PLANNING APPEAL STATEMENT

LOCATION: 24 Ambleside Avenue, South Shields, NE34 0DY

APPEAL AGAINST REFUSAL OF: Hip to Gable conversion; Flat roof dormer to rear elevation; Rooflights to front elevation

LOCAL AUTHORITY: South Tyneside Council

APPLICATION NUMBER: 250412

APPELLANT: Mr James Gifford

DATE: April 2026

1. BACKGROUND

1.1. This appeal relates to the refusal of planning permission for the proposed '*Hip to Gable conversion; Flat roof dormer to rear elevation; Rooflights to front elevation'* at 24 Ambleside Avenue, South Shields, NE34 0DY.

1.2. The planning application was dated 5th July 2025. It was subsequently refused on 4th February 2026 by South Tyneside Council, with the decision notice stating one reason for refusal, as noted below:

"The proposed hip to gable and rear dormer extension would by virtue of its overall form, scale and massing as well as its visibility from the public realm within a locality presently characterised by hipped roofs and an absence of large flat roofed dormers appear as a visually intrusive, unsympathetic, incongruous and over-dominant form of development that would be materially detrimental to, and result in significant harm to, the character and visual amenity of the pair of semi detached dwellings of which the application property forms a part and the wider street scene. This would be contrary to Policy DM1(A) of the South Tyneside Local Development Framework, the guidance contained within the Council's SPD9: Householder Developments and the NPPF."

1.3. The following statement will therefore seek to demonstrate that the proposal would not result in significant harm, the impact of the proposed works have been overstated, the proposal aligns with relevant local and national planning policy, the proposal reflects normal development patterns in the locality, and should therefore be granted planning permission.

2. SITE LOCATION



Figure 1: No. 24 Ambleside Avenue

2.1. The site comprises of a two-storey semi-detached property which has previously been extended through a two-storey side extension and single-storey rear extension. There is a paved driveway to the front and a moderately sized garden to the rear.

2.2. The property is on the southern side of Ambleside Avenue located mid way along the street. The street comprises of similar semi-detached hipped roof properties with a noticeable but minor difference in design between those on the north and south sides.

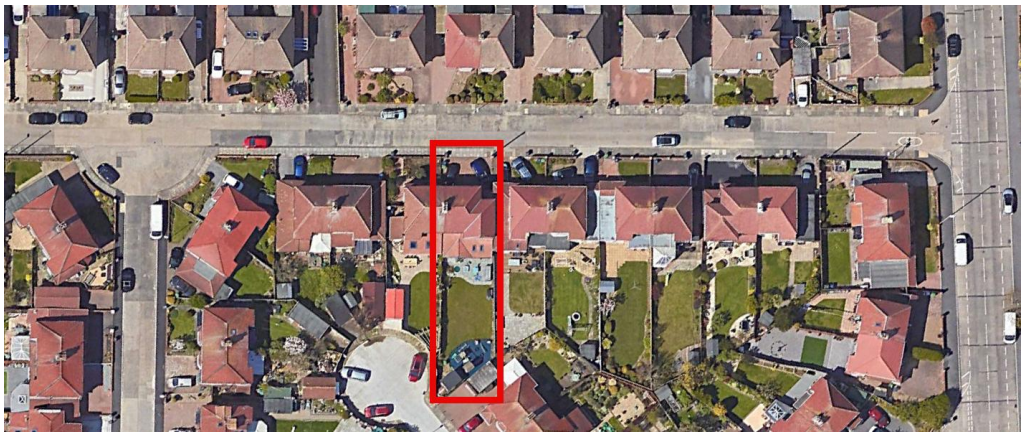


Figure 2: Site location on Ambleside Avenue

2.3. The previous works (ST/0265/17/HFUL) on the property were completed in 2018 and comprise of an prescribed set back on the two-storey hipped roof side extension, a rear facing gable end on the two-storey side extension, and a prescribed gap between the non-attached adjacent property. The existing pebble dash was removed from the front second storey and replaced with a white render which also covered the new second storey extension on the front and side elevations.

