
Appeal Decision

Site visit made on 8 January 2020

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2020

Appeal Ref: APP/H4505/W/19/3239278

98-104 William Hill Organisation Ltd, High Street, Felling Central, Felling NE10 9LU

- 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 Dinesh Chaddah on behalf of Sabus Ltd against the decision of Gateshead Council.
 - The application Ref DC/19/00048/FUL, dated 22 December 2018, was refused by notice dated 8 May 2019.
 - The development proposed is second floor extension to form a room in roof mansard roof to the commercial building with a cladding material extension to the stair-core.
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Decision

1. The appeal is allowed and planning permission is granted for erection of second floor extension and mansard roof to accommodate six additional rooms, relocation of existing rooftop air conditioning units, new external access including entrance door and canopy at 98-104 William Hill Organisation Ltd, High Street, Felling Central, Felling NE10 9LU in accordance with the terms of the application, Ref DC/19/00048/FUL dated 22 December 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan and site plan – P-01 Revision_R1

Proposed site plans – P-02_R1

Existing second floor – roof plan – P-03 Revision R2

Proposed second floor plan and roof plan – P-05 Revision_R3

Existing elevation – P-06 Revision_R1

Proposed elevations and section – P-08 Revision_R3
 - 3) No external facing materials shall be used on site until a sample of the material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved sample details.

Procedural Matter

2. I have used the description of development provided on the application form in the banner. The description used by the Council more accurately describes what is proposed and is used also on the appeal form. I therefore use that description in my decision.

Main Issue

3. The Council is satisfied that the proposal gives rise to no problems in terms of the living conditions of residents in the area or car parking and I see no reason to take a different view.
4. Given the context, the main issue is the effect of the proposal on the character and appearance of the area and the existing property.

Reasons

5. The appeal property is located within the Felling District Shopping Centre. It was formerly betting shop premises, and comprises a large 2 storey brick building with flat roofs. The property has a number of previous approvals for conversion to residential use including a 16 unit House in Multiple Occupation. The appeal proposal is to retain the betting shop use at street level plus conversion to 5 residential rooms, 11 rooms at first floor, and a further 7 rooms within a new mansard roof at second floor. The ground and first floor accommodation is covered under an earlier permission and the appeal relates only to the second floor works.
6. The property is located at the top of High Street, at the corner with Park Row. There are a range of commercial premises within High Street. To the rear, at Park Row and Croudace Row, there are some areas of parking, blank brick walls and beyond the town centre, blocks of modern flats.
7. Close to the junction of High Street and Park Row, there is an attractive area of public open space which has been landscaped to a high standard. A red brick and gabled Edwardian public house 'turns the corner' on the opposite side of the street to the property. Beyond this there is a supermarket and car park. From this area the property is a prominent, and at present not very attractive feature in the view, especially the Park Row elevation.
8. Against this background it is important that any proposals for the reuse of the property create a building which appears well designed, complements and does not appear out of scale with its surroundings.
9. The plans which were submitted with the application failed in this respect. The height, design and steel sheeting proposed would have caused significant harm to the character and appearance of the area, in particular the hipped roof feature above the main High Street elevation.
10. The appellant submitted amended plans to the Council which significantly reduce the proposed height of the mansard; changed the main external material to grey membrane; and introduces a low painted steel railing. The stairwell would be faced in grey cladding. From many points at street level the mansard roof would be obscured by the set back from the top of the wall and railing, especially when close to the property, demonstrated on the section plans.

11. The Council draws my attention to views of the site from the north but does not expand on the point. Given the fall of High Street away from the site I gave this view very careful consideration. Whilst the mansard storey would be visible and add to the scale and massing of the building, with the plan amendments the effect would not be out of scale with the street or overdominant.
12. I have also considered the relationship between the proposal and the public house. Even with the addition of the mansard roof, the proposal would not compete in scale.
13. Given these amendments, I find that the proposal would complement the local townscape and if well executed could give rise to some enhancement.
14. The appellant has drawn my attention to paragraph 118 of the Framework which supports in principle proposals which make more efficient use of buildings, for example converting space above shops. Whilst the point weighs in support of the proposal, it would not outweigh the need to ensure an acceptable design, were I to have found that to be harmful.
15. I therefore conclude that the proposal would not harm to the character and appearance of the area and existing property and would be in conformity with Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030¹ (the Core Strategy) and Policy ENV3 of the Gateshead Unitary Development Plan (2007) which require, amongst other things, that development responds positively to local character including factors such as scale, massing, height, materials and views and vistas, and the Framework which seeks to achieve well designed places.

Conditions

16. I have considered the conditions in respect of the approval of samples of materials suggested by the Council against the tests of the Framework and advice provided by the Planning Practice Guidance. I find the conditions to be reasonable and necessary in the interest of achieving a visually attractive development although I have combined them to form a single condition.
17. For certainty also I attach the normal planning condition limiting the period of the consent to 3 years. In order to prevent any doubt over what is approved I attach a condition requiring the development to be carried out in accordance with the approved plans, excluding those plans which relate solely to previously approved works.

Conclusion

18. For the reasons given, the appeal is allowed.

Tim Wheeler

INSPECTOR

¹ Adopted March 2015