
Appeal Decision

Site visit made on 12 July 2017

by S Jones MA DipLP

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

Decision date: 5 September 2017

Appeal Ref: APP/V0728/D/17/3174205

75 Hutton Lane, Guisborough, Cleveland TS14 8AB

- 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 B Williams against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2017/0007/FF, dated 3 January 2017, was refused by notice dated 7 March 2017.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 75 Hutton Lane, Guisborough, Cleveland TS14 8AB in accordance with the terms of the application, Ref R/2017/0007/FF, dated 3 January 2017, 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: Location Plan, Block/Site Plan, and Drawings 01/0 and 01/A.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers at 74 Hutton Lane with particular regard to outlook.

Reasons

3. It is acknowledged that the proposed extension at 5.5m in depth would be greater than the 3.5m normally accepted by the Council as set out in its 'Residential Extensions and Alterations' Supplementary Planning Document 2013 (SPD). However, No 74 already has a rear conservatory extension about 2.2m deep, meaning that the proposal's projection beyond that would be around 3.3m. Therefore, while the appeal scheme would exceed normal limitations, the aim of the SPD to limit the extent of a single storey extension beyond the rear building line would be met. In view of this and that for the most part the new conservatory would be not too much higher than a normal

boundary fence allowable under permitted development rights, in my view the proposal would not have an undue overbearing effect on the outlook for the occupiers of no 74.

4. The rear outlook at No 74 is already enclosed to some degree by its own rear garage on that south side and a boundary fence on the north side. It lies on the south side of No 75 and would continue to benefit from the relatively open westerly aspect in gardens at the rear. I find that consequently the orientation of the proposed development would not adversely affect its neighbour.
5. Therefore, while I note what the Council says about avoiding the leapfrogging of extensions, the appeal proposal in this case would accord with the amenity protection aims of Policies CS20, DP2 and DP3 of the Redcar and Cleveland Local Development Framework 2007 and the Council's SPD.

Conclusion

6. For the reasons given above I conclude that the appeal should be allowed and planning permission in accordance with the Council's suggested conditions needed in the interests of certainty and to safeguard the character and appearance of the area.

S Jones

INSPECTOR