2.4. The surrounding streets are dominated with similar sized and shaped semi-detected properties with a broad range of extensions and roof alterations adopted. Whilst some properties remain as the original unaltered structure, there are multiple examples of both single and two-storey extensions, both to the side and rear of nearby properties, and a mix of rear and side facing dormer windows of varying size, shape and design. This indicates a mixed and evolving residential character rather than architectural uniformity.

2.5. The officer report noted that No. 67 Ambleside Avenue (on the northern side of the street and at the end of the street) has a side dormer (granted permission in 1996) but no other such extension exists along Ambleside Avenue.

3. PROPOSAL

3.1. The proposal sought full planning permission for a for a hip to gable conversion of the property's main roof which would be attached to the existing two-storey side/rear extension, and a rear flat roof dormer which would be located on the existing rear roof slope and the proposed rear roof slope of the hip to gable extension.

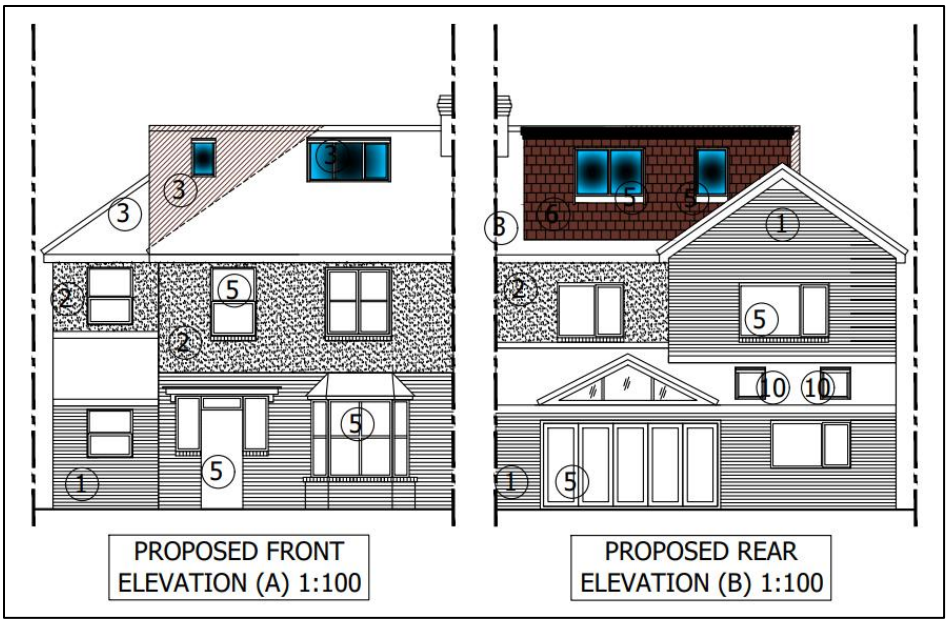


Figure 3: Site location on Ambleside Avenue

3.2. The proposed hip to gable conversion is noted to only extend to the side elevation of the original structure. The previous two-storey side extension hipped roof would be maintained. Both the roof tiles on the front roof extension and the hanging tiles on the rear dormer would match the existing tiles to complement the appearance and character of the existing property. The rear dormer would be set down from the main ridge, set-up from the main eaves and set in from the property boundaries in accordance with SPD9. The rear dormer would be barely visible from Ambleside Avenue.

3.3. Although not stated in the submitted plans, the planning officer noted in discussions with the architect that the added volume of the dormer and hip to gable was ~48 m^3. The scaled dimensions on the plans indicate that the rear dormer would have a depth of ~3.3 m, a height of ~2.1 m and width of ~5.3 m (with a gap of ~400 mm from the property line of the attached neighbour).

3.4. It is noted that the new staircase to access the loft conversion requires the proposed hip to gable to achieve permitted headroom for both the new and existing (ground to first

floor) staircases. In the absence of the hip to gable (or other suitable modification to this part of the roof, an internal staircase could not be configured.

3.5. The attached property in the semi-detached pair does not have any second floor extension or roof modifications, that the Appellant is aware of.

