



## Appeal Decision

Site visit made on 23 October 2007

by **Anthony Lyman** BSc(Hons) DipTP  
MRTPI

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

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Decision date:  
20 November 2007

### Appeal Ref: APP/H0738/A/07/2046896

#### 65 Dunedin Avenue, Stockton-on-Tees, TS18 5JH

- 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 Neil Farthing against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/0667/FUL dated 27 February 2007 was refused by notice dated 14 May 2007.
- The development proposed is a two storey extension to the side of property with open access below to existing garage and a conservatory to the rear.

### Decision

1. I allow the appeal, and grant planning permission for a two storey extension to the side of property with open access below to existing garage and a conservatory to the rear at 65 Dunedin Avenue, Stockton-on-Tees, TS18 5JH in accordance with the terms of the application Ref 07/0667/FUL dated 27 February 2007 and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 3) The western facing windows of the conservatory hereby permitted shall be glazed with obscure glass which must be retained at all times.

### Procedural Issue

2. Both parties in this appeal stated that there was no need for me to enter the site, and that an unaccompanied site visit would be appropriate. Consequently on my visit I was unable to view the site of the proposed conservatory to which the Council have no objections. However as this part of the appeal proposal is not contentious, my inability to inspect it has caused no prejudice to any party.

### Main Issue

3. The main issue is the effect that the proposed development would have on the appearance of Dunedin Avenue.

### Reasons

4. The appeal property is a modern semi-detached house. Dunedin Avenue benefits from having a mix of bungalows, chalet bungalows and houses. It has been laid out with small groups of each style alternating from one side of the road to the other with houses opposite bungalows or chalets to create variety in the street scene.
5. The appellant wishes to erect an extension to the side of his property, in such a way that vehicular access to the existing detached rear garage would be retained. The extension would be built up to the common boundary with 63 Dunedin Avenue and it would be flush with the facade of the main building.
6. The Council's Supplementary Planning Guidance (SPG) Note 2, requires side extensions **normally** (my emphasis) to be set back a minimum of 1m from the facade of the house or to leave a gap of at least 1m between the extension and the neighbouring boundary. The aim of this guidance is to prevent a terraced effect developing which would detract from the street scene. In principle I support this guidance although in this instance there are a number of other factors which I have to take into account.
7. The proposed extension has been designed to match the existing house and would harmonise well with it. The adjoining semi already has an identical extension and the proposed development would rebalance the appearance of this pair of houses. In my opinion, if the proposed extension was set back 1m to satisfy the SPG, this pair of semis would look unbalanced and create a poor design statement which would be contrary to the high design standards required by the SPG. The appellant refers to similar extensions in the locality including his neighbour's, but the Council argues that these were all built or approved before the SPG was adopted in 2004.
8. The mix of house and bungalow styles in this part of Dunedin Avenue significantly reduces the risk of creating a terraced effect. Immediately to the one side of this pair of semis there are chalet bungalows and a little distance to the east the road curves and each pair of semis is stepped back relative to its neighbour such that a terraced effect would be difficult to achieve.
9. I conclude that the proposed extension would not conflict with the principles of the SPG and would comply with policy GP1 of the Local Plan
10. With regard to the conservatory I note that neither the Council nor neighbours have any objections to this proposal. In my opinion it would comply with relevant policies and would not adversely affect the appearance of the area.
11. For the reasons stated and having considered all other matters raised, I allow the appeal subject to the conditions set out above. I have imposed condition 3 in order to protect the privacy of the adjoining neighbours. The Council requested that a condition be imposed requiring the appellant to provide three car parking spaces within the curtilage. I have not imposed this condition because it is at variance with national guidance on parking provision.

*Anthony Lyman*

INSPECTOR

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