
Appeals Received Hetton Houghton and Washington

Between 01/10/2009 and 31/10/2009

Team	Ref No	Address	Description	Date Appeal Lodged
HO	09/00040/REF	Thornton Cottage Redburn Row Houghton-Le- Spring DH4 6PX	Change of use from public open space to vehicle hardstanding with associated drop curb. Erection of a retrospective fence to rear/side (Amended 22.4.09)	30/10/2009

Appeals Determined Hetton Houghton and Washington

Between 01/10/2009 and 31/10/2009

Team	Ref No	Address	Description	Appeal Decision	Date of Decision
HO	09/00025/REF	5 Shakespeare Street□Houghton-Le- Spring□DH5 8JH□	Erection of a conservatory to the front.	DISMIS	19/10/2009



Appeal Decision

Site visit made on 17 September 2009

by **Keith Manning** BSc (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
19 October 2009

Appeal Ref: APP/J4525/A/09/2107760

5 Shakespeare Street, Houghton le Spring, Tyne & Wear DH5 8JH

- 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 Mr Raymond McGill against the decision of Sunderland City Council.
- The application Ref 08/04396/FUL, dated 13 November 2008, was refused by notice dated 9 January 2009.
- The development proposed is conservatory to 5 Shakespeare Street.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the area with particular regard to the street scene.

Reasons

3. The properties on Shakespeare Street are relatively unusual in that, while access for many purposes is from Shakespeare Street (a fact reflected in the address convention deployed) in terms of design and appearance they effectively front onto Hetton Road, a principal thoroughfare. Consequently, and despite the length of the gardens that set the houses back from Hetton Road and varying types of screening vegetation and fencing, the appearance of the elevations fronting it is a significant and positive influence on the quality of the street scene as experienced in that road. The Shakespeare Street elevations to the row of houses situated between the two roads tend to be more utilitarian in appearance, albeit that the vehicular access and on-site parking evident there increases the ambiguity of the distinction between front and back that is a characteristic of these particular properties.
4. For the most part, the visual integrity of the frontage to Hetton Road has been maintained, with only modest projecting structures such as porches having been added. A notable exception is at No 11 where a large projecting conservatory of the type normally found to the side or rear of houses intrudes upon the street scene. Apparently, the relevant permission was granted in error by the Council and, regrettable though that may be, the public interest would not be served by permitting a similar development at the appeal site if that were to give rise to harmful conflict with the intentions of the development plan, unless other material considerations were sufficiently compelling to outweigh that harm.

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5. The relevant policy of the development plan in this instance is 'saved' policy B2 of the Council's Unitary Development Plan (UDP) which was adopted in 1998. That policy concerns the scale, massing and layout of new development in the context of its surroundings and is supplemented, amongst other policies, by *Development Control Guidelines*, which is Supplementary Planning Guidance (SPG) formally adopted by the Council in June 2000. Visually intrusive development would be contrary to the intentions of the UDP, the adopted guidelines referred to and also a draft version of the Council's Supplementary Planning Document (SPD), upon which consultations have taken place and which may therefore be accorded a degree of weight, albeit not the full weight accorded to formally adopted policy. In any event the adopted SPG aims to limit front extensions to a 1.2 metre projection in most circumstances.
6. Notwithstanding the large conservatory that has been approved by the Council and subsequently built, the essential context for the proposed development at issue remains the overall frontage of the houses on Shakespeare Street that face Hetton Road and which in most cases present a pleasant and well-proportioned face to the latter, complemented but not generally hidden from public view by the gardens in which they are set. Although screened to some extent, the appeal site is especially visible from the far side of Hetton Road and in any event such screening as does exist is essentially impermanent and ineffective from many viewpoints within the gardens of neighbouring properties as well as the from the street.
7. Owing to its size, projection and incongruous appearance on what is essentially the front elevation of the property within the context of similar properties, I consider the proposed conservatory would not appear as a modest addition to it but would be visually intrusive and thereby harmful to the street scene. This would be contrary to the intentions of the development plan, as supplemented by relevant Council guidelines and also Planning Policy Statement 1 *Delivering Sustainable Development*, which applies nationally and which emphasises that development which is inappropriate in context should not be accepted. If such development were to be further repeated on the Hetton Road frontage, the cumulative harm would severely compromise its character as I have described it and which does remain for the most part intact, despite the harm already inflicted by the Council's decision close by.
8. That harm ought not in my view to be compounded by permitting the proposed development at issue. Nor does the existence of conservatories visible in the public domain elsewhere in the locality, notably Longlands Drive, where the context is superficially similar but in my view distinctly different owing to their specific physical circumstances, justify what in this instance would be development that would conflict harmfully with the intentions of relevant policy and guidance. No material considerations sufficient to outweigh that harm have been identified.
9. For the reasons given above, and having taken all other matters raised into account, I conclude that the appeal should be dismissed.

Keith Manning

Inspector