



Appeal Decision

Site visit made on 11 September 2012

by **Kevin Ward BA (Hons) MRTPI**

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

Decision date: 18 September 2012

Appeal Ref: APP/H0738/D/12/2180361
2 Manor Drive, Hilton, Yarm TS15 9LE

- 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 D Shawcross against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 12/1269/FUL, dated 17 May 2012, was refused by notice dated 11 July 2012.
 - The development proposed is a side extension and basement.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - a) The character and appearance of the existing dwelling and the area generally.
 - b) The living conditions of the occupiers of 3 Manor Drive in terms of privacy and outlook.

Reasons

Character and appearance

3. There are trees to the front of the appeal property which are subject to a tree preservation order. They would not be affected by the proposed development.
4. The Council's Supplementary Planning Guidance Note 2: Householder Extension Guide (the SPG) was adopted following consultation and I have therefore given it significant weight in determining the appeal.
5. Although there are two storey dwellings along Manor Drive, the immediate context for the appeal property is provided by the single storey dwellings on either side and directly opposite. Given its height, width and depth, along with the orientation of its roof, the proposed extension would be a disproportionate addition to the existing dwelling, significantly altering its scale, overall form and appearance. It would fail to complement the existing dwelling and would be an unduly dominant and incongruous feature of the street scene.
6. I note the appellant's view that the proposal is a response to the particular design and form of the existing dwelling and appreciate the intention to use

matching materials. However, I consider that the proposed development would adversely affect the character and appearance of the existing dwelling and the area generally.

Living conditions

7. The proposed extension would include three windows at first floor level facing the side of No.3 and its garden. However, given that one of these would serve a bathroom and the other two would be secondary windows serving a bedroom, a condition could be imposed to ensure the use of obscure glazing. The potential for overlooking and loss of privacy would be very limited therefore.
8. The extension would sit close to the boundary with No.3. Given the height, depth and close proximity of the extension it would be an imposing and overbearing feature when viewed from the side windows and rear/side garden of No.3. Whilst the side windows serve a garage, bathroom and study/spare bedroom and not main habitable rooms, I consider that the effect on outlook would be such that it would have a significant adverse impact on the living conditions of the occupiers of No.3.

Conclusion

9. For the above reasons and taking account of other matters raised I consider that the proposed development would conflict with Policy HO12 of the Stockton-on-Tees Local Plan, Policy CS3 of the Core Strategy and guidance within the SPG. I conclude therefore that the appeal should be dismissed.

Kevin Ward

INSPECTOR