



Appeal Decision

Site visit made on 24 July 2024

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2024

Appeal Ref: APP/H4505/D/24/3346054

14 Denewell Avenue, Low Fell, Gateshead NE9 5HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Katherine Leadbeter against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref is DC/22/00258/HHA.
 - The development proposed is a loft conversion incorporating a dormer to rear.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue whether the proposed development would preserve or enhance the character or appearance of the Low Fell Conservation Area (LFCA).

Reasons

3. The appeal property is a semi-detached house on Denewell Avenue in the LFCA. It is constructed of smooth red brick and render with a hipped, slate roof. This section of the avenue is characterised by substantial properties which commonly have gable features to their front elevations and more simple roof structures to the rear. On this side of the avenue, roofs of properties are unaltered. The rear gardens have high boundary walls with numerous outbuildings and garages facing onto the rear lane. Trees and vegetation give the area a pleasant, verdant suburban feel.
4. The significance of the LFCA is derived from its historical development from a village into a suburb of Gateshead. Buildings on the avenue have architectural characteristics which given them a strong sense of cohesion which adds to their significance within the conservation area.
5. A flat roofed dormer is proposed on the rear elevation. It would be located close to the boundary with 16 Denewell Avenue. Two rooflights are proposed in this roof slope as well as four on the front elevation. The reason for refusal, however, is confined to issues relating to the appearance of the dormer.
6. The dormer would be finished in a membrane with 'standing seam' fins and fitted with a UPVC window. Although the proposed dormer would be relatively small it would dominate the roof slope and would fundamentally alter its shape, breaking the strong sense of uniformity of the rear roof slopes in this location. Views of it would be restricted from some angles by garages and trees, however, it would be readily visible from the back lane, and would also be visible from Beaconsfield Road through a gap between buildings.

7. The materials proposed and the proportions of the dormer, when viewed in both elevation and profile would appear out of character with its surroundings and would be compounded by the numerous rooflights proposed on both the front and rear. When viewed as a whole, the proposal would unbalance the appearance of the roofscape of this pair of dwellings. This would be at odds with the existing building and detract from the setting of the LFCA.
8. Although the proposal follows general guidelines for dormers set out in section 11 of the Councils Supplementary Planning Document '*Householder Alterations and Extensions*' (SPD), it does not automatically follow that all dormers will be acceptable. Specific advice on dormer windows in conservation areas is set out in section 3 of the SPD which advises, amongst other things, that in such locations they should be designed to sit sensitively within the street scene.
9. 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 Conservation Area. In considering the effect of the proposal on the LFCA the impact must be weighed against the harm it would have on the heritage asset.
10. As set out above, the appeal proposal would introduce a form of development which would appear as an incongruous feature, out of place in this part of the LFCA. The harm to the conservation area would, nevertheless, be less than substantial.
11. Paragraph 208 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 proposal would provide additional living accommodation for the appellant and her family. This is largely a private benefit. I have not, however, been made aware of any public benefits arising from the proposal which would outweigh the harm that I have found.
12. Consequently, the proposed dormer would unacceptably harm the character and appearance of the appeal property and would therefore fail to preserve or enhance the character or appearance of the LFCA, for which no public benefits have been demonstrated to outweigh the harm to the heritage asset. As such it would be contrary to Core Strategy and Urban Core Plan Policy CS15 and Making Spaces for Great Places (Local Plan) Policies MSGP24 and MSGP25 which seek to ensure that development is of a high quality and conserves or enhances heritage assets. There would also be conflict with the SPD which states that in conservation areas dormer windows should not detract from the wider roofscape.

Other Matters

13. My attention has been drawn to a number of other dormers in the LFCA. I do not know whether these benefit from planning permission or how they came into being. Their physical separation from the appeal property is, however, significant. The fact that other dormers may have been permitted or exist elsewhere within the LFCA is not a reason, on its own, to allow unacceptable development. Their presence is a neutral factor which does not persuade me that the appeal proposal is acceptable nor do they lead me to an alternative conclusion on the main issue above.

14. I note the appellant's frustration over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

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.

K L Robbie

INSPECTOR