

COMMITTEE REPORT

APPEAL UPDATE (DURHAM CITY AREA OFFICE)

APPEAL DECISIONS

Appeal by Mr J McNamara Site at Greencroft, Lowes Barn Bank, Durham

An appeal was lodged by Mr J McNamara against the Council's decision to refuse to grant planning permission for the erection of a first floor pitched roof extension above the existing single storey part of the dwelling and the erection of a front porch. The Inspector concluded to dismiss the appeal.

In dealing with the porch the Inspector considered the design to be out of keeping with the style of the house. It was considered that the design of the roof, and failure to align the porch and its door symmetrically, would result in an inappropriate addition to the house contrary to criteria 1 and 2 of policy Q9 of the City of Durham Local Plan.

The first floor extension, although logically designed in the sense that it rises from the existing, was considered by the Inspector to result in a design in which the extension is not subordinate to the original dwelling or appearance of the pair of semi-detached houses. This was again considered contrary to the requirements of criteria 1 of policy Q9. The logic of building off the existing was understood but not considered to provide justification for a design that would be inappropriate in this context.

The Inspector considered the proposal would have no effect on the level of privacy enjoyed by occupiers of the adjoining property. The flank wall would however, be very much higher and very much closer than the existing, to Ainsgarth which has a kitchen window in its flank wall. Whilst the difference in levels means that they will not suffer loss of daylight, the outlook from the room would be of a blank wall around 3.2 metres from the window. The existing flank wall and the hipped roof are approximately twice that difference away and at least offer some sense of space. The Inspector considered that would be lost by the extension, in what he considers would have a rather overbearing and oppressive impact. (Whilst the policy reference was considered to be incorrect, this was still considered a material consideration).

Recommendation:

That the report be noted.
