



## Appeal Decision

Site visit made on 11 January 2022

**by Katherine Robbie BA (Hons) DipTP MTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 3 February 2022**

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**Appeal Ref: APP/H4505/D/21/3285902**

**3 Home Avenue, Low Fell, Gateshead NE9 6TX**

- 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 Miss Zoe Mulvenna against the decision of Gateshead Metropolitan Borough Council.
  - The application Ref DC/21/00460/HHA, dated 5 April 2021, was refused by notice dated 12 August 2021.
  - The development proposed is "Proposed two storey side extension and front porch making the property double fronted. Rebuild of existing single detached side garage/store".
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey side extension and replacement detached single garage at 3 Home Avenue, Low Fell, Gateshead NE9 6TX in accordance with the terms of the application, Ref DC/21/00460/HHA, dated 5 April 2021, and the plans submitted with it, subject to the following conditions:
  - 1) The development 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: 3HOMEAVE/01F Rev 0/- Location Plan; 3HOMEAVE/03F Rev 0/- Topographical Site Survey and Sections; 3HOMEAVE/04F Rev 0/- Existing Conditions Drawing; 3HOMEAVE/04F Rev 0/- Proposed Conditions Drawing.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Preliminary Matters

2. The Council have referred to 'The Local Plan for Gateshead' in their officer report and refusal reason, however neither policy document I have been supplied with has that title. The policies referred to are contained within the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne entitled 'Planning for the Future' (CS) (2015) and the Site Allocations and Development Management Policies document entitled 'Making Spaces for Growing Places (MSGP) (2021). I have considered the appeal on that basis.

## **Main Issue**

3. The main issue is the effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

## **Reasons**

4. The appeal property is a modest semi-detached property on Home Avenue. The property sits on a wedge-shaped plot at the junction of the Avenue with Cherrytree Gardens, tapering towards the rear. This means that the property has a wider frontage than many of the others in the area. The area is characterised by similar modestly sized semi-detached houses and bungalows. Due to the changes in ground levels within the appeal site, there are several steps up to the front door of the property.
5. Guidelines on side extensions are set out in chapter 9 of the Council's Householder Alterations and Extensions Supplementary Planning Document (2011) (SPD). In general, it is expected that two storey side extensions should incorporate a setback from the principal elevation and also a lower ridge height in order to avoid a terracing effect with neighbouring properties. However, the SPD recognises specific circumstances where this would not be appropriate. I am satisfied that this is a situation whereby this would be the case. The orientation and distance between the appeal property and its neighbour at 1 Cherrytree Gardens and also the difference in ground levels between the appeal property and this property would mean that there would be no unacceptable harm caused by the extension of the property. A gap between the two properties would be maintained by the intervening single storey garage and the boundary arrangements between the two.
6. The Council are concerned about the width of the extension which is not in line with the general guidelines in the SPD regarding the size of side extensions. However, given the width of the frontage and the proportions of the original house, the proposed extension would not overly dominate the host dwelling or appear out of character with the surrounding area. The proposed extension would also not adversely affect the open character of the estate given the size of the plot and the gap which would be retained between the appeal property and the Gardens around the corner, particularly when viewed from the south.
7. The appearance of the appeal property and the adjoining property is currently unbalanced by the large single storey extension on the side of No 1. The stepped arrangement of the two houses exacerbates their unsymmetrical appearance. Therefore, I consider the proposed extension would not further worsen that effect to such an extent that it would be unacceptable.
8. Consequently, I find that the proposal would not unacceptably harm the character and appearance of the host dwelling or the surrounding area and would be in accordance with the requirements of CS Policy CS15 and MSGP Policy MSGP24 which seek to ensure that development is of a high quality and despite technical breaches of the SPD's guidance, the site-specific circumstances of this appeal mean that the scheme would still comply with the overall amenity and design aims of the document and the development plan as a whole.

### **Conditions**

9. I have considered the conditions suggested by the Council against the Framework and Planning Practice Guidance. I agree that a plans condition is necessary and reasonable to give certainty. A condition to ensure that the facing materials of the proposed single storey side extension and the garage match those of the main house is also necessary in the interests of the character and appearance of the host property and the surrounding area.

### **Conclusion**

10. For the reasons given above, having considered the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed.

*Katherine Robbie*

INSPECTOR