



Appeal Decision

Site visit made on 26 July 2023

by David English BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/M4510/W/23/3322136

184 - 186 High Street, Gosforth, NE3 1HD

- 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 E Hall against the decision of Newcastle City Council.
 - The application Ref 2023/0261/01/DET, dated 16 February 2023, was refused by notice dated 20 April 2023.
 - The development proposed is for the installation of replacement of white uPVC casement style windows front elevation 184 - 186 Gosforth High Street.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, I have had special regard to the obligations placed on decision makers under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Replacement windows have been installed in the upper floors of the front elevation of the appeal property, and the proposal is described as being retrospective. The central windows installed on both floors differ from the plans in that they include opening top sashes. As the appellant has described the proposal as retrospective, I have determined the appeal based on the works I observed had been carried out rather than the detail shown on the plans. Accordingly, I refer to the proposal as the 'development' in my decision.
4. I have used the description of the development given in the planning application form but have deleted reference to the term 'retrospective' as this is not an act of development.

Main Issue

5. The main issue in this appeal is whether the development preserves or enhances the character or appearance of the Gosforth Conservation Area.

Reasons

6. Apart from Gosforth High Street (the High Street), which is a busy traditional main shopping street having a range of town centre facilities, the extensive Gosforth Conservation Area (the Conservation Area), is primarily residential in use and character comprising a wide range of dwellings of varying size and age. The significance of the Conservation Area is derived from its historical value associated with the growth of this suburban area along the Great North Road a short distance from Newcastle upon Tyne largely during the nineteenth and early twentieth centuries. It also has architectural value derived from the

evidence it provides of the building types and designs, and the construction methods and materials used at the time; and aesthetic value arising from the high-quality appearance and layout of the primarily two-storey buildings interspersed by occasional taller buildings, including that section of the short terrace within which the appeal property is located. The appeal property contributes positively to the significance of the Conservation Area in each of these respects.

7. The appeal site is the end property in a central block of four identical three-storey properties in a short terrace bookended by two-storey stone-built properties at either end. The block stands out noticeably from other buildings on this section of the High Street due to its height and appearance, being constructed primarily in red facing brick. These features differ noticeably from the mostly two-storey buildings nearby which are mainly constructed in stone. The pleasing rhythm and strong vertical emphasis to the front elevation created by the window proportions, and the distinctive matching hipped roof dormers, along with the intricate stone detailing to the window surrounds and the second-floor balconies serve to highlight the prominence within the street of this impressive block of four properties.
8. The development introduces modern uPVC framed windows which have substantially wider frames and opening sashes than the traditional timber sliding sash windows present in the first and second floors of the other three properties in the block. Furthermore, the appearance of the second-floor windows in the development contrast starkly with the neighbouring second-floor windows of those other properties, which all have central glazing bars on each sash. The somewhat chunky profiles of the windows used in the development are noticeably at odds with the slender profiles of the windows in the upper floors of the three other properties in this block, and this difference in appearance is accentuated through their opening mechanism which create outward opening sashes.
9. Overall, these differences break the visual harmony associated with the upper two stories of the building as a whole and create a harmful imbalance to its external appearance. This greatly undermines the architectural and visual integrity of the building since it appears to have been designed to have four identical sections in its upper stories facing the High Street.
10. Other buildings along the High Street have had windows replaced in a variety of styles and materials, including those examples given by the appellant, all of which I saw during my site visit. However, the majority of the uPVC replacement windows I saw close to the development were in the front elevations of lower two-storey buildings in the terraces on the opposite side of the High Street, and those buildings are not directly comparable to the appeal property in respect of height, appearance and prominence in the street.
11. The appellant contends that the development shares common features in respect of materials and styles used in other nearby modern replacement windows, and that those other replacement windows set a precedent that supports the development. However, I saw that the context of the development differs markedly from those other nearby buildings for the reasons I have explained in respect of the height and appearance, and the rhythm and harmony inherent in the design of the host building. These important features

