
Appeal Decision

Site visit made on 7 December 2019

by C L Humphrey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2019

Appeal Ref: APP/H0738/D/19/3236286

2 Bala Close, Ingleby Barwick, Stockton, County Durham TS17 5HS

- 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 Lee White against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 19/0869/FUL, dated 17 April 2019, was refused by notice dated 30 July 2019
 - The development proposed is single storey extension to side of house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The appeal property occupies a prominent corner plot near the entrance to Bala Close. The side boundary of both the appeal property and the adjacent dwelling at 3 Bala Close runs parallel to and set back from the footway. It is book-ended by two L-shaped sections of brick wall with alternating sections of diagonal timber fence and wall between. This provides an attractive backdrop to the mature planting strip at the back of the footway. Furthermore, it is a notable design feature of the surrounding area, providing a strong high-quality edge between the private and public realm.
4. The proposed development would remove the L-shaped brick wall and a section of diagonal fence, together with the planting, and would extend very near the back of the footway. The submitted evidence indicates that trellis with artificial plants would be fitted to the side of the extension.
5. Although it would be set back from the front elevation of the house, due to its size and prominent siting, the proposal would create a dominant feature on the corner of the street. This harmful effect would be exacerbated because it would breach the strong boundary line and remove some of the distinctive boundary wall, fence and planting which is characteristic of the area. The proposed trellis and artificial planting would not adequately mitigate this harm.
6. The side extension at 6 Bala Close is not as wide as that proposed in this case. Moreover, it does not project beyond the side boundary, but rather is in line with it. As a result, it is not as conspicuous as the appeal proposal would be.

7. I note the appellant's reference to a recent approval for a side extension at 16 Bala Close, although I have not been provided with any details of this other scheme. However, I noted during my site visit that No 16 does not occupy such a prominent position within the street.
8. These other schemes are therefore not directly comparable to the appeal before me. In any event I must determine the appeal on its own merits and have done so.
9. There would be no harm in relation to separation distances and neighbours' privacy, and I note there were no objections from neighbours. However, these are neutral matters which weigh neither for nor against the appeal proposal. Whilst I note the appellant's reference to permitted development rights, these are not applicable in this case because the development would extend beyond a side elevation that fronts a highway.
10. For the foregoing reasons, I conclude that the appeal proposal would have a harmful effect on the character and appearance of the area. As such, it would be contrary to the design aims of the Stockton-on-Tees Borough Council Local Plan Policies SD3 and SD8 and the National Planning Policy Framework paragraphs 127 and 130.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be dismissed.

CL Humphrey

INSPECTOR