

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**Appeal Ref: APP/H4505/D/21/3286186**

**14 Burnop Terrace, High Spen, Rowlands Gill NE39 2AH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Pauline Bell against the decision of Gateshead Metropolitan Borough Council.
  - The application Ref DC/21/00734/HHA, dated 6 June 2021, was refused by notice dated 14 September 2021.
  - The development proposed is the construction of a first-floor extension above an existing single storey offshoot to the south elevation of the property. The proposed extension would be finished in timber cladding with a slate roof containing a section of glazing and would provide a sunroom and bathroom.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
  - the character and appearance of the area; and
  - the living conditions of the neighbours at 12 Burnop Terrace in terms of light, outlook and privacy.

### Reasons

#### *Character and Appearance*

3. Burnop Terrace and Wood Terrace consist of two relatively short rows of two-storey terraced properties. The properties on Burnop Terrace are typically of brick construction while Wood Terrace properties are mainly stone with some brick extensions. Both have pitched slate roofs with central ridge. To the rear of these two terraces, there is an access lane and to each side of this, between it and the properties, there is a mix of yards and single storey extensions. The extensions are constructed in similar materials to the host properties and have a variety of forms and roof types, including flat, pitched and mono-pitched. Notwithstanding the number and range of extensions, their single storey height allows for the relatively compact yards to remain fairly open. Two storey extensions are not a feature along the two terraces.
4. The appeal property has a single storey rear extension and the proposal would add an approximately 4.1m long timber clad first floor sunroom and bathroom with pitched slate roof. The pitched roof would also contain a large bespoke

rooflight over the sunroom. The rooflight cill level would be approximately 1.7m high above the finished floor level.

5. Even using high quality materials in keeping with the area, the first-floor extension would diminish the openness of the area between the two terraces and be visually intrusive. As the only first-floor extension within the two terraces, it would be noticeable and incongruous with its surroundings. This would result in a significant change to the character and appearance of the area.
6. The National Planning Policy Framework, Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (Core Strategy) and Making Spaces for Growing Places 2021 (MSGP) confirm that great importance should be attached to the design of the built environment. As part of this innovation or change should not be stifled. However, these documents also indicate that it is proper for proposals to respect, promote or reinforce local distinctiveness. Indeed, there are many examples where old and new sit comfortably side-by-side and have been permitted on a site-specific basis. The appellant refers to No 16's wraparound extension with triangular rooflight detail as an example of this. However, No 16's extension retains the general single storey character of the area while the proposal does not.
7. To support the above policies, the Council have published a Household Alterations and Extensions Supplementary Planning Document (2011) (SPD) which provides, amongst other matters, a design guide for extensions. Although the proposal is for the addition of a first-floor extension, the resulting building would be two-storeys in height and as such the guidance is relevant. There are no site-specific circumstances that demonstrate that the proposal is justified and as such the proposal would not comply with Section 10 of the SPD.
8. In conclusion, the proposal would unacceptably harm the character and appearance of the area. This would be contrary to Policy CS15 of the Core Strategy and Policy MSGP24 of the MSGP which, amongst other matters, seek to ensure compatibility with local character and distinctiveness.

#### *Living Conditions*

9. The Council have raised concerns about the effect of the proposal on the first-floor window of the adjoining property at 12 Burnop Terrace, in terms of light, outlook, land privacy.
10. Section 10 of the SPD advises that rear extensions should not dominate neighbouring properties or significantly alter a neighbour's existing level of sunlight, daylight or privacy and where this would occur then it should not be permitted.
11. The proposal would be very close to No 12's window and it would significantly reduce the outlook on one side to a largely blank wall and roof view. It would also reduce the light to the window, as shown on the appellant's sun path analysis. The raised cill level of the rooflight would limit views in and out of the extension and reduce some of the privacy concerns raised. Furthermore, the appellant has offered the use of obscured glazing as further mitigation and although this would assist in removing the risk to privacy, it would not address my concerns about light and outlook.

12. While the effect on living conditions of most neighbouring properties would not be unacceptably affected by the proposal and no neighbour objections have been received, this does not overcome my concerns.
13. Even though I have not found significant harm in relation to privacy, I conclude that there would be significant harm to the living conditions of the neighbours at 12 Burnop Terrace, in terms of light and outlook. This would be contrary to Policy CS14 of the Core Strategy and MSGP17 of the MSGP which, amongst other matters, seek to prevent negative impacts on residential amenity, such as outlook, overshadowing and privacy.

### **Conclusion**

14. For the reasons given above, I conclude that the appeal should be dismissed.

*J Symmons*

INSPECTOR