3.6. Whilst not material to planning consideration, the reason for the proposed works are to create an extra bedroom to accommodate an additional child. This is the sole reason for the works and is more financially and practically viable that moving due to both a shortage in 4 bedroom properties in the area and a stepped increase in property value when they do become available on the market.

4. PLANNING HISTORY

4.1. The planning application was registered 14th July 2025. The consultation period expired 4th August 2025 and the expiry date was 1st September 2025. A site visit was conducted in September 2025.

4.2. Initial contact between South Tyneside planning officer and the loft contractor on 26th September 2025 requested the rear dormer to be reduced in height so as not to project above roof ridge height and to remove the hip to gable element.

4.3. Clarification was sent in November 2025 that the proposed dormer height was sufficient as it was already below the main roof ridge. Although, the absence of any other hip to gable conversion in street would mean that the application would not be supported by the planning officer.

4.4. Attempts by the architect to reach a compromise with the planning officer on the design continued in December and January (including removal of the entire rear dormer) were not successful. The architect, together with the loft contractor, informed the planning officer that as a design could not be submitted without a hip to gable conversion (required for the new staircase), the planning officer should therefore make their final decision.

4.5. The notice of refusal was issued 4th February 2026.

4.6. It is apparent from the Officer Report that they acknowledge that in some cases, a hip to gable extension could be constructed without requiring planning permission, as it could be classed as permitted development. However, in this instance the proposed hip to gable would be attached to the existing side/rear extension and extend beyond the plane of a roof slope to that extension which forms part of the principal elevation of the dwelling and fronts a highway. Therefore in this instance planning permission was required from the council for the proposed hip to gable extension.

4.7. With regards to the proposed rear dormer, the Officer Report notes this would require planning permission from the council as together with the hip to gable extension it forms a single enlargement of the roof to the property and could not be constructed in the absence of the hip to gable extension. Whilst not being readily visible from the public domain along Ambleside Avenue, the dormer extension would be “highly visible from the public realm” on Buttermere Gardens to the rear.

5. REFUSAL REASON

5.1. The notice of refusal issued 4th February 2026 contained the following reason for refusal:

"The proposed hip to gable and rear dormer extension would by virtue of its overall form, scale and massing as well as its visibility from the public realm within a locality presently characterised by hipped roofs and an absence of large flat roofed dormers appear as a visually intrusive, unsympathetic, incongruous and over-dominant form of development that would be materially detrimental to, and result in significant harm to, the character and visual amenity of the pair of semi detached dwellings of which the application property forms a part and the wider street scene. This would be contrary to Policy DM1(A) of the South Tyneside Local Development Framework, the guidance contained within the Council's SPD9: Householder Developments and the NPPF."

5.2. Appellant comments:

- Hip to gable extensions can be constructed without requiring planning permission, as they could be classed as permitted development. It is therefore reasonable to conclude that these extensions would not have a negative and/or significant impact on the visual amenity to a pair of semi-detached dwellings or they wouldn't be allowed under permitted development. The only reason that a hip to gable extension can not be classed under PD in this case, is due to the existence and interaction with the previous side extension works.

- Furthermore, the existing extension with its roof alterations have already created an imbalance to the character and visual amenity to the pair of semi detached dwellings as seen from the front street, in that no roof alteration exists to the adjoined or adjacent properties (as evident in Figure 1). Therefore as these roof alterations relate to a previous planning application, and no such objection to the proposed appearance was raised, it is not clear how further roof alterations alone would cause such an "incongruous and over-dominant" development or be detrimental to the character of the pair of semi-detached properties or harmful to the wider street scene.

- Examples of both "full" hip to gable extensions (as shown in Figure 4) and "dormer-like" hip extensions exist in the locality and sit comfortably within their street scene, reinforcing that such alterations can be accommodated without unacceptable harm. Whilst the refusal focuses on the affected street alone, the arguments for refusal should be acknowledged and applied without bias to all applications where this work is proposed. It is noted that these other examples appear to be the first of their kind

on their respective streets which appears to be one of the main considerations by the planning officer when assessing the application.



