



Appeal Decision

Site visit made on 7 November 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/H4505/W/25/3372581

The Cottage, Mansion Heights, Dunston Hill, Whickham, Gateshead NE11 9DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Saunders against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref is DC/25/00249/FUL.
 - The development proposed is conversion of garages to residential annex, with single storey extension with pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of garages to residential annex, with single storey extension with pitched roof at The Cottage, Mansion Heights, Dunston Hill, Whickham, Gateshead NE11 9DL in accordance with the terms of the application, Ref DC/25/00249/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework), and relevant development plan policies;
 - whether the proposal would preserve or enhance the character or appearance of the Whickham Conservation Area, and its effect on the significance of Dunston Hill Park, a non-designated heritage asset; and
 - whether adequate living conditions could be provided for future occupiers of the proposed development, and its effect on the living conditions of the occupiers of The Hayloft, with regards to light, outlook and privacy.

Reasons

Whether inappropriate development

3. The appeal property is in the Green Belt. It comprises a single-storey dwelling, known as The Cottage, which has a broadly L-shaped plan form with a separate double garage to the rear, attached to a 2-storey dwelling known as The Hayloft.
4. Policy CS19 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) (CS) states that the Green Belt as shown on the Policies Map will be protected in accordance with national policy.

5. Paragraph 153 of the Framework requires substantial weight be given to any harm to the Green Belt, including harm to its openness, stating that inappropriate development should not be approved except in very special circumstances. Development in the Green Belt is inappropriate unless one of the exceptions in paragraph 154 and 155 of the Framework apply. It is common ground between the parties that the exception at paragraph 154(c) is relevant, namely 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'
6. There are different ways of assessing and measuring proportionality. The Council has not directed me to a part of the development plan, or other planning guidance, which contain specific limits in terms of footprint, floorspace or volume. Nor does the Framework define what a disproportionate addition would be. Therefore, the assessment is a matter of planning judgement, but the overall size of the building is an important factor.
7. The Framework explains that an original building is a building as it existed on 1 July 1948 or, if it was constructed after that date, as it was built originally. The Council's evidence is that the double garage was built as part of the 2006 development on Dunston Hill Hospital. The proposed extension to the garage would result in an increase in footprint of around 20.4m², which the Council has calculated as an increase of around 40%. In purely numerical terms, I do not find this to be a disproportionate addition to the original building.
8. However, the Framework refers to 'size' and not just footprint. The proposed extension would be single storey in height, set in from the flank elevation, and although it would be half the width of the garage, it would project only around 3m into the courtyard. The proportions of the resulting building would be modest, and the extension would appear a sympathetic addition to the garage, and subservient to the adjoining two-storey dwelling.
9. Therefore, I conclude that the proposal would not constitute a disproportionate addition over and above the size of the original building. It falls within the exception at paragraph 154(c) of the Framework and would not be inappropriate development in the Green Belt. Accordingly, the proposal complies with the protection of Green Belt objectives within the Framework and CS Policy CS19.
10. As the proposal is not inappropriate development, it is not necessary for the appellant to demonstrate that very special circumstances exist, or for me to consider the effect of the proposal on the openness of the Green Belt.

Character and appearance

11. The appeal property is in the Whickham Conservation Area (the CA). In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA. The CA extends either side of the road along Front Street and Whickham Highway and includes the village of Whickham and Dunston Hill, which is an early 18th century Grade II* listed building.¹ The appeal property also falls within Dunston Hill Park, which is a locally listed park and garden, identified by the Council as a non-designated heritage asset.

