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# Appeal Decision

Site visit made on 7 December 2020

**by Graeme Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 15 December 2020**

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**Appeal Ref: APP/H0738/D/20/3258754**

**18 Branksome Grove, Stockton-on-Tees TS18 5DD**

- 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 Amlan Banerjee against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 20/0666/FUL, dated 24 March 2020, was refused by notice dated 6 August 2020.
  - The development proposed is erection of two storey extension to side and single storey extension to the rear (demolition of existing garage / utility).
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. I have adopted the description of development set out on the Council's decision notice and subsequently employed by the appellant in the banner heading above as it more fully describes the nature of the proposed extension. I am satisfied that neither party would be prejudiced by my doing so.

## Main Issue

3. The main issue is the effect of the proposed extension on the living conditions of occupiers of 20 Branksome Grove, with particular regard to outlook and daylight and sunlight.

## Reasons

4. The appeal property is a two-storey semi-detached dwelling located within a residential cul-de-sac comprised of a mix of two storey and single storey detached and semi-detached dwellings. The proposed extension, a two-storey extension at the side of the property to replace an existing single storey, flat roofed garage and utility room, is unexceptional in its appearance and is of a form which is no doubt replicated in many similar residential contexts.
5. However, whilst the general principle and form of the extension itself is, in theory at least, relatively unexceptional, the relationship between the appeal property and the neighbouring house at No. 20, and thus the proposed extension and No. 20, is significantly less so. With two street frontages to Branksome Grove around the cul-de-sac's turning head, No. 20 has an extensive, generous and reasonably open front garden area.
6. However, because it is rotated through 90° relative to the appeal property, the rear of No. 20 faces directly towards the appeal property's gable elevation, and

does so at reasonably close quarters. An attached garage on No. 20's rear elevation further reduces the extent of private space at the rear of that property and adds to the general sense of enclosure largely created by the existing appeal property.

7. Whilst the proposed extension would be set back from the front elevation of the main house and would also, as a consequence, incorporate a slightly lower roof ridge level, neither of these measures would noticeably or materially mitigate the scale or bulk of the extended gable elevation, which would be significantly closer to the rear of No. 20 as a result of the proposed extension. The proposal would thus result in a new two storey gable elevation in the region of 2.7 metres closer to the rear of No. 20 than is presently the case. As a consequence, the substantial, and significantly closer, gable elevation would dominate the outlook from the rear of No. 20. Its greater proximity to the rear of No. 20, when combined with its height, width and general bulk would create an imposing, dominant and intrusive addition which would cause significant harm to the outlook and living conditions experienced by occupiers of No. 20.
8. Added to this, the appeal property lies to the south of No. 20. Whilst the existing property would already be likely to cause a degree of overshadowing of the rear, and rear yard area, of No. 20 at certain times of the day and at particular times of the year, the proposed extension would substantially and harmfully increase the occurrence of such instances. The result would be an increasingly enclosed and overshadowed private outdoor amenity space and rear of No. 20. The proposed extension would be intrusive and dominant upon the rear of No. 20 and would cause material harm to the outlook enjoyed by occupants, and daylight and sunlight received at the rear of, that property. As such, the proposal would cause significant harm to the amenities and living conditions of occupiers of 20 Branksome Grove and would fail to secure design of the highest possible standard by failing to respond positively to, and take into consideration the amenity of, existing and future occupants of 20 Branksome Grove. The proposal is therefore contrary to policies SD3 and SD8 of the Stockton-on-Tees Local Plan.

### **Other Matters**

9. I understand the appellant's desire to extend the property, increase the amount of internal accommodation offered within it and thus provide flexibility for his family. I recognise too the pressures expressed by the appellant in the face of working through the current COVID-19 pandemic. However, these are not material considerations sufficient to persuade me to find the scheme acceptable. The absence of objection to the proposal from neighbours is a neutral matter and not one which persuades me of the acceptability of the proposal.

### **Conclusion**

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

*Graeme Robbie*

INSPECTOR