



Appeal Decision

Site visit made on 25 February 2025

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 17 March 2025

Appeal Ref: APP/H0738/D/24/3353304

1 Redmire Road, Stockton-on-Tees TS18 4JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Wahid Mohammad against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 24/1412/FUL.
 - The development proposed is two-storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The location plan, existing and proposed site plan show the correct orientation of the site. However, the existing and proposed elevation drawings have been incorrectly labelled so that north is south and vice versa, and west and east have been similarly reversed. I have, however, determined the appeal based on the correct orientation of the plans.

Main Issues

3. The main issues are:
 - the effect of the proposed extension on the living conditions of the occupiers of neighbouring properties, with particular reference to privacy, outlook and natural light; and
 - whether the proposed development would provide acceptable living conditions for the occupiers of No 1 Redmire Road (No 1) with regards to the provision of private outdoor space.

Reasons

Living conditions of neighbouring occupiers

4. The appeal site is on a triangular plot of land located on the corner of Redmire and Askrigg Road. It lies within a residential area of mainly semi-detached houses, laid out in small blocks surrounded by roads, and with back gardens of limited size. The property is a two storey, semi-detached house, with a single, detached garage. It has three bedrooms on the 1st floor. There is a triangular garden to the rear, with a drive and lawned areas to the front.

5. The proposal would extend 3 metres from the rear elevation and would provide two bedrooms and a bathroom on the 1st floor and an extended kitchen, bedroom and bathroom on the ground floor. It would have two windows on the 1st floor rear elevation, one for bedroom 4, and the other a bathroom window. On the northern, side elevation, there would be a 1st floor window for bedroom 3.
6. Adjoining the site is No 25 Askrigg Road (No 25), which also has a triangular-shaped back garden. On the back of the house is a conservatory containing a table and chairs. Next to this is an outdoor seating area. The proposed extension would abut the boundary with No 25, very close to the conservatory and rear of the property. Therefore, the window of bedroom 3 would overlook the rear of No 25 and some of the garden at the side of the house. This would harm the privacy of the occupiers. Whilst the window of bedroom 4 of the proposal would be further away, it would result in some overlooking of the small, rear garden.
7. Housing in this area is densely located, with small gardens that often overlook each other. Indeed, the rear windows at No 1 already overlook the rear garden area of No 25. However, as the proposal would be two-storey in height and extend up to the boundary, it would be overbearing and have a harmful effect on the outlook of the occupiers, as well as having a significant effect on their privacy. Nevertheless, the proposed extension is unlikely to reduce natural light to the rear garden of No 25 to any greater extent than may currently exist.
8. I visited No 3 Redmire Road (No 3), which is separated from No 1 by a high wooden fence. Here, the ground level is lower than that found at No 1. This property has a long narrow garden at the rear, with seating areas. Whilst it would be at an oblique angle, there would be some overlooking from the window of bedroom 4 of the proposal, into the rear garden of No 3. This would have a moderate effect on the privacy of the occupiers when they are using their outdoor garden space.
9. The proposal would extend along the shared boundary with No 2 Redmire Road (No 2). Whilst it would lead to some loss of natural light to the rear of No 2, this would likely be limited to early morning sunlight.
10. I therefore conclude that the proposed development would have a significant effect on the living conditions of the occupiers of No 25 with regards to privacy and outlook, and a moderate effect on the privacy of the occupiers of No 3. It would have a limited effect on No 2 with regards to the loss of natural light.
11. It would conflict with Policies SD3 and SD8 of Stockton-on-Tees Local Plan, 2019 (LP). These policies seek to ensure that there is no significant loss of privacy and amenity for the residents of neighbouring properties. It would also conflict with Stockton-on-Tees, Householder Extensions and Alterations Supplementary Planning Document, 2021,(SPD), which amongst other things, seeks to avoid rear extensions having an unacceptable overbearing or oppressive impact upon neighbours.

Outdoor space

12. Whilst there is garden space at the front of the house, this is visible from the street and does not provide any privacy. Moreover, the proposal would result in some of this being used to create parking and access for up to four vehicles.

13. The proposed extension would be built within the existing rear garden. However, this is already relatively small, with limited privacy between it and No 25. The proposal would, therefore, reduce the garden to an even smaller, triangular space between the boundaries of No 25 and No 3, with the only access being from the house.
14. The proposed development, designed to meet the needs of the current occupiers, would result in a house with five bedrooms, plus a study room on the 1st floor. However, as the Council suggests that around half of the existing garden would be taken up by the proposal, this would result in a very small garden for a house of this size, inadequate for both the existing and any future occupiers.
15. I therefore conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 1 with regards to private outdoor garden space. It would conflict with Policy SD8 e. and the SPD as it would fail to provide privacy and amenity for all existing and future occupants.

Conclusion

16. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
17. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR