



Appeal Decision

Site visit made on 6 July 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/X1355/D/22/3296982

17 Kent Terrace, Haswell, Durham DH6 2EL

- 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 Miss Shannon Hall against the decision of Durham County Council.
 - The application Ref DM/21/03652/FPA, dated 19 October 2021, was refused by notice dated 21 January 2022.
 - The development is described as "proposed garage, g.f. entrance and wc, first floor bedroom and bathroom extension proposed vehicular access with drop kerb to access new garage."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The abbreviations set out in the description are not entirely clear, but I have considered the development on the basis of a proposed garage, ground floor entrance and toilet, first floor bedroom and bathroom extension, proposed vehicular access with drop kerb to access new garage.
3. Two sets of proposed plans were submitted with the appeal, but confirmation was received from the Council that the refused scheme was shown on Drawing no 2B.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposed extension on the living conditions of No 16 Kent Terrace

Reasons

Character and appearance

5. No 17 Kent Terrace is at the end of a row of four properties located within an estate where repeating house styles and the use of red brick and tiled roofs creates a conformity of design.
6. The proposal occupies a L-shaped corner plot. It has a small external area to the rear, with the majority of the garden being located to the side. An access

point has been created from the cul-de-sac to the south in order to provide vehicle parking.

7. No 17 is orientated with the eastern elevation, which appears to be the front of the house, set forward of the front elevation of the attached property, No 18 Kent Terrace. However, the front and rear doors of no 17 are both located on the southern elevation where it is proposed to construct the extensions.
8. The proposal includes a two-storey extension which would infill the area between the southern elevation of the house and the boundary with no 16. At right angles to this extension would be a L-shaped two storey extension built parallel to, and close to the boundary between nos 16 and 17 Kent Terrace.
9. Although part of the proposal would be set back from the front of the house, it would have a substantial front projection which would be built further forward than the front of the existing house. The development would be wider than the original house and so it would not appear subordinate to the host dwelling. Whilst the proposed hipped roof for the extensions would reflect the original and be set lower than the existing apex of the roof, the size and form of the development would overall create an unbalanced appearance to the building as a whole.
10. The position of the proposed extension on a corner plot facing a key access road through the estate would make it highly visible. There is an existing symmetry to the row of houses in which no 17 is located, and despite the use of matching materials, constructing this large two storey extension which would not be sympathetic to the original house, would appear incongruous and harm the character and appearance of the area.
11. Policy 29, Sustainable Design, of the County Durham Plan (CDP)(Adopted 2020) requires development to have regard to supplementary planning documents where relevant, and to contribute positively to an area's character. I have also had regard to County Durham Plan's Residential Amenity Standards Supplementary Planning Document (the SPD) 2020 (Adopted Version) requiring house extensions to be subordinate to the host dwelling and the design sympathetic to, and in keeping with the host property and the character and appearance of the area.
12. In relation to this main issue, the proposal would have a harmful effect on the character and appearance of the area. The proposal because of its size, position and form, would not contribute positively to an area's character. It would not comply with Policy 29 of the CDP or the SPD for the reasons that I have set out above.

Living conditions

13. Nos 16 and 17 Kent Terrace are set at right angles to each other, with small rear garden areas. Both of these properties have side gardens, separated by a L-shaped boundary. The front of no 16 faces the cul-de-sac with its 'front' door sited on the side elevation which looks towards the side garden of both it and no 17. Whilst the construction of an extension on the boundary between these two properties would not affect the privacy of the occupiers of no 16, it would, because of the length of the extension and it being two-storey in height, result in a degree of additional enclosure. This would therefore be overbearing on the occupants. The garden area of no 16 has low picket fencing and an open

aspect, affording views into the estate. Constructing a two storey extension on the boundary would enclose the space, reducing the outlook. The orientation of the extension, located to the east of no 16, would also result in overshadowing of the limited garden space that they have.

14. In relation to the main issue, the proposal would have a harmful effect upon the living conditions of no 16. The proposal would therefore not comply with Policy 31, Amenity and Pollution, of the CDP.

Other Matters

15. The appeal statement refers to an approved scheme ref DM/22/00187/FPA for a two storey wrap around extension and a detached garage. From the information provided that involved a much narrower side extension and single storey detached building that would be a modest garage. These alternative developments would have less impact than the proposal with respect to both main issues. Furthermore, I was provided with details of a rear extension ref PRE21/21/04069 I am told could be undertaken under permitted development rights. This again would be a far more modest proposal. Neither of these potentially alternative schemes would be as harmful as what is proposed. They therefore provide no weight in favour of allowing this proposal.
16. The proposal would provide additional floorspace to the occupants of no 17 Kent Terrace. This is a private benefit that would make a significant difference to them although would have limited broader public benefits.

Conclusion

17. The proposal would not comply with the development plan as a whole and this would not be outweighed by any other material considerations.
18. The appeal is therefore dismissed.

M J Francis

INSPECTOR