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## Appeal Decision

Site visit made on 10 November 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA  
CEnv AssocRTPI

### Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2020

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### Appeal Ref: APP/H4505/D/20/3261008

### 16 Rockwood Gardens, Greenside, Ryton, Gateshead NE40 4BB

- 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 David Shipman against the decision of Gateshead Council.
  - The application Ref DC/19/00965/HHA, dated 15 September 2019, was refused by notice dated 18 September 2020.
  - The development proposed is to extend the existing single storey extension to two storeys and add a dormer on the other side of the house with loft conversion.
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### Decision

1. The appeal is dismissed insofar as it relates to the dormer window to the front elevation. The appeal is allowed insofar as it relates to the extension at first floor level above the existing single storey extension at the rear and planning permission is granted for the extension at first floor level above the existing single storey extension at the rear at 16 Rockwood Gardens, Greenside, Ryton, Gateshead NE40 4BB in accordance with the terms of the application, Ref DC/19/00965/HHA, dated 15 September 2019, insofar as it relates to that part of the development hereby permitted, and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 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, amended proposed elevations (as received by the Council on 19.08.2020) and Proposed plan, insofar as it relates to the single storey extension at the rear only.
  - 3) The external materials to be used in the construction of the development hereby permitted shall be constructed in the materials shown on amended proposed elevations.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Application for Costs

3. An application for costs was made by the appellant against the Council. The application is attached as a separate decision.

## **Procedural Points and Main Issue**

4. The Council raised no objection to the proposed first floor addition above the single storey at the rear, and I see no reason to disagree with that assessment. The first-floor addition above the single storey at the rear is clearly severable from the dormer extension at the front. Consequently, having regard to local and national planning policies, I see no reason why planning permission should not be granted for that element of the scheme. Within the formal decision, I have used the description of development given on the decision notice because it more accurately reflects the nature of the proposal than the description given in the application form, which is described in the banner heading, above.
5. The Council's main objection relates to the dormer at the front. Therefore, the main issue is the effect of the proposed dormer extension upon the character and appearance of the host building and wider terrace.

## **Reasons for the Recommendation**

6. No.16 is a two-storey mid-terrace dwelling which forms part of a long terrace of two-storey dwellings called Rockwood Gardens. This block fronts a narrow walkway and open green area and allotment gardens. Rockwood Gardens is a part of three rows of two-storey terrace blocks of similar design with the other two rows at the rear on Milton Street. There are no dormer windows on any of the properties and thus they are not a feature of the character of these rows of terraces. Instead, the original roof form of the three terraced rows has remained largely intact and the unbroken plane, pierced only by the regular intermission of brick chimney stacks, provides a regular rhythm to the block which adds significantly to its character. Whilst numerous Velux rooflights are present these do not break the roof plane and are generally of a discreet nature.
7. Gateshead Council's Local Development Framework Supplementary Planning Document: Household Alterations and Extensions (the 'SPD') states that dormer windows can have a negative impact on the appearance of a building and detract from the wider street scene or roofscape. However, small, pitched roof dormers may be acceptable<sup>1</sup>. Flat roofed/box dormers will generally be resisted.
8. The proposed dormer would be of a bowed flat roof design. Even though the dormer would be set back from the external walls and eaves, it would not follow the vertical lines of existing windows and neither would it match their proportions<sup>2</sup>.
9. Even though visibility of the dormer would be restricted from the footpath, it would still be visible from private vantage points of properties on Plantation Court and Appledore Close, as well as from the open green area and allotment gardens. By virtue of the flat roof design, scale and proportion and the fact that there are no other dormers on this elevation of the block, it would appear top heavy and an alien addition which would be harmful to the visual appearance of the host property as well as the character of the terrace block.
10. The appellant contends that dormer extensions are typical in the area and as such the proposed dormer would be in keeping with the character of the area.

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<sup>1</sup> See page 17

<sup>2</sup> Proposed East Elevation

They have referred to examples of dormers on properties at Rockwood Terrace<sup>3</sup>, The Arches<sup>4</sup>, Birchwood<sup>5</sup> and Marlbury on Rockwood Hill Road.

11. Having viewed Rockwood Terrace, the box dormers to the front are prominent and bulky additions that significantly disrupt the otherwise consistent roof form. Whilst they may have received permission, those permissions were of a historic nature and pre-date current planning guidance. If anything, the examples highlight the harmful effects that front dormers can have and do not reflect good design practice. As such, they do not set a precedent for the proposal at the appeal site.
12. The other dormers referred to are not on terraced properties and the design of the host dwellings is notably different to the appeal site. Furthermore, the reference numbers for these developments shows that they are of some vintage and would have been subject to different policy considerations.
13. The appellant has also presented a table which suggests evidence of architectural inconsistencies in the area. Nevertheless, each proposal is considered on its own merits and evidence of some less than sympathetic historic examples is not a justification for further harmful design. As noted, the terraced rows in the vicinity of the appeal site are free from significant roof alterations and there is nothing in the local context to set a precedent for the harm that would be caused in this case.
14. I find that the proposed dormer at the front would have a detrimental impact on the uniformity of the roofscape on Rockwood Gardens and would significantly harm the visual appearance of the host dwelling and is inconsistent with the established character of the street. Accordingly, there would be conflict with the aims and objectives of the National Planning Policy Framework (NPPF) and Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) and saved policy ENV3 of the UDP.
15. The policies seek amongst other things to ensure that new development make a positive contribution to the established character and identity of its locality by recognising established design principles.

#### *Other Matters*

16. The appellant has referred to the benefits of the development in terms of additional space within the household which could be utilised for an additional bedroom/ home office. Whilst I recognise those benefits, personal circumstances will seldom override more general planning considerations and the harmful effects of the dormer would remain long after those personal circumstances have altered. Consequently, I am not satisfied that the personal benefits of additional space are sufficient to outweigh the significant harm to the character of the surrounding area.

#### **Conditions (first-floor addition at rear)**

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<sup>3</sup> DC/13/00513/HHA

<sup>4</sup> DC/05/00472/FUL

<sup>5</sup> DC/06/01051/FUL

17. In addition to ensuring adherence to the approved plan, a condition securing the use of matching materials is necessary in the interests of the character and appearance of the area.

**Conclusion and Recommendation**

18. For the reasons given above I recommend that the appeal should be allowed insofar as it relates to the first-floor addition above the single storey at the rear and dismissed insofar as it relates to the dormer extension.

*Ifeanyi Chukwujekwu*

APPEALS PLANNING OFFICER

**Inspector's Decision**

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree and conclude that the appeal should be allowed insofar as it relates to the first floor addition above the single storey at the rear and dismissed insofar as it relates to the dormer extension.

*Chris Preston*

INSPECTOR