



Appeal Decision

Site visit made on 7 December 2021

by Katherine Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th January 2022

Appeal Ref: APP/H4505/D/21/3283937

Maxton, Church Drive, Sheriff Hill, Gateshead NE9 5RB

- 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 & Mrs Luke against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref DC/21/00702/HHA, dated 28 May 2021, was refused by notice dated 28 September 2021.
 - The development proposed is the conversion of loft space to form habitable room, incorporating 1 No. Velux roof lights to the rear & 1 No. Velux roof lights to the front with cottage dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has confirmed that the application was originally made in the maiden name of Hunter and their surname is now Luke.
3. The Council have referred to 'The Local Plan for Gateshead' in the 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 Issues

4. The main issue is the effect of the development on the character and appearance of the appeal property and the Sheriff Hill Conservation Area.

Reasons

5. The appeal property is a semi-detached two-storey house on Church Drive, a private unmade road accessed from Church Road which serves a small number of properties. It lies within the Sheriff Hill Conservation Area (CA). The appeal property is constructed of brick and render with a slate, hipped roof. The elevation facing onto Church Drive has a functional feel to it. The principal windows of the property face the garden and across the valley, largely screened by a wooded area in front of it, giving the impression that the rear elevation faces Church Drive rather than the front elevation.

6. In order to convert the loft a narrow pitched-roof dormer is proposed on the elevation of the house facing onto Church Drive. Two rooflights are also proposed however, the refusal reason is confined to issues relating to the appearance of the dormer.
7. The dormer would sit slightly above the height of the eaves and its ridge would match that of the host property. As a result of its height and central positioning along the roof plane the dormer would appear as an incongruous feature and would overly dominate the front elevation.
8. The tile hung detailing to match the roof of the house proposed would be appropriate for this type of development and would be in keeping with the host property. However, it would not adequately mitigate its incongruity and over-dominance.
9. The guidelines for dormer windows are set out in chapter 11 of the Council's Householder Alterations and Extensions SPD (2011) (SPD). The guidance states that front dormers should be confined to the rear of a property. However, this is an unusual situation where the functional rear of the property is at the front of the house and it would seem appropriate therefore to place a dormer on this elevation for practical reasons relating to the internal layout of the house. Nevertheless, for the reasons I have referred to above, the dormer would unacceptably harm the character and appearance of the host property.
10. Section 72(1) of the Planning (Listed Buildings and Conservations Areas) Act 1990 places a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA. In considering the effect of the proposal on the CA the impact must be weighed against the harm it would have on the heritage asset.
11. The significance of the CA is derived from its architectural and historic character with the existing street pattern and form reflecting its historic development. In the vicinity of the appeal property, there are properties of a variety of ages and styles, including some modern residential development currently taking place further up Church Road. There is no dominant style or layout of buildings in this part of the CA, leading to a character of informality. The appeal property sits at the top of the escarpment and can be seen from several vantage points from within the CA, particularly from the north and east of the site, as well as Church Drive itself.
12. The appeal proposal would introduce a form of development which by virtue of its vertical emphasis would be prominent when viewed from these vantage points. As such, it would result in an incongruous feature appearing out of place in this part of the CA. On my site visit I did observe a number of other properties which have either been altered to include dormer windows or were constructed originally with dormers. However, these features are not a dominant characteristic of this part of the CA and in all cases are less prominent than the proposal before me would be. The harm to the CA would, nevertheless, be less than substantial.
13. Paragraph 202 of the National Planning Policy Framework states that where the harm is less than substantial, this harm should be weighed against the public benefits of the proposal. The ability to be able to work from home due to the pandemic does carry some weight as a public benefit. However, it would be

largely a private benefit and would not outweigh the harm derived from the proposed dormer.

14. I therefore find that the proposed dormer would have an unacceptably harmful impact on the character and appearance of the appeal property and would fail to preserve or enhance the character or appearance of the CA. As such it would be contrary to CS policy CS15 and MSGP Policy MSGP24 which seek to ensure that development is of a high quality and conserves or enhances heritage assets. It would also fail to comply with the SPD.

Conclusion

15. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

Katherine Robbie

INSPECTOR