
Appeal Decision

Site visit made on 4 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th April 17

Appeal Ref: APP/X1355/D/17/3168033

7 Friars Row, Gilesgate, Durham DH1 1HF

- 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 Mrs Victoria McKenna against the decision of Durham County Council.
 - The application Ref DM/16/03533/FPA, dated 20 October 2016, was refused by notice dated 13 January 2017.
 - The development proposed is described as a two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a front canopy, two-storey side extension and single-storey rear extension (part retrospective) at 7 Friars Row, Gilesgate, Durham DH1 1HF in accordance with the terms of the application, Ref DM/16/03533/FPA, dated 20 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number 01a Existing Floor Plans
Drawing Number 01b Existing Elevations
Drawing Number 02a Proposed Floor
Drawing Number 02b Proposed Elevations
Drawing Number 03 Site Location
Drawing Number 04 Roof Plan
 - 2) Notwithstanding the details shown on the submitted application, prior to any further works being carried out on the external elements of the development, details of the render (including colour and texture) as well as details of a stain to be applied to the front porch shall be submitted to and approved in writing by the local planning authority. The remainder of the development shall then be constructed in accordance with the approved details.

Procedural Matters

2. At the time of my site visit the external elements of the proposed development were almost complete. I have no evidence to suggest that the construction work has been otherwise undertaken than in accordance with the submitted plans. The Council determined the application on the basis that the proposed
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development was retrospective. I have therefore determined this appeal on the basis of the plans submitted with the application.

3. The Council changed the description of application Ref DM/16/03533/FPA from that contained on the application form to 'front canopy, two-storey side extension and single-storey rear extension (part retrospective)'. This is a more accurate description of the development proposed which I have consequently used in the determination of this appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. The appeal property comprises a semi-detached bungalow located in a corner position at the head of a cul-de-sac. The surrounding area comprises predominantly semi-detached bungalows that display a wide variety in fenestration design.
6. The Council indicates that planning permission was granted in 2015 for a similar scheme (Ref DM/15/02917/FPA) but during construction a number of fenestration changes were made to the front and rear elevations from those shown on the approved plan. In addition, a splay was added to the side elevation of the extension and a larger canopy and deeper bay window was provided to the front elevation. The application which is the subject of this appeal seeks retrospective permission for those changes.
7. The principle of the side and rear extensions has already been accepted by the Council. The side extension is set back from the front elevation by approximately 2m and the provision of the splay is more relative of the plot shape. It displays a subservient design relative to the host dwelling. Owing to the corner position of the property, the side extension cannot be readily seen in the streetscene and as such has no material impact on the character and appearance of the area around the cul-de-sac.
8. Views of the rear elevation are only attainable from the rear of properties on Abbots Row. However, the presence of existing timber panel fencing and mature planting restricts such views. The fenestration changes made to the rear of the property are in keeping with the host property. In addition, given that the rear of the property is not visible from the cul-de-sac and that views from Abbots Row are limited, the rear elements of the development do not cause any unacceptable effects on the character and appearance of the area.
9. The front canopy/porch and the ground floor front bay window were both previously approved in the 2015 permission. The Council indicates that these have been slightly increased in size so as to incorporate a pitched roof over the canopy/porch and provide a bay that utilises fenestration details that are more in keeping with the host dwelling.
10. The adjoining bungalow at No 8 has a small front extension that incorporates a pitch roof over a front bay window. The pitch roof of the porch/canopy is reflective of that over the bay at No 8 as is its scale and height. As such the provision of the canopy/porch adds some symmetry to this pair of semi-detached properties. The front bay has also some similarity with the style

of bay used at No 8 and as such is of an acceptable design that is both relative to the host property and the character and appearance of the pair of semi-detached dwellings within the streetscene. I also agree with the Council that the front garden of the appeal property is of an adequate depth to accommodate these changes without them appearing as overly prominent or causing any demonstrable harm to the character or appearance of the area.

11. The appeal property already had a front dormer and has been provided with slightly smaller windows than those which formerly existed. The changes have no material effect on the appearance of the host property within the streetscene.
12. Overall, although there has been a number of changes made to the design of the extended elements and fenestration from those granted permission in 2015, these changes are reflective of the design features of the host property and that of the adjoining dwelling at No 8. As such, they do not have a significant detrimental effect on the appearance of the dwelling in the streetscene.
13. Taking the above factors into account, the development would not have a detrimental effect on the character and appearance of the surrounding area. As such there would be no conflict with Saved Policies Q1, Q2 and Q9 of the City of Durham Local Plan (as amended) 2004. These policies, amongst other things, require extensions to be of a layout and design that takes into account the needs of users and that the design, scale and materials are sympathetic to the main dwelling and the character and appearance of the area.

Conditions

14. The Council has suggested two conditions. I have imposed a condition requiring that the development is carried out in accordance with the submitted details. This is in the interests of certainty. In order to protect the character and appearance of the area, I have also imposed a condition concerning the details of the external render to be used and the stain colour to be applied to the front porch.

Conclusion

15. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR