



Appeal Decision

Site visit made on 19 June 2006

by **Christopher John Checkley BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date: 18 July 2006

Appeal Ref: APP/H0738/A/06/2012048

Willow Bank Cottage, 57 Forest Lane, Kirklevington, Yarm, TS15 9NE

- 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 Paul McMurdo against the decision of Stockton-on-Tees Borough Council.
- The application (ref. 05/1865/FUL), dated 23 June 2005, was refused by notice dated 28 February 2006.
- The development proposed is as described in the application as a 2-storey extension to rear, porch to front and 1 no. dormer window to front.

Decision

1. For the reasons given below, I dismiss the appeal.

Reasons for the Decision

2. The original Willow Bank Cottage has been considerably extended. It is now a large 2-storey house set well back on a generous plot within an established residential area with mature gardens. The undeveloped and planted nature of the many adjoining rear gardens contributes to the attractive character of the area.
 3. A 2-storey flat-roofed extension at present projects back from the main rear wall at its eastern end but still has a scale that is in proportion to the existing dwelling. If the scheme were to be permitted there would be an overall rear extension projecting back well over 9m from the main rear wall of the house, which would include a 2-storey pitched-roof extension approaching 2½m longer than the present 2-storey flat-roof extension together with a single-storey flat-roofed extension 3.575m long with steel railings around its perimeter. In my opinion the overall scale of the new projection, which would be wider, longer and taller than the existing extension, would be disproportionate to the existing house and would project intrusively into the characteristic openness of the rear garden zone. This visual impact would be particularly evident from surrounding properties in the winter months when deciduous trees and shrubs in gardens had no leaves.
 4. The house is set back behind the rear of the neighbouring bungalow at No 55 Forest Lane to the east, so that the extension would lie to the southwest of No 55. The new pitched roof would be noticeably taller and longer than the existing flat roof, even though its ridgeline would be set further away. The rearward projection of the first floor element would contravene the 45° guideline in the Council's Supplementary Planning Guidance (SPG). In summer the mainly deciduous boundary planting in the garden of No 55 would partially
-

screen the much enlarged building, but its intrusive and dominating visual impact would nevertheless still be felt by these neighbours, especially in winter months. Its increased height would also cause earlier overshadowing of the rear of No 55 in the late afternoons in summer months and increased overshadowing in winter months. These combined effects would be materially detrimental to the living conditions of these neighbours.

5. The proposed tiled flat roof with its railings could potentially be used as a sitting out area or balcony if the Juliette railings to the bedroom French windows were removed. This would result in dominating overlooking and loss of privacy for surrounding neighbours, especially those at No 55, particularly when there was no leaf cover. Although this harm could be avoided by imposing a condition on any permission to prevent such use of the roof, the other objections remain.
6. I conclude that the harmful effects described for the undeveloped character of the rear gardens area and the living conditions of the neighbours at No 55 would be contrary to the provisions of Policies GP1 (criteria i and ii) and HO 12 of the adopted Stockton-on-Tees Local Plan and the Council's SPG guidelines and that this appeal should be dismissed.



INSPECTOR