
Appeal Decision

Site visit made on 10 July 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2024

Appeal Ref: APP/N1350/D/24/3344737

3 Roseberry View, Sadberge, Darlington DL2 1FH

- 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 Dale Jefferies against the decision of Darlington Borough Council.
 - The application Ref 24/00118/FUL, dated 2 February 2024, was refused by notice dated 12 April 2024.
 - The development proposed is garage with home gym and shower facility with storage on level above.
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Decision

1. The appeal is allowed. Planning permission is granted for a garage with home gym and shower facility with storage on level above at 3 Roseberry View, Sadberge, Darlington DL2 1FH in accordance with the terms of the application Ref 24/00118/FUL dated 2 February 2024 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: A01 REV P-04, A02 REV P-03 & A03 REV P-03.

Procedural Matter

2. The description of the proposal has altered from the application form to the decision notice. That on the application form adequately describes the proposal although I have omitted wording that is not a description of development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The large detached dwelling at the appeal site is set back from Middleton Road on Roseberry View, which, along with the site of the proposed garage is largely screened from Middleton Road by reason of a timber fence and line of closely planted conifer trees.

5. The site is set to the south of, and away from, Sadberge Village. The A66 runs to the north bridging Middleton Road close to the appeal site, with one of the slip roads connecting with Middleton Road to the front of Roseberry View.
6. Although the detached garage would be well sized, it would remain appropriate in terms of scale and massing to the dwelling on the site and would be proportionate to the well sized plot.
7. Although the garage, proposed to the front of the dwelling, would result in it being publicly visible from Middleton Road and other points, the screening offered by the fence and the conifer trees would substantially reduce the prominence of the garage within the street scene. There is already a large, detached garage set to the front of a property at the northern end of Roseberry View. A large garage at this location would not therefore be an unfamiliar or particularly prominent feature within the street scene.
8. There would therefore be no adverse impact on the character and appearance of the area. There would be no conflict with Policy H 7 of the Darlington Local Plan (2022) (DLP) which amongst other things states that extensions to existing residential dwellings in the countryside, which require planning permission, will be permitted providing there is no significant detrimental impact on the character of the dwelling or its setting. There would also be no conflict with Policy DC 1 of the DLP, which amongst other things requires good design including that which reflects the local environment and that detailed design responds positively to the local context, in terms of its scale, form, height, layout and materials.

Conditions

9. Planning permission is granted subject to the standard three year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. It is also necessary that the materials to be used in the construction of the external surfaces of the development hereby permitted should match those used in the existing building.
10. The Council outline that it is intended that the proposed structure would be used by the applicants as a garage and gym in connection with their property and that any independent or alternative use of the building would require planning permission in its own right. I have no reason to disagree and on that basis a condition restricting the use of the garage would fail the test of necessity and has not therefore been included.

Conclusion

11. I have not identified conflict with the development plan and there are no considerations that indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T Burnham

INSPECTOR