Figure 4: "Full" Hip to Gable Extensions within 250 m (left) and 400 m (right)

- It is my understanding that even if a "full" hip to gable was not desirable by the planning officer, a "dormer-like" extension, as they noted exists in Ambleside Avenue (as shown in Figure 5) and prevalent on the adjacent streets, would have allowed the headroom required for the new staircase and possibly reduced the scale of the proposed rear dormer. However, as previously mentioned, the council would not consider the application if it included **any** hip to gable extension.



Figure 5: "Dormer-like" Hip to Gable Extensions at 67 Ambleside Avenue

- It is not clear based on the refusal notice alone how the council have objectively decided that the introduction of any hip to gable extension on this property would result in "significant harm" when a two-storey side extension with hipped roof (as shown in Figure 6) already exists. Certainly, the appearance of hip to gable extensions in the locality (as shown in Figure 4) do not appear to be harmful. Indeed, the existing two-storey side extension with hipped roof would soften the appearance of a hip to gable extension, more so than those without.

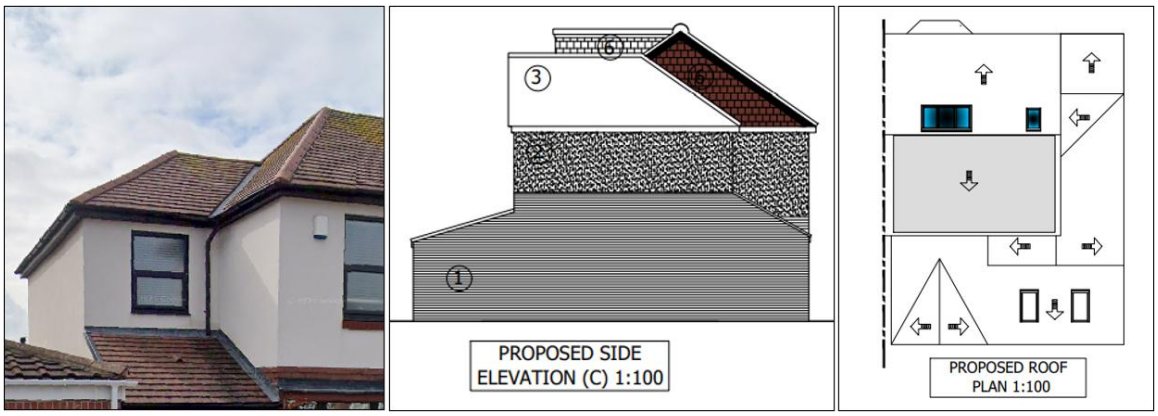


Figure 6: Proposed side elevation and roof plan with existing roof layout

- Referring to the proposed rear dormer, the council states that there is an absence of large flat roofed dormers in the locality. However, there are examples of rear facing full width dormers in the surrounding streets with three very similar sized/designed semi-detached properties located within a 400 m radius as identified in Figure 7.



Figure 7: Properties with full width rear facing dormers in the locality

- It should be noted that those of 58 King George Road and 239 Mortimer Road (the latter also seen in Figure 4) are the only examples of this in their “block” (i.e. set precedent) and the dormers are clad with a white render. Whilst it is understood that each application is assessed independently, it is unclear what specific rule/guidance has been used to assess these properties differently from the Appellant’s. The refusal wording of “visually intrusive, unsympathetic” seems excessive when hanging tiles on the rear dormer matching the existing tiles to complement the appearance were proposed.

- In addition, the extension works for 239 Mortimer Road, which is located on an adjacent street and finished in 2026, also included a full hip to gable extension, rear

full width flat roof dormer and a two-storey flat roof rear extension, shown in Figure 8. It is not clear why the council has not been consistent in their decision making when the impact on the character of the semi-detached properties is comparable.



Figure 8: 239 Mortimer Road with hip to gable and rear dormer extension

- 81 West Avenue has been extended to have a hip to gable extension and rear full width flat roof dormer as seen in Figure 9. Although this is not in keeping with the neighbouring properties, the design is sympathetic to the original building character primarily through use of hanging tiles. This does not appear visually intrusive, incongruous or over-dominant as implied by the refusal notice associated with this proposal.



Figure 9: 81 West Avenue with hip to gable and rear dormer extension

- Again, it is worth noting that a reduction in the scale of the rear dormer would not be entertained by the council in the discussions with the architect on a reasonable compromise. Indeed, removal of the entire rear dormer from the plans would also not be agreed by the council.

- It is worth noting that no objections to the plans were raised by the neighbours in the consultation period. This would indicate that the inhabitants of the 6 properties consulted (6 Buttermere Gardens, and 22, 26, 51, 53, 55 Ambleside Avenue) did not object to the proposed plans as causing any perceived harm to the wider street scene or local character.

6. PLANNING OFFICER REPORT

6.1. To assist with the consideration of the appeal, some sections from the Officers Report are included with appropriate comments from the Appellant in bold.

6.2. The following policies of the South Tyneside Local Development Framework Core Strategy are relevant to this planning application:

- LDF Policy DM1 (A and B)

Policy DM1 Section A notes that developments are designed to convey sensitive consideration of its surroundings, where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportion, alignment, form, use of materials and architectural detailing. The Appellant considers the design (of which similar developments have been permitted) to take into account the surrounding and local setting. From the front street, there would arguably be little impact from changing from the current roof layout to a hip to gable, whilst retaining the previous side extension set back and hipped roof. The rear dormer would be nearly hidden from the front street. From rear of the property there is a cul-de-sac where the rear dormer could be seen from the turning circle where there is little access to the public realm other than the inhabitants of those properties. The "local identity" which must consider the surrounding streets in the borough and not just Ambleside Avenue alone, is shown to have similar developments of equal scale and proportion. As mentioned, the materials considered for the final finish/cladding would match that of the existing property, namely tiles; and not white render as seen on similar developments.

Policy DM1 Section B notes that the development should be acceptable in relation to an impact on local amenity. Due to the rear of the property facing a southern direction, there would be little to no diminished sunlight or overshadowing on the neighbouring properties. Privacy is not impacted as the extension would not allow oversight into neighbouring properties that is not already possible. As already mentioned, the main objection appears to relate to scale, however the council have not strictly enforced this in other developments.

6.3. The following policies and guidance are also relevant to this planning application:

- Supplementary Planning Document 9 (Householder Development)

The SPD 9 notes in Section 2.6 that plans should consider the amenity of ones neighbours. Although no permission was required (no encroachment or alteration to the party wall), none of the neighbours consulted have objected to the proposed plans.

In Section 3.5 highlights that the diverse range of housing styles create distinct areas of housing character and create locally distinctive and unique areas within the borough. With that said, as previously demonstrated, the borough contains many examples of the proposed extension works in both scale and design to similar semi-detached properties in the surrounding streets which maintain the buildings character.

In Section 3.10, the document notes that each individual property on the street contributes to the 'street scene' and that extensions or alterations should be in keeping with the original design. One would argue that that is hard to maintain now whereby there is already a diverse range of appearances to the properties, including, but not limited to: colour and type of roof tiles used, updating original pebbledash to a coloured render, a mix of single and two storey side extensions (some of which incorporate garages), varied alterations to front gardens to incorporate semi or full paved areas for parking, white and grey UPCV windows and doors, guttering and fascia, and the use of extended porches vs. canopies.

In Section 11.4 provides guiding principles on how dormers should be designed, i.e. set in from the property boundaries, below the ridgeline and set-up from the eaves. These three principles were considered in the proposed plans.

In Section 11.5, the appropriate of dormer extension is dictated by the type and character of the host dwelling and where an area is not characterised by dormers of any kind introducing an undesirable precedent should be avoided. As the area already contains many examples of dormers of varying design and scale, therefore precedent already exists. It is noted, that there always must be a first property on the street that is granted permission or new developments would not be possible.

In Section 11.8 for semi-detached houses, where dormers are not part of the original design, these are not considered to be an appropriate addition. However, it has already been established that in a borough dominated by semi-detached properties, many dormers exist which have been granted permission by the council. Therefore this can't be seen as a stringent rule.

In Section 11.10, hip to gable enlargements can make a house unbalanced and create a terraced effect. Such extensions will only be considered acceptable where it is demonstrated that such works would not harm the street scene. As the previous side extension work was set back from the front elevation, and the proposed hip to gable only extends to up to the side extension, the terraced effect would not be created. As seen in Figure 9, the hip to gable extension for this property has not created an unbalanced house. The existence of the two-storey side extension on the Appellant's property would help to soften the appearance of the hip to gable extension.

6.4. Relevant polices from the draft Local Plan officers consider when assessing planning applications

- LP Policy SP1: presumption in favour of Sustainable Development (limited)
- LP Policy 47: Design Principles (very limited)

In Section 4.2 of the SP1 policy notes that the purposes of the local plan is to contribute to the achievement of sustainable development with a presumption in favour of sustainable development. It also notes that the council will work proactively with applicants to try and find solutions which mean that development can be approved. It is of the opinion of the Appellant, that limited considerations were made by the council when the architect and loft contractor were trying compromise on the plans. It is worth noting here that both the architect and loft contractor have a large portfolio of these types of developments where applications have been accepted by the planning office.

Section 4.17 notes that housing provision is an essential element of the LP ensuring residents a decent home that adequately meets their need is critical to supporting healthy, safe and sustainable communities. The Housing allocations plan ensure that a range of housing types are developed and maintain to provide residents with a choice of affordable accommodation that meets their needs and aspirations in attractive, safe and sustainable neighbourhoods. The Appellant notes that is in alignment with the Strategic Housing Market Assessment (SHMA) issued in 2023 where the housing strategy in Section 1.12 notes that "high quality housing across all tenures and locations and residents will be able to access homes to meet their needs throughout every stage of their lives". In addition, the SHMA notes in Table 2.3 that for semi-detached house 4 bedroom dwelling type comprise of only 1.4% of the dwelling stock in South Tyneside, less than that seen

in Tyne & Wear (2.8%) and the England total (2.7%). The SHMA goes on to identify in Section 2.16 that the demand for properties in all parts of South Tyneside is high and properties sell fast. Also there is great demand in South Tyneside for all housing types, but particularly 3 and 4 bedroom family homes. There is limited family housing due to planning constraints, and therefore a significantly restricted new supply and thereby supply has remained flat, being outstripped by demand. The Appellant highlights that one way to achieve an increase in 4 bedroom family homes in the area is to permit extensions of 3 bedroom properties. Thus this proposal delivers increased living space in a sustainable manner.

6.5. The key issues in the assessment of this planning application are as follows:

- Impact on Visual Amenity
- Impact on Residential Amenity

The Appellant notes that many of the policies referenced here by the planning officer fail to have prescriptive guidance on what are subjective metrics; namely scale, proportion, form, beautiful, visually attractive, sympathetic to local character, etc. At this stage, unless something is proposed which is shown to not exist in its entirety in the area, then one can use the precedent of properties where planning has been successful; namely those properties mentioned above where very similar extensions have been built.

6.6. National planning policy is also a material consideration in determining this planning application. Relevant national policy comprises the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the National Design Guide and the National Model Design Code.

The Appellant notes that under NPPF paragraphs 135 and 139, development must ensure good design and sympathetic to local character. In this case, the proposal reflects positively to the mixed character of the area and uses appropriate materials and proportions seen elsewhere. Any perceived harm is not significant and would not amount to a conflict with the NPPF.

6.7. The officer report states, ‘In terms of the proposed rear dormer extension, this would also require planning permission from the Council as together with the hip to gable extension it forms a single enlargement of the roof to the property and could not be constructed in the absence of the hip to gable extension’.

The Appellant notes here that the officer acknowledges that the rear dormer is dependant on the hip to gable extension. Whilst a full hip to gable extension was proposed, it has been suggested that a "dormer-like" extension (as seen in Figure 5 at 67 Ambleside Avenue) could accommodate the new staircase required to access the loft conversion. However, as noted in Section 4 of this statement, no compromise on the hip to gable could be reached with the council.

