



## Appeal Decision

Site Visit made on 20 May 2021

**by A M Nilsson BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>nd</sup> June 2021**

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**Appeal Ref: APP/H0738/D/21/3268845**

**6 West View Terrace, Eaglescliffe, Stockton-on-Tees TS16 0EE**

- 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 & Mrs Daniel & Stephanie Page against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 20/2036/FUL, dated 21 September 2020, was refused by notice dated 14 January 2021.
  - The development proposed is erection of 2 storey extension to side and single storey extension to rear.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of 2 storey extension to side and single storey extension to rear at 6 West View Terrace, Eaglescliffe, Stockton-on-Tees TS16 0EE in accordance with the terms of the application, Ref 20/2036/FUL, dated 21 September 2020, and the plans submitted with it, subject to the following conditions;
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans; Proposed Elevations – Drawing Number SLP001 Dated 16.11.20; Proposed Floor Plans – Drawing Number SLP001/1 Dated 16.11.20.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Procedural Matter

2. I have taken the description of development from the Council's Decision Notice as this reflects the amendments to the proposed development that were made during the application.

### Main Issues

3. The main issues are the effect of the proposed development on 1) the character and appearance of the area with specific regard to its scale and design; and 2) the living conditions of the occupants of 9 West View Close with specific regard to outlook.

### Reasons

*Character and appearance*

4. The appeal property is a two-storey semi-detached dwelling. It is situated within a residential area where there is a range of property styles and sizes.
5. The proposed two storey side extension would be sited in the place of an existing car port and single storey garage. It would sit adjacent to an existing two storey detached dwelling, 9 West View Close that is a gable fronted property. The proposed single storey rear extension would project no further from the rear of the property than the existing single storey rear extension, on the same line as the existing garage which it would replace.
6. The proposed extension has been designed to incorporate a set-back from the main front elevation of the property and a drop from the ridge line of the roof of the main part of the dwelling. This approach results in the extension appearing subordinate to the main part of the dwelling, and less prominent. The fenestration would reflect that of the main dwelling.
7. There is an existing gap in the airspace at first floor level between the appeal property and 9 West View Close. Although this is a pleasant enough aspect of the immediate area, giving a sense of spaciousness that is also apparent between some of the other properties in the street, I do not find it to be of such a significant or positive feature that the development should be prevented due to the loss of this gap. The design and siting of the adjacent dwelling would not result in a 'terracing' effect.
8. Although the appeal property sits slightly higher than 9 West View Close and it follows that the proposed extension would also be slightly higher and visible from the side of the property, due to its size and siting, this would not result in it appearing harmfully prominent.
9. I therefore conclude that the proposed development would not have an unacceptable impact on the character and appearance of the area. It would comply with Policies SD3 and SD8 of the Stockton-on-Tees Borough Council Local Plan (2019) which require, amongst other things, that extensions to dwellings are in keeping with the property and the street scene in term of style, proportion and materials, and that new development is appropriately laid out to ensure adequate separation between buildings.
10. It would also comply with guidance contained in the Stockton-on-Tees Borough Council Supplementary Planning Guidance (SPG) Note 2 – Householder Extension Guide (2004) which outlines, amongst other things, 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.
11. The proposed development would also comply with the National Planning Policy Framework (the Framework) (2019) which requires, amongst other things, 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, taking into account any local design standards or supplementary planning documents.

#### *Living Conditions*

12. The proposed development, as it relates to the two-storey side extension, would broadly follow the same building lines of the adjacent dwelling, 9 West View Close.

13. The rear garden of 9 West View Close sits adjacent to the front garden of the appeal property. Due to its overall size and siting, the extension would be likely to result in a small degree of overshadowing to the rear garden of the adjacent property. Given however, the orientation of the adjacent property and the site of the proposed development, any overshadowing would be for a limited part of the day. Overall, any overshadowing would not have an unacceptable impact.
14. The proposed extension would be set back from the main frontage and dropped beneath the ridge line of the main part of the dwelling. Although it would sit slightly higher than the adjacent property, it is not to the extent that, due to its scale and siting, there would be an overbearing impact as a result.
15. I therefore conclude that the proposed development would not have an unacceptable impact on the living conditions of the occupants of 9 West View Close. It would comply with Policies SD3 and SD8 of the Stockton-on-Tees Borough Council Local Plan (2019) which require, amongst other things, that extensions to dwellings avoid significant loss of amenity for the residents of neighbouring properties.
16. It would also comply with guidance contained in the Stockton-on-Tees Borough Council SPG Note 2 – Householder Extension Guide (2004) which outlines, amongst other things, that extensions should be sited and designed to minimise the impact on neighbouring properties in terms of light and overbearing.
17. The proposed development would also comply with the Framework which requires, amongst other things, that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

### **Conditions**

18. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area and the host property, it is necessary to impose a planning condition requiring the use of matching materials.

### **Conclusion**

19. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

*A M Nilsson*

INSPECTOR