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## Appeal Decision

Site visit made on 11 December 2017

**by Elaine Gray MA(Hons) MSc IHBC**

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

**Decision date: 21 December 2017**

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**Appeal Ref: APP/J4525/D/17/3184741**

**14 Beckwith Close, The Potteries, Houghton-le-Spring, Tyne and Wear DH4 5JH**

- 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 Paul Pye against the decision of Sunderland City Council.
  - The application Ref 17/01292/FUL, dated 1 July 2017, was refused by notice dated 18 August 2017.
  - The development proposed is two storey extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposal on the living conditions of neighbouring residents, with particular regard to overlooking and privacy, and the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

#### *Living conditions*

3. The appeal site is a two storey semi-detached dwelling located within a predominantly residential area. The proposal would create a two storey extension to the rear of the existing property.
4. The Council's document entitled 'Household Alterations and Extensions Supplementary Planning Document' (SPD) sets out guidelines for extensions to residential buildings. It states that windows should be positioned so that they do not directly overlook into the windows of neighbouring homes or gardens.
5. The rear elevation of the neighbouring property at 16 Beckwith Close looks directly onto the side elevation of No 14. The proposed development would introduce two new windows within the existing side elevation, which is currently blank. The smaller of the new windows would serve a bathroom, and would be obscure glazed in order to avoid harmful overlooking of No 16.
6. However, the larger proposed window would serve a new bedroom, which would overlook the rear elevation and garden of No 16 at close quarters. I note the appellant's willingness to install obscure glass in this new window. However, the SPD is clear that opaque and patterned glass should only be used in windows to non-habitable rooms, ie, landings, bathrooms and hallways.

7. As this would be the only window serving the new bedroom, the loss of outlook that would arise from the use of obscure glazing would cause an undue sense of enclosure and confinement to occupants whilst using the room, thus unacceptably harming their living conditions.
8. I accept that the spacing between the properties and their spatial relationship to each other would remain as existing. However, the use of obscure glazing would not be acceptable in this instance, and so I conclude that the resultant overlooking of No 16 from the proposed new bedroom window would unacceptably harm the privacy of those neighbouring occupants. The proposal would therefore conflict with Policy B2 of the City of Sunderland Unitary Development Plan (UDP), insofar as it seeks to ensure acceptable levels of privacy.

#### *Character and appearance*

9. The SDP gives general principles for the design of extensions. It states that these should be located to the rear of the dwelling, and should appear subservient to the original building. In this case, the roof of the proposed development would be set down from the ridge height of the existing dwelling, and to that extent it would achieve a degree of visual subservience. The proposed materials would also reflect those of the existing property.
10. However, the submitted drawings indicate that the proposed south-east elevation of the new extension would be finished with a parapet wall feature. This would sit above the eaves height of both the main building and the proposed extension. On my site visit, I observed that the roofs in the area are generally uniform and symmetrical in their appearance. By contrast, the proposed parapet would create an extension with an asymmetrical roofline which would be incongruous and at odds with the prevailing roof designs of the neighbouring buildings.
11. This feature would be visible from the road to the rear of the appeal property, and so I conclude that the proposal would unacceptably harm the character and appearance of the surrounding area. It would thus conflict with UDP Policy B2, insofar as it seeks to ensure that extensions should respect and enhance the best qualities of the nearby properties and the locality.
12. My attention has been drawn to an extension that has been approved at 21 Fairburn Drive. However, the details of that case, and the circumstances in which the proposal was found to be acceptable are not before me. I therefore cannot be certain that it represents a direct parallel to the case before me. I understand that the proposed extension would provide additional living space at the appeal property. However, I can afford little weight to this private benefit in planning terms.

#### **Conclusion**

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

*Elaine Gray*

INSPECTOR