¹ Historic England List Entry Number: 1366097

12. Based on the evidence and my observations, the special interest of the CA is derived partly from the historic village core of Whickham, which comprises traditional sandstone buildings, some with pan-tiled roofs. However, in so far as relevant to this appeal, the significance of the CA is also derived from Dunston Hill and the Grade II listed building within its former grounds, known as Stables North of Dunston Hill Hospital.² The mature trees and stone boundary walls of the park and garden originally associated with Dunston Hill, also contribute to the character and appearance of the CA.
13. The appeal property forms one wing of a larger building, identified in the Heritage Appeal Statement as likely dating from the 18th century, originally constructed for agricultural purposes to serve Dunston Hill. It has since been converted to residential use and divided into three dwellings but nevertheless is an attractive sandstone building arranged with a two-storey central bay with a single-storey L-shaped wing either side. The existing double garage is constructed in sandstone with a slate roof, located to the rear of The Cottage abutting the north-west elevation of the central dwelling. Collectively, the buildings contribute positively to the character and appearance of the CA, and to the appreciation of the historic development of Dunston Hill and its grounds.
14. The proposed extension would project into the courtyard, constructed in a natural stone with dressed stone quoins. It would have a pitched slate roof which would align with the existing eaves and ridge of the garage. One of the garage doors would be replaced by two four-paned timber windows, with stone heads and cills, which would broadly reflect the proportions and design of the existing windows of The Cottage and The Hayloft.
15. The north-west elevation of the annex would have ground floor bifold doors with glazing extending up to the apex of the gable. Although the materials of the windows are described as 'painted timber to match dwelling' on the application form, this glazing is shown as 'powder coated aluminium' on the proposed plans. This would appear starkly contemporary and would not reflect the other traditional materials of the extension or the adjoining dwellings. To address this, a planning condition could require the external materials of the development to match those of the existing dwelling.
16. A new patio area is proposed off the kitchen of the annex, but there would be no other alteration or subdivision of the side garden of The Cottage. Furthermore, although the proposed extension would partly enclose the existing courtyard to the rear, it would be subservient to the central bay, and the characteristic L-shaped wings would remain legible. Therefore, it would not detract from the sympathetic character or layout of the three dwellings or alter the way in which they are appreciated within Dunston Hill Park.
17. Only the glazed north-west gable of the annex would be visible from the access road which runs up to the side garden boundary of The Cottage, with most of the extension obscured by the dwelling itself, or the stone wall along its frontage. From the upper floors of the new housing to the north-west, and between a gap in dwellings along Dryburgh Road, the slate roof of the proposed extension would just be visible. However, it would be a distance away and the scale and materiality of the roof would appear sympathetic to the existing pitched roof of The Cottage.

² Historic England List Entry Number: 1025145

18. I therefore conclude that the proposal would preserve the character and appearance of the Whickham Conservation Area, and the significance of Dunston Hill Park, a non-designated heritage asset. It would accord with Policy CS15 and Policy MSGP24 of Making Spaces for Growing Places: Site Allocations and Development Management Policies (2021) (MSGP). Together, these require development to respond positively to local distinctiveness and character and be of a design quality compatible with existing townscape, details and materials. It would also accord with Policy MSGP25 which seeks to conserve the significance and setting of identified heritage assets in a manner appropriate to their conservation.
19. As I have found the development would not lead to harm to the significance of a designated heritage asset, it has not been necessary to weigh any less than substantial harm against the public benefits of the proposal.

Living conditions

20. The north-west elevation of The Hayloft which adjoins the garage has two ground floor kitchen/dining room windows, and one has a relatively open aspect and outlook over the rear courtyard area of The Cottage. The second window which is closest to the garage is obscure glazed.
21. The proposed single-storey extension would project around 3m into the courtyard, offset around 5.7m from The Hayloft. It would have a gable facing toward The Cottage and the roof would slope away from the neighbouring dwelling. Nevertheless, given its proximity and height, the proposed extension would result in some loss of direct sunlight to The Hayloft's kitchen/dining room windows, particularly during the late afternoon. However, despite the lower internal floor level, it is unlikely that this would make the room noticeably darker, and it would still benefit from light from French doors on the south-west elevation.
22. Although the flank elevation of the extension would be directly opposite one of the windows on the north-west elevation of The Hayloft, this window is obscure glazed. From the other kitchen/dining room window, the corner of the extension would be visible at an angle and a reasonable distance away, but the open aspect and outlook directly over the courtyard would nevertheless remain. The existing stone wall along the shared boundary would prevent any significant overlooking toward the garden of The Hayloft from the proposed bifold doors on the north-west elevation of the annex.
23. The proposed annex would meet the minimum gross internal floor area in the 'Technical housing standards – nationally described space standard' (2015) for a 2-bed 4-person single storey dwelling. It would have all the necessary facilities for day-to-day living, arranged with two bedrooms a kitchen, lounge and shower room.
24. The only window to the lounge of the annex would be a short distance from a non-obscured kitchen window of The Cottage, albeit slightly offset from it. Whilst further away, one of the bedroom windows would also directly face this window. However, the information submitted with the planning application is clear that planning permission is sought for a residential annex, which would be used by family members of the appellants. There is no proposal for a separate dwellinghouse before me. Given the intended use, the overlooking between the kitchen of The Cottage and the lounge and bedroom of the annex would not result in unacceptable harm to the privacy of the respective occupiers.

