



Appeal Decision

Site Visit made on 18 December 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/H4505/D/20/3260298

8 Scholars Close, Marley Hill, Whickham NE16 5AZ

- 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 Lee Forbes against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref DC/20/00469/HHA, dated 11 June 2020, was refused by notice dated 4 August 2020.
 - The development proposed is described as construction of two and a half storey lounge/ kitchen/ bedrooms extension to side of existing two storey detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I am informed that the appeal site is within the Green Belt (GB). However, the effect on the GB was not cited in the Council's refusal reasons and I note it is not in dispute that the development is not inappropriate in the GB. On the evidence before me I have no reason to take a different view, so I shall not consider this matter any further in this decision.
3. The scheme was amended during the course of the Council's consideration of the application. For the avoidance of doubt I have considered the appeal on the basis of the amended plans.

Main Issue

4. The main issue is whether the development would preserve or enhance the character or appearance of the Marley Hill Conservation Area (MHCA).

Reasons

5. The appeal site lies within the MHCA. From the information before me and my own observations, the significance of the MHCA derives from its mostly unaltered character as a model Durham pit village surrounded by open exposed farm land. Whilst Scholars Close is a modern addition, its closely-spaced detached dwellings replicate the distinctive linear pattern of terraced housing in Cuthbert Street and are firmly contained within the original village envelope with houses set back from the edge of the development. Thus, in my view it is a relatively neutral element in the MHCA.
 6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the MHCA.
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7. No 8, like the other houses at the edge of the Scholars Close development, is prominent in views from the east over the adjacent allotments and field, and also at close quarters from a public footpath which runs along the edge of the development.
8. The extension would continue the established linear development pattern, and although it would be notably out-of-step with the gable of No 9, I accept the appellant's point that the building edge as a whole is not entirely uniform due to the slight variation in gable alignments to the north. This notwithstanding, none of the houses are positioned hard up to the edge of the development. In my judgement, extending the dwelling up to, or very close to the boundary, would appear markedly at odds with the established layout of Scholars Close in this respect, and due to its height, would also be a dominant and visually intrusive element on the interface with the adjacent countryside when viewed from the east. That the design of the extension would be in keeping with the host dwelling would not be sufficient to mitigate this harmful effect.
9. I note a reference to provision of landscaping on the adjoining land, but unless such landscaping was part of a wider structural planting scheme it would appear incongruous, and in any event, from the evidence before me, the land required does not appear to be within the appellant's control.
10. I therefore find that the development would have an adverse visual effect, and as such, it would not preserve or enhance the character or appearance of this part of the MHCA. The proposal is therefore contrary to statutory requirements and saved Policies ENV3, ENV7 and ENV9 of the Gateshead Council Unitary Development Plan (2007), and Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015). When read together, these Policies require development to respond positively to local distinctiveness and character; and to preserve or enhance the historic environment, including conservation areas.
11. The scheme would benefit the occupants with additional living accommodation, which may be much needed. Nonetheless, heritage assets are irreplaceable and great weight should be given to their conservation. Therefore, as set out in paragraph 196 of the National Planning Policy Framework (the Framework), there are no public benefits that outweigh the less than substantial harm that would occur in this case.

Conclusion

12. For the reasons given, I conclude that the proposal is contrary to the relevant identified policies of the development plan, and the Framework, and therefore the appeal should be dismissed.

A Caines

INSPECTOR