



Appeal Decision

Site visit made on 25 June 2019

by Jamie Reed DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: **22 August 2019**

Appeal Ref: APP/H4505/D/19/3225433

1 Kinfauns Terrace, Low Fell, Gateshead NE9 5XJ

- 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 Dr Claire Harper against the decision of Gateshead Council.
 - The application Ref DC/18/00981/FUL, dated 21 September 2018, was refused by notice dated 27 February 2019.
 - The development proposed is described as new roof and structure including a new dormer window to rear. Demolition of rear garage and new extension incorporating a kitchen and dining area. New roof and porch to front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the appeal property and the surrounding Low Fell Conservation Area (LFCA).

Reasons

3. Sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the LFCA. Furthermore, the National Planning Policy Framework (the Framework) requires attention to be paid to the desirability of sustaining and enhancing the significance of heritage assets and to the positive contribution that their conservation can make.
4. The LFCA is varied in character and comprises predominantly of residential dwellings, of differing ages and styles. A Conservation Area Character Statement has been prepared by the Council which explains that the part of the LFCA where the appeal site is situated is characterised by streets set in a distinctive ridge pattern on a steeply sloping east to west alignment, with the rows of terraced properties responding to the topography by stepping up in height as they progress up the slope. The appeal property itself is situated on the highest end of Kinfauns Terrace and as a result has an elevated and prominent position.
5. A further characteristic of Kinfauns Terrace which makes it different from many of the other surrounding terraces is that the front of the terrace is accessed via a secluded pedestrian only access located in a rear lane. The rear of Kinfauns

Terrace fronts onto the longer Dean Street where there are further terraces of dwellings, all of which front onto Dean Street. The elevated position of Kinfauns Terrace and its orientation, where the rear of the properties front onto the main thoroughfare of Dean Street, makes the rear of the terrace particularly prominent when approaching from lower down the slope of Dean Street.

6. When looking at the rear of the properties on Kinfauns Terrace collectively, a unifying characteristic is that none of the roofs have dormer windows. The introduction of a dormer window to the rear roof of the appeal property would therefore introduce an alien feature to the roofscape of the terrace. The appellant has prepared a visual impact assessment by way of demonstrating that the dormer window would only be visible from a limited area within the LFCA. They have also submitted examples of numerous other dormer windows that are present throughout the LFCA. Whilst it may be the case that other dormer windows are evident elsewhere, including examples in close proximity to Kinfauns Terrace, the proposed dormer window would be readily visible within the context of Kinfauns Terrace as a whole from a considerable distance away, particularly when approaching from lower down the slope of Dean Street. The introduction of a dormer window would break the currently unaltered original roofscape of the terrace. As a result, I therefore conclude that the introduction of the dormer window would be harmful to the character, appearance and significance of the LFCA. The design of the dormer window and the materials to be used in its construction would not outweigh this harm.
7. Consequently, the proposed dormer window would be contrary to saved Policies ENV3 and ENV7 of the Gateshead Council Unitary Development Plan (2007), Policy CS15 of the Gateshead and Newcastle Core Strategy and Urban Core Plan (2015) and guidance contained within the Gateshead Council Household Alterations and Extensions Supplementary Planning Document (2011). When read together, these policies and guidance require proposals to make a positive contribution to the character and identity of their locality and streetscape, respecting and supporting their architectural and historical context.
8. As this harm to the significance of the LFCA would be less than substantial, it is therefore necessary, in accordance with paragraph 196 of the Framework, to balance it against any public benefits from the proposal. Whilst it is acknowledged that the proposal would improve the accommodation available at the appeal property for the occupiers, such benefits are not public and would not outweigh the great weight I must attach to the harm that the proposal would cause to the LFCA.

Conclusion

9. For the reasons set out above, and having had regard to all other matters raised, the appeal is dismissed.

Jamie Reed

INSPECTOR