6.8. The officer report states in relation to the rear dormer extension 'Whilst not being readily visible from the public domain along Ambleside Avenue, the dormer extension would be highly visible from the public realm on Buttermere Gardens to the rear. Given this, the substantial size of the dormer, its flat roof design and the absence of large rear dormers to other dwellings within the perimeter block of which the application site forms a part, it is considered that the proposed dormer would appear as an incongruous, over dominant and out of character feature in the street scene and as such would also be harmful to the visual amenities of the locality.'

The Appellant notes again that no objection to the plans were made by the consulted neighbours and that the rear dormer would only be seen when stood at the end of Buttermere Gardens which is a cul-de-sac and not frequented by the public at large as shown in Figure 10 (boxed in red) and so it is contested that the proposed works would be "highly visible". It worth noting that a rear dormer and side dormer are visible in the same public realm for 12 Grasmere Gardens, albeit in smaller scale than proposed here.



Figure 10: View of rear of property from Buttermere Gardens

6.9. The officer report states 'the proposal is considered to conflict with the guidance contained within SPD9 and would give rise to a visually intrusive and unsympathetic form of development. Refusal is therefore recommended on the basis of the resulting harm to

the character and visual amenity of the semi-detached dwellings and the wider area, the failure to accord with adopted design guidance, and the lack of mitigating design measures that might otherwise lessen the proposal's visual impact.'

The Appellant notes that attempts were made to lessen the proposals visual impact including complete removal of the rear dormer, but as no compromise on a hip to gable extension was permitted by the council, as noted in Section 6.6 of this document, a loft conversion could not be built. Whilst the 'visually intrusive and unsympathetic form of development' comment appears to relate to the rear dormer, it is the opinion of the Appellant that the proposal would not result in significant negative impact on the visual amenity. The rear dormer is located on the rear of the property where public views are restricted and respects the set backs to the roof elements and property boundary. The hip-to-gable change aligns with the plane and height of the existing roof and would not appear dominant or intrusive, of which similar exist in the surround streets and commonly fall under permitted development rights, indicating they are not inherently harmful. Furthermore, SPD9 allows one-sided extensions and alterations to semi-detached properties and therefore you are permitted to disrupt the visual balance of the pair of semi-detached dwellings.

6.10. The officer report states in relation to the residential amenity 'Due to the nature of the proposal, the works would be visible from a number of surrounding properties, however they are located at a sufficient distance and would not result in any significant negative impacts on the residential amenity of neighbouring properties in respect of loss of outlook, privacy, light or over shadowing'. It goes on to state 'the proposed development is considered to give rise to no significant harm to the residential amenity of neighbouring properties'.

Both the planning officer and the Appellant note that the proposed works would be visible by many neighbouring properties, however, whilst this is acceptable to the council with regards to residential amenity, more weight has been assigned to the impact on visual amenity to those in the public realm. It is not clear who in the public realm would be visually offended by the proposed works.

7. CONCLUSIONS

7.1. This statement shows that similar developments in scale and design exist in the surrounding area have been approved by the council for similar properties. The proposed development has been carefully designed to respect the character of the property, comply with principles in SPD9 and reflect those developments seen in the locality.

7.2. The arguments against this proposal put forward by the planning officer are subjective and overstate the visual impact of the proposal. The reasoning is inconsistent with comparable developments in the area which set a precedent of what the council is willing to approve.

7.3. Permitted Development allows for hip to gable extensions indicating they are not inherently harmful and SPD9 allows one-sided extensions and alterations to semi-detached properties meaning that visual balance is not a protected characteristic of these properties.

7.4. The proposal is an example of what would be classed as a sustainable development and provides an affordable solution to the local housing shortage by enabling a 3-bedroom home to become a 4-bedroom family dwelling.

7.5. Notably, no objections to the plans were raised by the neighbours in the consultation period. The rear dormer is located on the rear elevation where public views are restricted and limited to those stood in Buttermere Gardens which is a cul-de-sac and not frequented by the public at large.

7.6. For the above reasons, the Appellant respectfully requests that the Inspector allows the appeal and grants planning permission.