



---

## Appeal Decision

Site visit made on 20 June 2012

by **Peter D. Biggers** BSc(Hons) MRTPI

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

Decision date: 13 July 2012

---

**Appeal Ref: APP/H0738/D/12/2175609**

**4 Aysgarth Road, Stockton-On-Tees, Cleveland, TS18 4JG**

- 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 Anthony Johnson against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 12/0564/FUL was refused by notice dated 25 April 2012.
  - The development proposed is two storey side extension.
- 

### Decision

1. The appeal is dismissed.

### Main issue

2. The main issue in this case is the effect the proposed extension would have on the character and appearance of the property and the surrounding area.

### Reasons

3. The Aysgarth and Wensley Road area is characterised by two storey, semi-detached dwellings finished in painted brick and render under tiled roofs. The corner plots are typically more spacious on the frontage but the triangular configuration of the plots means that, at the rear, the houses are very close to side boundaries. The appeal property occupies such a corner plot and, with its neighbour at No 2, forms a symmetrical pair of houses with attached single storey garages.
4. The proposed extension was significantly revised after submission of the application and before the Council made its decision. I have determined the appeal on the basis of this revised plan (Revision A), as did the Council. It now comprises a first floor extension in matching materials, the front section of which would be pitch roofed and the rear section of which would be flat roofed.
5. I considered the matter of the frontage width of the extension carefully on site. It would be around two thirds as wide as the existing house. I accept that the design proposes a dropped ridge to help make the extension height appear subordinate to the main house. However, there would be no set back from the front elevation and in the context of the combined dwellings (Nos 2 and 4) the scale of the extension would dominate and unbalance the frontage. Viewed as a whole, it would not appear subordinate to the main house and would impact adversely on the character and appearance of the frontage.
6. Crucially the width proposed also means that there would be only a small

return depth to the extension before the restrictions of the triangular plot would necessitate an angled return wall to the extension along the side boundary from which it would be separated by only about 0.75 metres. I accept that the extension would not step in front of the building line established by No 10 Wensley Road. However, the result of this proposed siting and layout in bringing the two storey extension close to the plot boundary would close down the open, spacious appearance of the corner plot. Furthermore, the layout would result in a roof configuration with a small pitched section at the front and a high flat roof section at eaves level over the remainder of the extension. Viewed from Wensley Road, the bulk of the extension, the long angled side wall and awkward roof configuration would appear at odds with the design of the main house and incongruous in the context of the established character of the area.

7. It has been put to me, that in putting forward the extension of the scale proposed, the appellants are seeking to make sustainable and effective use of their existing home, an objective which is encouraged by the Framework. However, the Framework attaches great importance to seeking a high quality of design and places it as one of the core planning principles. At Paragraph 64 it states that *"..permission should be refused for development of poor design that fails to take the opportunities available to improve the character and quality of an area.."* Whilst paragraph 65 goes on to say that permission should not be refused for development which promotes sustainability because of concerns about incompatibility with existing townscape; it qualifies this by saying *"..if those concerns have been mitigated by good design"*. I am not persuaded that in this case such mitigation would be achieved.
8. The development plan is consistent with this Framework approach. The Council's *Core Strategy Development Plan Document* at Policy CS3 requires development to make a positive contribution to the local area. More specifically, Policy HO12 of the *Stockton-on-Tees Local Plan* requires all extensions to be in keeping with the property and the street scene in terms of style, proportion and materials and normally requires side extensions close to a common boundary to be set back from the boundary. *Supplementary Planning Guidance No 2 - Householder Extension Guide* (SPG) expands further on policy HO12 advising that extensions should blend in with the dwelling in terms of siting, design, scale and materials and in the context of the wider street scene.
9. For the reasons above the siting, design, and scale of the proposed side extension would fail to meet the design objectives of the Framework, the development plan policies referred to above and the advice of the SPG and would be out of keeping with the character and appearance of both No 4 Aysgarth Road and the surrounding area.
10. The appellant has also referred me to the presumption in favour of sustainable development in the Framework. However, the Framework adopts a wide definition of sustainability. Indeed, it makes clear at paragraph 6 that regard must be had to the document as a whole in determining what the concept means in practice. Paragraph 8 of the framework states that all economic, social and environmental gains should be sought jointly. At paragraph 9 the Framework states that pursuing sustainable development involves, amongst other things, seeking positive improvements to the quality of the built, natural and historic environment. In this case, the proposal, by failing to be subordinate to the main property, would not achieve a positive improvement to

the built environment and therefore it would not be sustainable development in the terms of the Framework. I am not persuaded by the appellant's argument that the adverse impacts of the proposal must significantly and demonstrably outweigh the benefits to warrant dismissal. Paragraph 14 of the Framework requires this where the Development Plan is absent, silent or out of date but none of these circumstances apply in this case.

11. I note that the Council is satisfied that there would be no adverse impacts on the living conditions of the neighbouring property at 10 Wensley Road and also that there are no highway objections to the proposal.

**Conclusion**

12. Notwithstanding the fact that the extension would be achieved without impacting on living conditions or highway safety and would have benefits for the current occupants in terms of increased living space this does not outweigh the harm in respect of character and appearance. For the reasons given above the appeal should be dismissed.

*P. D. Biggers*

INSPECTOR