



Appeal Decision

Site visit made on 26 April 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2022

Appeal Ref: APP/H4505/W/22/3292967

47 Cedar Crescent, Low Fell, GATESHEAD, NE9 6ES

- 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 & Mrs K Morris against the decision of Gateshead Council.
 - The application Ref DC/21/01173/HHA, dated 23 September 2021, was refused by notice dated 19 January 2022.
 - The development proposed is loft conversion with double dormer on rear and velux windows.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the appeal property and the surrounding area, with particular regard to the character and appearance of the Low Fell Conservation Area.

Reasons

3. The appeal site lies within the Low Fell Conservation Area (the CA) and is described¹ as a large and diverse conservation area. The Council acknowledges the diversity of the CA's character but notes that it possesses distinct areas of homogeneous building form. Cedar Crescent seems to me to fit this broad description. Set within an area predominantly residential in character, it is a pleasant cul-de-sac of modest semi-detached dwellings and short terraced blocks of four and eight houses. Grouped around the cul-de-sac and turning head, Cedar Crescent is distinct from the longer and more regimented and formal terraces of Earls Drive / Earls Dene (to the south) and Albert Drive / Well Lane (to the north).
4. Houses on Cedar Crescent are notable for their distinctive orange pan-tiled roofs, in contrast to the grey slate of the immediately neighbouring streets. Roofs are punctuated widely by rooflight windows, both front and rear, whilst the rooflines are typically disrupted by steps between pairs and groups of houses. Dormer windows are however largely absent within Cedar Crescent, and not widely present on those along Earls Drive / Earls Dene. Where dormer windows are present in other nearby streets, such as those on properties on Selbourne Avenue or Albert Drive, they are modest in scale and traditional in design.

¹ IPA17: Conservation Area Character Statements, Strategies and Policy Guidelines – Low Fell Conservation Area (1997)

5. The proposed dormer window in this instance would be neither of these things. It would not, as the appellant seeks to argue, be tucked in from the sides and up from the eaves. Instead, it would occupy almost all of the rear facing roof slope, inset from the roof margins by varying, but only limited, degrees.
6. Thus, despite these limited insets the dormer window would nevertheless dominate the rear-facing roof slope. It would not, as claimed, be a case of having to 'crane one's neck upwards' to appreciate the incongruous scale of the proposed dormer. Located towards the end of the row of houses and close to the open junction of Cedar Crescent's rear lane with Jessel Street, the rear of the appeal property is clearly and prominently visible. It is also clearly visible without exertion in more elevated views from further east along the rear lane.
7. From these aspects, the dormer window would be a bulky, angular and incongruous addition to the rear roof slope, its scale sufficient to ensure that it would disrupt the roofscape of this particular terraced group. Moreover, it would also be a disruptive and discordant element within the roofscape of the rear of Cedar Crescent more widely, punctuating the roof in a manner not typical of the surrounding area.
8. The Council's '*Household Alterations and Extensions*' Supplementary Planning Document (SPD) recognises the important role that the roof form of a house and other houses in a street play in contributing to an area's character. It goes on to set out a range of guidelines to assist in ensuring that such proposals compliment the character of the host property and the street within which it lies. The proposed dormer window would fail to respond positively to local distinctiveness and character of Cedar Crescent and the immediately neighbouring streets and would be incompatible with the prevailing local character thereof. As such, it would fail to secure the high quality of design sought by Core Strategy and Urban Core Plan (CSUCP) policy CS15 and Making Spaces for Growing Places Local Plan Document (MSGP) policies MSGP24 and MSGP25 and would be incompatible with the guidance provided by the SPD in respect of roof extensions. The proposal would, as a consequence therefore, have a harmful effect upon the character and appearance of the appeal property.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty upon decision makers in respect of the determination of planning applications and appeals to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
10. The area of the CA west of Durham Road is noted as being strongly influenced by the Victorian terraces of Albert Drive and, to the rear of the appeal site, Earls Drive. However, Cedar Crescent is cited specifically as a 1930's cul-de-sac of 'undistinguished suburban development'. Nevertheless, the presence of unsympathetic alterations to fenestration, doors and roof materials are identified more generally and it does not follow that being seen as 'undistinguished' justifies inappropriate forms of extension. The proposed boxy dormer window roof extension would be unsympathetic, would dominate the building's roof slope and would harmfully and incongruously disrupt the otherwise simple character of properties on Cedar Crescent. As such, the proposal would fail to preserve or enhance the character or appearance of the Low Fell Conservation Area.

11. That harm, however, would be less than substantial. As the Framework sets out, such less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. The ability to be able to work from home as a response to changing working patterns resulting from recent COVID-19 driven lockdowns is capable of being a public benefit. This is particularly so where the appellant is self-employed serving a local client-base. As such, these public benefits carry weight in support of the proposal, albeit limited.
12. The social benefits of an established family, social and educational network can also be capable of being public, as well as private, benefits in terms of their contribution to social cohesion. The weight that these factors carry in support of the proposal are also limited, however.
13. I accept that the increased amount and range of accommodation would provide the appellants with a more viable use of the building (when compared with moving to a larger house) but I have no evidence before me to suggest that the occupation of the house in its existing configuration is not viable. Neither this, nor the matters identified above, outweigh the less than substantial harm that would result to the character and appearance of the Low Fell Conservation Area. The proposal is therefore contrary to MSGP25 and the Framework with regard to its approach to the historic environment.

Other Matters

14. I have noted the personal statements of the appellants in setting out their reasons for wishing to extend the property and remain resident at No. 47. I have also had regard to the expressions of support from local residents regarding the proposed extension. However, the former is not a material consideration to which sufficient weight can be attached to overcome the harm I have identified, whilst the latter are neutral factors, weighing neither in support of, nor against, the proposal.

Conclusion

15. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie

INSPECTOR