- in the host building contribute positively to the significance of the Conservation Area and have been unduly harmfully altered by the development.
12. The appellant quotes from part of a document they refer to as the Council's '*Gosforth Area Conservation Area Statement, 2009*' in respect of a location described as '*sub-area A High Street*'. However, I have not been provided with that document and I am therefore unable to fully establish the context of the quote given. Nevertheless, I would agree with the general sentiment expressed concerning the detrimental visual effects associated with the use of modern materials and non-traditional window designs in some parts of the High Street.
 13. However, notwithstanding the variety of shop front designs along the High Street and recognising that more modern upper floor window replacements are more prevalent on the opposite side of the High Street to the appeal property, I observed a significant degree of consistency in the retention of more traditional forms of windows to the upper floors of the older buildings along the side of the High Street on which the appeal property is located. The retention of traditional window forms is an important element in maintaining the aesthetic and architectural integrity found in the Conservation Area. The development has had the effect of diminishing the consistency in the authenticity in respect of the appearance of fenestration to the upper floors of buildings in this section of this side of the High Street.
 14. The Conservation Area is relatively large, and the harm I have identified is mainly restricted to the short terrace of which the appeal building forms a part. However, the appeal site is located in a prominent position on a busy main road where the development is plainly visible from public vantage points along the High Street. As such, the appearance of the development causes undue harm to the appearance of the building, its aesthetic value, and hence the significance of the Conservation Area as a whole.
 15. Paragraph 199 of the National Planning Policy Framework (the Framework) requires that, when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 of the Framework goes on to advise that any harm to the significance of a designated heritage asset (from its alteration) should require clear and convincing justification. In this case the harm to the significance of the Conservation Area is less than substantial but, nevertheless, is of considerable importance and weight.
 16. In these circumstances, paragraph 202 of the Framework indicates that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
 17. The appellant's intention is to provide a single family home at affordable rent in the appeal property. They state that the choice to install uPVC windows was made having regard to their longevity, minimal maintenance, noise reduction and thermal properties. However, no specific technical evidence is presented to verify the performance of the development in these respects, or to demonstrate that adequate performance in these respects could not be achieved through traditional timber framed windows designed and constructed to match those original windows remaining in the other three sections of the upper floors of the building. In any event, these features give primarily private benefits accruing to the appellant or future occupiers of the building, rather

than public benefits and do not overcome the great weight that should be given to the conservation of designated heritage assets.

18. Whilst I note the appellant's concerns regarding the Council's approach to other window alterations along the High Street, I have not seen information concerning the planning status of other replacement windows in the vicinity of the appeal site and therefore cannot comment on any other decisions taken by the Council. However, notwithstanding that the appeal property is not listed either locally or nationally, in fulfilling my duty in respect of considering the effect of the development on the Conservation Area, and in recognising the need to give great weight to the conservation of this designated heritage asset, the presence of replacement windows elsewhere along the High Street does not in itself justify other unacceptably harmful development. I am also mindful that, in any event, each appeal must be decided on its own planning merits.
19. The lack of objection to the development from the occupiers of neighbouring premises or from local Ward Councillors does not weigh in favour of the development nor does it address the wider public harm that arises to the appearance and significance of the Conservation Area.
20. For these reasons, and in the absence of any defined or substantiated public benefit, the development fails to preserve or enhance the character or appearance of the Gosforth Conservation Area and it causes less than substantial harm to the significance of the Conservation Area. This therefore fails to satisfy the requirements of the Act, the intentions of the Framework in respect of conserving designated heritage assets, and conflicts with Policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (March 2015) and Policies DM15 and DM16 of the Newcastle upon Tyne Development and Allocations Plan 2015-2030 (June 2020) which require, amongst other things, that development will contribute to good place-making through the conservation and enhancement of the historic environment, and ensure that the significance of a conservation area is preserved or enhanced, including by the retention of historically important features.

Conclusion

21. For the reasons given above, there are no material considerations of such weight, including the Framework, that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David English

INSPECTOR