

TITLE OF REPORT: Planning Appeals

REPORT OF: Paul Dowling, Strategic Director, Communities and Environment

Purpose of the Report

1. To advise the Committee of new appeals received and to report the decisions of the Secretary of State received during the report period.

New Appeals

2. There has been **one** new appeal lodged since the last committee:

DC/14/01160/FUL.- Land At Wellington Road, Cross Lane, Gateshead
Erection of a car supermarket consisting of a concourse building with an adjoining workshop and associated vehicle storage, vehicle display and car parking areas (additional info received 07/01/15 and 30/05/16 and amended plans received 15/01/15, 30/05/16 and 01/08/16).

This was a committee decision refused on the 27th October 2016.

Appeal Decisions

3. There has been **one** new appeal decision received since the last Committee:

DC/16/01278/HHA - 19 Queen Elizabeth Avenue, Sheriff Hill, Gateshead
Erection of dormer window at the front of the property.

This was a delegated decision refused on the 27th February 2017
Appeal dismissed on 3 July 2017.

Details of the decision can be found in **Appendix 2**

Appeal Costs

4. There have been no appeal cost decisions.

Outstanding Appeals

5. Details of outstanding appeals can be found in **Appendix 3**.

Recommendation

6. It is recommended that the Committee note the report

Contact: Emma Lucas Ext: 3747

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

HUMAN RESOURCES IMPLICATIONS

Nil

EQUALITY AND DIVERSITY IMPLICATIONS

Nil

CRIME AND DISORDER IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

HUMAN RIGHTS IMPLICATIONS

The subject matter of the report touches upon two human rights issues:

The right of an individual to a fair trial; and
The right to peaceful enjoyment of property

As far as the first issue is concerned the planning appeal regime is outside of the Council's control being administered by the First Secretary of State. The Committee will have addressed the second issue as part of the development control process.

WARD IMPLICATIONS

Various wards have decisions affecting them in Appendix 3

BACKGROUND INFORMATION

Start letters and decision letters from the Planning Inspectorate



Appeal Decision

Site visit made on 20 June 2017

by Philip Lewis BA (Hons) MA MRTPI

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

Decision date: 03 July 2017

Appeal Ref: APP/H4505/D/17/3171585

19 Queen Elizabeth Avenue, Sheriff Hill, Gateshead NE9 6RE

- 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 Jim Rodden against the decision of Gateshead Council.
 - The application Ref DC/16/01278/HHA, dated 1 December 2016, was refused by notice dated 27 February 2017.
 - The development proposed is described as 'proposed dormer window to front elevation'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue for the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The two storey appeal property is one of a number of buildings arranged around a green on Queen Elizabeth Avenue. Whilst I saw at my site visit that there is some variety in terms of the scale and design of buildings around the green, there is also some uniformity derived from the red brick walls and steep tiled roofs. Additionally, the building types are repeated on two sides of the green, with the buildings rising in scale to the three storey flats to the west. I observed that there are few additions to roofs of dwellings on Queen Elizabeth Avenue, with the occasional front rooflight having been inserted.
 4. The host dwelling and the attached 17 Queen Elizabeth Avenue display some articulation in design with two storey elements to either end, and prominent deep roofs extending down over the centrally positioned front projections.
 5. The proposed ridge dormer would due to its position and scale, be a prominent addition to the roof of the host property set down appreciably below the ridgeline. It would be visible along Queen Elizabeth Avenue in views across the green. The proposed dormer would unbalance the pair of dwellings, detracting from the appearance of symmetry with No 17 and the similar buildings opposite across the green. The provision of the dormer would also introduce a new discordant and uncharacteristic element into the roofscape of the street. Whilst I have had regard to the appellant's comments that a front dormer window would refresh the exterior of the building and bring it up to 2017 standards, I nevertheless find that the appeal proposal would give rise to harm to the character and appearance of the area.
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6. Of the policies cited by the Council, the appeal scheme would be contrary to saved Policy EN3 of the Gateshead Council Unitary Development Plan 2007 which is concerned with design and amongst other things includes that new development should make a positive contribution to the established character and identity of its locality. It also conflicts with the guidance set out in the Council's Household Alterations and Extensions Supplementary Planning Document which, amongst other things, includes that dormer windows should normally be confined to the rear of the property and that exceptions may be made in some areas where front dormer windows are a common feature of the street scene.

Other matters

7. I have had regard to the comments that the proposed dormer window would enable the existing sloping cupboard to be usable space for the main bedroom and would allow natural light in and that other neighbours have expressed an interest in such an extension. However, these matters do not lead me to a different conclusion.

Conclusion

8. For the above reasons and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR

APPENDIX 3

OUTSTANDING APPEALS

Planning Application No	Appeal Site (Ward)	Subject	Appeal Type	Appeal Status
DC/14/01160/FUL	Land At Wellington Road Cross Lane Gateshead	Erection of a car supermarket consisting of a concourse building with an adjoining workshop and associated vehicle storage, vehicle display and car parking areas (additional info received 07/01/15 and 30/05/16 and amended plans received 15/01/15, 30/05/16 and 01/08/16).	Written	Appeal In Progress
DC/17/00001/COU	3/5 Beaconsfield Avenue Gateshead NE9 5XT	Change of use of ground floor from residential to Use Class A1 (as expansion of existing adjoining shop); relocation of dwelling entrance to rear; and residential loft conversion with hip to gable extension and new velux windows	Written	Appeal in Progress
DC/16/01278/HHA	19 Queen Elizabeth Avenue Sheriff Hill Gateshead NE9 6RE	Erection of dormer window at the front of the property.	Written	Appeal Dismissed