



Appeal Decision

Site visit made on 19 September 2023

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2023

Appeal Ref: APP/H0738/D/23/3324497

2 Palm Grove, Stockton-on-Tees TS19 7AX

- 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 Lloyd Blackburn against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 23/0109/RET, dated 19 January 2023, was refused by notice dated 24 May 2023.
 - The development proposed is described as “dormer window extension to rear, insertion of window to gable at side and 2no roof lights to front”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme seeks partly retrospective permission for the development, which has commenced, and I was able to view the works which have already been undertaken in situ at my site visit. However, the appeal is also supported by ‘Proposed Plans’ which differ from the partly constructed development I viewed. I have therefore considered the appeal on the basis of the submitted plans.

Main Issues

3. The main issues of the appeal are the effect of the proposed development:
 - on the character and appearance of the host dwelling and the surrounding area; and
 - on the living conditions of neighbouring occupiers of 1 Lealholme Grove, with particular regard to outlook.

Reasons

Character and Appearance

4. The appeal site is a modest, semi-detached bungalow, prominently located on the corner of Palm Grove and Lealholme Grove. The bungalow is attached to No.4 Palm Grove and its rear elevation faces towards the side elevation of No.1 Lealholme Grove. A detached single storey garage is located in the rear garden adjacent to the boundary with No.1.
5. Whilst some of the properties on Lealholme Grove and Palm Grove have been extended or altered, the street with its short front gardens, low boundary walls,

and well-defined building line creates an attractive rhythm and symmetry to these buildings which contributes positively to the visual appearance of the area. The appeal site has a strong visual relationship to the row of bungalows along the northern side of Lealholme Grove.

6. The proposed development comprises a large, flat roofed dormer extension to the rear of the dwelling. It extends across most of the width of the rear roof slope, which extends close to the ridge line and takes up almost all of the rear roof slope. I accept that the proposed dormer extension would use a similar palette of materials to those found within the local area and would not extend beyond the limits of the existing rear roof slope. However, it would nevertheless be a visually dominant addition to the host property, which would fail to reflect the form and size of the original dwelling.
7. Whilst the dormer is not visible from certain public vantage points, it is highly visible from parts of Lealholme Grove and Palm Grove. In this context, it would be viewed as a large and bulky addition to the host property which disrupts the modest character of rooflines typically found within the immediate area.
8. I have had regard to Section 2.4 of the Stockton-on-Tees Borough Council Householder Extensions and Alterations Supplementary Planning Document 2021 (SPD) which relates to development on corner plots, and I accept that the proposed development would not extend the footprint of the building, beyond the established building line. However, the SPD also states in Section 3.4 that it is advisable to avoid large flat roof dormer extensions.
9. Consequently, I therefore find on this main issue that the proposed dormer extension would by virtue of its scale, design, and massing result in an unduly prominent and visually dominant addition that would cause unacceptable harm to the character and appearance of both the host property and surrounding area. It would therefore be contrary to Policies SD3 and SD8 of the Stockton-on-Tees Borough Council Local Plan 2019 (LP), which require, amongst other things, high quality standards of design in all development, taking into consideration local context; and that extensions should be in keeping with the property and street scene in terms of style and proportions.
10. The development also conflicts with guidance contained within the SPD which expects extensions to be subservient to and not dominate, the original dwelling, and that dormers should be in proportion with the property.
11. Furthermore, it would be contrary to Paragraph 130 of the National Planning Policy Framework (the Framework) which states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

Living Conditions

12. No.1 Lealholme Grove is a single storey bungalow which contains two windows in its side elevation, these serve a bedroom and a kitchen/dining area. The proposed dormer extension is located approximately 9.5 metres from this property and faces directly towards these windows. When viewed from these windows, it would by virtue of its scale, height and position appear as a dominant feature. This would lead to an oppressive and overbearing impact on the living conditions of the occupiers of this property.

13. I therefore find on this main issue, that the development causes unacceptable harm to the living conditions of the occupiers of No.1, with particular regard to outlook. This would conflict with Policy SD8 of the LP which seeks, amongst other things, to protect the amenity of existing and future occupiers. The proposed development would also be contrary to Paragraph 130 of the Framework, which seeks to provide sufficient levels of amenity for all existing and future occupants of land and buildings.

Other Matters

14. The submitted plans also include 2no. proposed rooflights to be inserted in the front roof slope and a first-floor window to be inserted into the side elevation. The Council has raised no objection to these works, and I see no reason to disagree with this assessment.

15. I recognise that the appellant has sought to make improvements to the property to provide more suitable family accommodation, adapted for modern living and to better suit their needs, in an area which has access to a range of services and facilities. I have also had regard to the appellant's comments in relation to construction method and stability. However, this does not alter my findings.

16. The appellant has made reference to the existence of permitted development rights for dormer extensions, highlighting that neighbouring properties may have been able to construct dormer extensions without the need to apply for planning permission. However, in this particular case, when planning permission (Ref: 57/647) was granted for a pair of semi-detached bungalows now known as No. 2 and No. 4 Palm Grove, permitted development rights were removed for any additional buildings, structures or extensions. This condition was imposed in the interests of protecting against any detrimental impacts on amenity. Therefore, the appeal site does benefit from any permitted development rights for dormer extensions.

17. Notwithstanding this, I have had regard to examples of flat roof dormer extensions found in surrounding area, including No.3 and No.5 Lealholme Grove. The dormer at No.3 is a very modest addition to the property and whilst this is prominently located on the front elevation, it is not comparable in terms of its size or bulk. The dormer at No.5 is larger, and prominently located on the front elevation. However, the dormer is visually less prominent than the appeal site by virtue of its front gable projection which serves to partially screen the dormer from certain viewpoints. Further examples have been drawn to my attention in the local area; however, the existence of other dormers in the area does not weigh in favour of the proposal.

Conclusion

18. For the above reasons, the development would not accord with the development plan when taken as a whole. There are no material considerations of sufficient weight that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR