



Appeal Decision

Site visit made on 23 March 2009

by **C Hughes BA (Hons) DipTP MRTPI**

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

The Planning Inspectorate
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Decision date:
6 April 2009

Appeal Ref: APP/H0738/A/08/2091276

28 Summerfield Grove, Thornaby, Stockton-on-Tees, Cleveland TS17 0JW

- 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 E Allsop against the decision of Stockton-on-Tees Borough Council.
- The application Ref 08/1965/FUL, dated 18 June 2008, was refused by notice dated 19 August 2008.
- The development proposed is a garden room with a tiled roof.

Decision

1. I dismiss the appeal.

Reasons

2. The garden room would form a single storey rear extension, positioned side-on to the rear garden of 24 Summerfield Grove. This garden is small, and would be separated from the garden room only by a fenced pathway and the set back of the room from the boundary of the appeal property. The fences separating the 2 properties from the pathway are about 1.85-1.9m high, but the proposed extension would be 2.6m high at eaves level, rising to 3.5m at its junction with the rear wall of No 28. The extension would therefore rise significantly above the fences and, with a depth of about 4.05m, would appear to extend across a substantial part of the view from the back of No 24.
3. Although sufficient natural light would continue to fall on the garden and patio doors of No 24, the height and depth of the garden room, and its relationship with No 24, would cause it to be over-dominant seen from the rear garden and patio doors of that house. In coming to this conclusion I have taken account of the oblique angle between the 2 properties. The appeal scheme conflicts with those elements of saved Policies GP1 and HO12 of the Stockton-on-Tees Local Plan which seek to protect the amenities of residents.
4. The privacy of the neighbouring occupiers could be protected by controls over the nature of the proposed window looking towards No 24. I have taken account of arguments concerning permitted development tolerances, but the proposal before me is the subject of significant planning objections, which outweigh the other considerations raised concerning the proposal.

C Hughes