



Appeal Decision

Site visit made on 20 August 2007

by **Graham E Snowdon BA BPhil Dip**
Mgmt MRTPI

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
29 August 2007

Appeal Ref: APP/H0738/A/07/2042410

3 Oakhurst Close, Ingleby Barwick, Stockton-on-Tees, Cleveland TS17 0UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice, within the prescribed period, of a decision on an application for planning permission.
- The appeal is made by Mrs Dianne Bainbridge against Stockton-on-Tees Borough Council.
- The application Ref 06/3232/FUL is dated 17 October 2006.
- The development proposed is extensions to create larger bedroom/dressing room and new garage which is to replace the existing one converted for residential purposes.

Decision

1. I allow the appeal, and grant planning permission for the creation of a larger bedroom/dressing room and new garage, which is to replace the existing one converted for residential purposes at 3 Oakhurst Close, Ingleby Barwick, Stockton-on-Tees, Cleveland TS17 0UN in accordance with the terms of the application, Ref 06/3232/FUL, dated 17 October 2006, and the plans submitted therewith, subject to the following condition:

The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

Main Issues

2. The main issues are the effect of the proposed extensions on, firstly, the character and appearance of the existing bungalow and the wider street scene and, secondly, the living conditions of adjacent residents, particularly in terms of loss of privacy.

Reasons

3. The appeal property is a bungalow located within a suburban cul-de-sac comprising detached single and two-storey dwellings in a wide variety of styles, designs and materials. The proposed extensions would be designed in a sympathetic manner, which respect the character of the host dwelling. The front extension would project further forward than any other within the cul-de-sac and would partially obscure long views along the Close. However, being single storey and, given the absence of any consistent building line or uniform character within the cul-de-sac, I do not consider that it would be unduly intrusive or out-of-place.

4. I conclude on the first issue, therefore, that the proposal would not have an adverse effect on the character or appearance of the existing bungalow or the wider street scene and would, in this respect, comply with the requirements of Policies GP1 and HO12 in the Stockton-on-Tees Local Plan (Local Plan).
5. With regard to the effect on adjacent residents, I consider that the front extension, which would be separated from 5 Oakhurst Close by a projecting garage, would have no adverse effect on outlook or loss of privacy for the occupants of the latter. The relationship of the new windows to be installed in the former garage would, likewise, present little opportunity for overlooking of 1 Oakhurst Close.
6. The Council's principal objections would appear to relate to the rear extension. The rear window would be close to the boundary with no.5, but would be located at a high level and I do not consider that a requirement for obscure glazing would be necessary to prevent overlooking of the latter's garden area. The patio doors on the front elevation of the rear extension would be some 12 to 13 metres from the rear windows of no.1, which falls well short of the 21 metres recommended by the Council's adopted Supplementary Planning Guidance (SPG). However, the extension would be single storey and there would be a separating close-boarded fence of some two metres along the boundary. In addition I have taken into account the level of potential mutual overlooking (albeit obliquely) which currently exists between the two properties and the claim of the appellant that the first floor window at no.1 is in breach of a planning condition (which is not disputed by the Council). These factors, together with the absence of any objection from neighbouring occupiers, lead me to conclude that there would be no significant detriment to the living conditions of adjacent residents, particularly in terms of loss of privacy, and the provisions of Local Plan Policies GP1 and HO12 would be satisfied.

G E Snowdon

INSPECTOR