25. I therefore conclude that adequate living conditions could be provided for future occupiers of the proposed development, and there would be no harm to the living conditions of the occupiers of The Hayloft, with regards to light, outlook and privacy. Consequently, it would accord with Policy CS14 and Policy MSGP17 which together require development to prevent negative impacts on residential amenity and provide a good standard of amenity for existing and future occupants of buildings, safeguarding the enjoyment of light, outlook and privacy.

Other Matters

26. The appeal property is to the north of the Grade II listed building, known as 'Stables North of Dunston Hill Hospital'. The significance of this asset primarily stems from its architectural interest, arranged in an L-plan form with a 2-storey, ashlar central bay, with single-storey wings either side built in a coursed sandstone. It is also of historic interest as the former stables for Dunston Hill, which is a Grade II* listed building. The significance of Dunston Hill is partly its historic interest, originally built in the early 18th century for John Carr, who purchased the Dunston Hill estate in 1704. Although subsequently converted to a hospital, the former house is also of architectural interest, built in a sandstone ashlar with rusticated quoins and a Welsh slate roof.
27. The setting of a heritage asset is the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Dunston Hill is set within its own grounds to the south-east, and the more recent housing development of Mansion Heights physically and visually separates it from the appeal property. The Cottage forms part of an attractive group of buildings of traditional, vernacular appearance which make a positive contribution to the setting of the stables, facing its rear elevation. Nevertheless, the existing garage is located within the courtyard to the rear, physically separated from the stables by The Cottage and The Hayloft. There is no intervisibility between the two.
28. Therefore, given the location, extent and nature of the proposal, the setting of these designated heritage assets would be preserved and the contribution the setting makes to the assets' significance would not be harmed. This would meet the requirements of Section 66(1) of the Act and the provisions in the Framework regarding the conservation of the historic environment.
29. I acknowledge that the occupiers of The Hayloft have raised issues in respect of the need for soundproofing on the party wall, and a party wall agreement. However, these matters are covered by other legislation and fall outside the scope of this appeal, which I have considered solely on its planning merits.

Conditions

30. I have considered the Council's suggested conditions against the advice contained within the Framework and the Planning Practice Guidance. I have undertaken some minor editing in the interests of precision and clarity, where necessary. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.
31. It is not necessary for full details and a specification of all external facing materials to be approved to safeguard the visual amenities of the area. However, to ensure no adverse effect on the appearance of the existing development, it is necessary

to impose a condition requiring the external materials to match those of the existing dwelling, particularly as the proposed materials on the application form and plans differ.

32. As it is not proposed to create a separate dwelling or independent unit, the cycle storage/parking conditions suggested by the Council are not necessary. To protect bats and nesting birds (if they are found to be present), it is necessary to impose a condition which requires that works are undertaken following the precautionary approach, as recommended in the appellants' 'Daytime Bat Walkover Survey.'
33. The building has been identified as within a wildlife corridor, with potential to be used by bats, if suitable roosting locations or access points were present. However, a condition requiring an integrated bat feature would not be necessary to make the development acceptable or reasonable having regard to its scale. I also have little evidence before me of a policy requirement to maintain the favourable conservation status of the local bat population(s) at or above current levels.
34. As the risk from legacy coal mining features is assessed as medium, conditions to secure an intrusive site investigation, and any remediation or mitigation works, are necessary to ensure that the site is safe and stable for the development.
35. The Council has suggested a condition which would require the annex only be used for a purpose ancillary to the existing dwelling. The proposal is described as a 'residential annex' to be used by the appellant's family. If there is a material change of use in the future to create a separate dwelling or independent unit, then a separate grant of planning permission would be required. For this reason, a condition limiting the use to that proposed would not be necessary.

Conclusion

36. For the above reasons, the proposal accords with the development plan and there are no material considerations to indicate a decision should be taken other than in accordance with it. Therefore, I conclude that the appeal is allowed.

R Gravett

INSPECTOR

Schedule of 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 drawing nos:
A/3764/00 - Site Location Plan.
A/3764/01A - Existing Plans, Elevations, Roof Plan, Section and Site Layout Plan.
A/3764/02B - Proposed Plans, Elevations, Roof Plan, Section and Site Layout Plan.
- 3) Notwithstanding the details shown on the approved plans, the external materials of the development hereby permitted shall match those used in the existing dwelling.
- 4) No development shall commence until:
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.
- 5) Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
- 6) The development work shall be implemented in full (and where relevant retained for the life of the development), in accordance with the details provided within the Precautionary Working Method Statement document (Appendix V1 of the Daytime Bat Walkover Survey of 20 May 2025).

End of Schedule