
Appeal Decision

Site visit made on 16 February 2016

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 23 February 2016

Appeal Ref: APP/H0738/D/15/3139417

69A Darlington Road, Stockton-on-Tees, TS18 5EU

- 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 Kevin Davies against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 15/2106/FUL dated 24 August 2015 was refused by notice dated 28 October 2015.
 - The development proposed is raising garage roof line to include for a games room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the living conditions of the occupiers of No. 10 Downholme Grove with reference to outlook, sunlight and daylight, and (2) the character and appearance of the area.

Reasons

3. The appeal property is a detached house located in a backland location, to the rear of No. 69 Darlington Road. It has a large detached garage situated at the end of the driveway. The proposal is to increase the height of the garage's roof and the formation of three pitched roof dormer windows to the front elevation.

Living Conditions

4. The proposed garage is sited close to the boundary with No. 10 Downholme Grove. This neighbouring property's rear elevation faces the garage at an angle and its rear garden is also situated along this boundary. I note the proposal would only increase the height of the garage by around 1.3m and the pitch of the roof would be maintained. However, given the close proximity of the garage to the neighbouring property at No. 10, and the increase in its height across the full 8.8m width of the garage, the proposal would create a significantly overbearing impact on users of No. 10's rear garden and an oppressive outlook from the rear ground floor windows of this neighbouring property.
 5. Given the orientation of the appeal garage to No. 10 Downholme Grove, the proposal would reduce the amount of sunlight received in this neighbouring
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property's garden. The mass and the close proximity of the proposed development would also result in the reduction of daylight to this space, although I do not consider it would result in harm by way of loss of sunlight/daylight to the windows in the rear of the property beyond the garden.

6. I note all other concerns expressed by neighbouring occupiers, but given the distance and orientation of the dormer windows to neighbouring properties, I find the development would not have an adverse effect by way of overlooking. The proposed use of the first floor as a games room, would be ancillary to the existing dwellinghouse and for this reason, I do not consider it would have a harmful effect in terms of noise.
7. I therefore conclude that the proposal would cause material harm to the living conditions of the occupiers of No. 10 Downholme Grove. It would be contrary to Policy HO12 of the Stockton-on-Tees Local Plan (Local Plan), which requires, amongst other matters, extensions to avoid significant loss of amenity for the residents of neighbouring properties. It would also conflict with the principles of the Supplementary Planning Guidance Note 2: Householder Extension Guide (SPG) and with Paragraph 17 of the National Planning Policy Framework (Framework), which requires, amongst other matters, a good standard of amenity for all existing and future occupiers of land and buildings.

Character and Appearance

8. The appeal property is situated in an area characterised by large detached properties, many of which have detached outbuildings. The increase in the height of the roof along with the dormer windows to the front would result in a structure that would not have a subordinate appearance to the existing dwellinghouse. Whilst the appeal property is setback from the highway, as the garage is positioned at the end of the drive, the development would be visible from the highway and would appear incongruous in the streetscene.
9. I therefore conclude that the proposal would have an unacceptable adverse impact on the character and appearance of the area and would therefore be contrary to Policy HO12 of the Local Plan and Policy CS3 of the Core Strategy Development Plan Document, which require, amongst other matters, that extensions are in keeping with the streetscene, and that design makes a positive contribution to the local area. It would also be contrary to the Framework at Paragraphs 17 and 56, which require good design and the SPG, which states, amongst other matters, that upper floors are not normally acceptable on detached garages.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR