



Appeal Decision

Site visit made on 12 October 2010

by **Karen Baker** DipTP MA DipMP 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:
15 October 2010

Appeal Ref: APP/H0738/D/10/2135437
15 The Green, Wolviston, Billingham TS22 5LN

- 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 Tim Shaw against the decision of Stockton-on-Tees Borough Council.
- The application Ref. 10/1078/FUL, dated 29 April 2010, was refused by notice dated 25 June 2010.
- The development proposed is a 2 storey extension to side of property to form family room with bedroom/en-suite over. Pitched roof to existing concrete roof area to rear.

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
 - a. the character or appearance of the existing property and the Wolviston Conservation Area; and,
 - b. the living conditions of the occupiers of No. 14 The Green, with particular reference to outlook and sunlight/daylight.

Reasons

Character and Appearance

3. The appeal property is located on the western side of The Green. No. 15 is a 2 storey mature end of terrace dwelling. A mix of styles and designs of properties exists around The Green and includes both modern and more mature single and 2 storey dwellings. Immediately to the south west of the appeal property is No. 14 The Green, a detached bungalow.
4. The proposed development would include a side extension to No. 15 which would project around 3.2m from the existing south western side elevation of this property, with a length of around 6.28m. It would be set back from the front elevation of the existing property by around 1.5m and its ridge height would be around 0.1m lower than that of the roof of the host building.
5. No. 15 is the end dwelling in a block of 3 properties (Nos. 15, 16 and 17) which are set in a slightly elevated position overlooking The Green. Although modest in scale, these properties together appear prominent in views across The Green from the east. At present there is a distinct separation between this block and the neighbouring properties to the south west and north east. The proposed

extension of No. 15 to the side, although set back from the front elevation, would substantially reduce the separation distance between Nos. 14 and 15, and would, given its siting, appear incongruous and out of keeping with this block of terraced dwellings. The appellant considers that a precedent has been set for side extensions to older properties given the extension to The School House on the eastern side of The Green. However, the side extension to The School House is single storey and a lean-to design. In addition, its setting is different to that at the appeal property, with a much larger side garden retained.

6. The front elevation of the proposed extension would include a window at both ground and first floor levels. The ground floor window would reflect the siting and stone detailing above the ground floor window in the front elevation of the existing dwelling. However, the first floor window, and consequently the eaves, of the proposed extension would be sited higher than the first floor window and eaves in the existing dwelling. In addition, the proposed ground and first floor windows would be around 0.3m wider than those in the existing property and would have a 3 pane design, rather than the 6 panes within the windows of the host property. As a result, given its design, the proposed extension, although constructed from matching materials, would appear prominent and out of keeping with the character and appearance of the host dwelling and the streetscene. As such, it would fail to preserve the character and appearance of the conservation area.
7. I conclude, therefore, that the proposed development would harm the character and appearance of the existing property and the Wolviston Conservation Area. As such, it would be contrary to Policies HO12 and EN24 of the Stockton-on-Tees Local Plan¹, adopted in June 1997, in this regard.

Living Conditions

8. The north eastern side elevation of No. 14 The Green includes 3 windows at ground floor level, 2 of which are obscure glazed and open into bathrooms. The third window opens into a dining room. However, this window is sited furthest away from the proposed extension and only oblique views of it would be possible from within this room. A close boarded fence, around 1.74m high, exists along the boundary between Nos. 14 and 15 The Green. In addition, a number of mature trees and shrubs are sited within the side garden of No. 15, close to this boundary. As such, at present, views of No. 15 and daylight/sunlight are somewhat restricted within the dining room of No. 14.
9. Given the siting of the proposed extension, towards the front of the plot, along with the orientation of the dwellings at Nos. 14 and 15 and the existing boundary treatment, it would not appear overbearing or dominant from within the dining room of No. 14 or result in a material loss of sunlight/daylight to the occupiers of this property within their dwelling.
10. I conclude, therefore, that the proposed development would not harm the living conditions of the occupiers of No. 14 The Green, with particular reference to outlook and sunlight/daylight. As such, it would not be contrary to Policies

¹ The Local Plan policies to which I refer in this decision have been saved by a Direction, under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004, of the Secretary of State for Communities and Local Government, dated 31 August 2007

HO12 and EN24 of the Local Plan, in this regard, or Policy CS3 of the Stockton-on-Tees Borough Local Development Framework: Core Strategy Development Plan Document, adopted in March 2010, and would accord with the Council's Supplementary Planning Guidance Note 2: Householder Extension Guide, published in February 2004.

11. Although the proposed development would not harm the living conditions of the occupiers of No. 14 The Green, with particular reference to outlook and sunlight/daylight, it would harm the character and appearance of the existing property and the Wolviston Conservation Area. I consider this to be a compelling objection, and for this reason alone the appeal should not be allowed.
12. I have considered all the other matters raised by the appellant, including the disproportionately small amount of first floor accommodation in the existing dwelling, the need to extend the property to accommodate a growing family and the need to retain a right of way, but none changes my overall conclusion that the appeal should be dismissed.

Karen Baker

INSPECTOR