



Appeal Decision

Site visit made on 27 August 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2025

Appeal Ref: APP/X1355/D/25/3369810

89 The Meadows, Sedgefield, Durham TS21 2DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Owens against the decision of Durham County Council.
 - The application Ref is DM/25/00690/FPA.
 - The development proposed is a two-storey side extension and garage conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the of the occupiers of 35 Cragside (No.35) with particular regard to outlook and light.

Reasons

3. The appeal property is a two storey, detached dwelling with a single storey attached garage. It is located between residential properties on Cragside and The Leas and shares a side boundary with No.35 which is a two-storey detached dwelling situated on a large corner plot. The surrounding area is characterised by a mix of two-storey, detached and semi-detached properties
4. The proposal would involve a two-storey side extension in place of the existing single storey garage. Whilst the extension would be located broadly on the same footprint as the existing garage, it would be approximately 670mm closer to the shared boundary with No.35.
5. The guidance contained within Durham County Council's Residential Amenity Standards Supplementary Planning Document (the SPD) states that where a main facing elevation containing a habitable room window is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13 metres shall be provided where either dwelling exceeds a single storey.
6. The proposed extension would extend the property closer to the boundary with No.35 and would also add an additional storey to the side of the property. The garden of No.35 is relatively short and as a result, the proposed extension would fail to meet the minimum separation distances set out in the SPD.
7. The ground floor element of the proposed extension would retain a similar relationship to the neighbouring property. However, the view from the kitchen window would no longer be towards a single storey extension, but instead a two-

storey, gable wall. The two-storey massing of the proposed development, situated close to the boundary with the adjacent garden, would represent a considerable increase in height and bulk when compared to the existing single storey garage. This would result in a visually dominant and overbearing presence, causing harm to their outlook both from the garden and rear-facing windows.

8. The appellant states that appeal site sits approximately 900mm lower than the rear garden of No.35, which is enclosed by a 2 metre-high, close boarded fence and substantial planting, particularly to the side of the dwelling. However, I understand from the evidence before me that a leylandii hedge has been removed between the appeal site and No.35 which has reduced the amount of screening that would be afforded to the proposed extension. Consequently, the proposed extension would appear as a dominant form of development in views from the rear garden, causing harm to their outlook.
9. In relation to light, the proposed extension, would by virtue of its position in relation to the garden of No.35 and its proximity to the boundary cause unacceptable overshadowing of the garden area, particularly in the winter months. Therefore, it has not been demonstrated that the proposed extension would not result in a harmful reduction in light for the occupiers of No.35.
10. I acknowledge that there would be no side-facing windows within the proposed extension, and the existing upper floor window serving the en-suite would be removed. Therefore, I am satisfied that the proposed extension would prevent any unacceptable overlooking and loss of privacy. However, these are neutral matters which would not mitigate the harm to the living conditions of neighbouring occupiers identified above.
11. Whilst I acknowledge that the current occupiers of No.35 raised no objection to the proposal, this does not indicate that the proposal should be considered acceptable in terms of its impact on their living conditions. Therefore, a lack of neighbour objection in this instance does not justify or overcome the harm that I have identified.
12. For these reasons, I conclude that the proposed development would result in a harmful loss of light and outlook to the occupiers of No.35. This would conflict with Policies 29 and 31 of the County Durham Plan, adopted 2020, which require amongst other things development to provide high standards of amenity, and ensure that proposals will not have an unacceptable impact, either individually or cumulatively, on living conditions. Insofar as it is a material consideration relevant to the appeal, the proposal would also conflict with the provisions of the SPD.

Conclusion

13. For the reasons set out above, the proposed development conflict with the development plan taken as a whole. There are no material considerations, including the Framework, of sufficient weight which indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

K Lancaster

INSPECTOR