



Appeal Decision

Site visit made on 22 July 2019 by Ifeanyi Chukwujekwu BSc MSc PIEMA RTPI (Assoc)

Decision by Mr A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/H0738/D/19/3231514

Ballybrack, Blakeston Lane, Stockton-on-Tees, TS21 3LE

- 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 name of appellant Mr and Mrs Newton and Kirsty Tucker against the decision of Council Stockton-on-Tees Borough Council.
 - The application Ref 19/0372/FUL, dated 18 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is roof space conversion, including front and rear dormer extensions, with front and side extensions to the existing dwelling house together with a replacement entrance gateway off Blakeston Lane.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council considers the proposed single-storey side extension and dormer window acceptable in planning terms. I will proceed on this basis.

Main Issue

4. The effect of the proposed front extension and replacement entrance gateway upon the character and appearance of the host dwelling and surrounding area.

Reasons for the Recommendation

5. Ballybrack is a detached bungalow located off Blakeston Lane. The surrounding area is rural in character with buildings set apart from each other by open countryside. Buildings are either agricultural or dwellings with simple rural cottage design. Low-lying hedges are a distinctive feature of this area, and access points off Blakeston Lane have low level fences and planting.
6. The appellant argues that the extension would not affect the ridgeline to the host dwelling. However, the appellant agrees that the proposed front extension, by virtue of its overall bulk, volume and scale would not be subservient to the host dwelling. I find that the design, shape and size of the front extension would visually harm the external appearance of the host building.

7. The proposed front extension by virtue of its design, shape and size would create a dominant appearance of a modern domestic dwelling. It would present a significant difference in form and scale and whilst the proposal would not be unduly prominent in the street scene, it would be visible from nearby dwellings, and would be likely to reduce the appreciation nearby occupiers have of the rural environment within which they live.
8. The proposed removal of part of the existing hedgerow at the access and installation of brickwork screen walls and pillars fitted with a high cedarwood boarded gate would appear inconsistent with the rural quality of the area. The appellant suggests that removal of part of the hedgerow would be compensated by planting of new hedging. In any event, planting would take time to establish. The argument is that the proposal would be a betterment in visual terms when compared to the existing design of the appeal site's frontage, but the extent of the alterations detract from the distinctive pattern of settlement. Modern contemporary design may be aesthetically pleasing, but the nature of the development causes harm to the area's rural interest. The proposed gate would be visible from the public realm and would fail to reinforce local distinctiveness of low-level fences. It therefore would not represent inclusive design.
9. The appellant refers to the existence of a fallback position having regard to permitted development (PD) rights. A dormer window, rooflight and single storey extension to the side of the existing garage could be erected, but the appeal scheme would be plainly unacceptable given the bulk and scale of the proposed frontage. Even if there is a realistic prospect of PD rights being exercised, this matter attracts limited weight. Additionally, the property would be improved but there would be environmental harm. Furthermore, the appellant argues that the Council has granted permission for similar development nearby¹. But this other example is not the appeal before me and does not justify visually harmful development. In any event, each application and appeal should be determined on its individual merits.
10. I find that the proposed front extension and erection of pillars and wall with gates off Blakeston Lane would have a detrimental effect on the character and appearance of the host dwelling and surrounding area. Accordingly, the scheme would conflict with Policies SD3 and SD8 of Stockton-on Tees Borough Council's Local Plan (2019), Stockton-on Tees Borough Council's Supplementary Planning Guidance Note 2 (Householder Extension Guide) and paragraphs 127 and 130 of the National Planning Policy, which supports the principle of well-designed development.

Conclusion and Recommendation

11. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR

¹ Council ref: 13/0140/FU, Ashtree Cottage, Thorpe Road, Carlton.