

Item 11

DEVELOPMENT CONTROL COMMITTEE

10 NOVEMBER 2006

Report of Director of Neighbourhood
Services

RECENT PLANNING APPEAL DECISIONS

The following recent planning appeal decisions are reported for the information of the Members:-

AP/2006/0005

The Appeal was made by J & T Saunders against the Refusal issued by Sedgefield Borough Council for a first floor extension over garage at 6 Cragside, Sedgefield.

In the Inspector's decision letter dated 16 October 2006, attached to this report, the Appeal was Upheld.

RECOMMENDATION: That the information be received.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

LIST OF BACKGROUND DOCUMENTS USED IN THE PREPARATION OF REPORT

All relevant Planning Files listed in report.



Appeal Decision

Site visit made on 10 October 2006

by **Anthony J Wilson BA(Hons) MA DipLA MRTPI**

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 16 October 2006

Appeal Ref: APP/M1330/A/06/2016662
6 Gragside, Sedgfield, Cleveland, TS21 3DQ

- 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 J & T Saunders against the decision of Sedgfield Borough Council.
- The application Ref: 7/2005/0626/DM, dated 14 September 2005, was refused by notice dated 2 February 2006.
- The development proposed is described as 'a bedroom and en suite'.

Procedural Matters

1. Although the site visit was scheduled to be accompanied by the parties, the Council representative did not attend. As the main issue relates to the effect of the proposal on the character and appearance of the host building and the street scene, I was satisfied that I could see all that I needed to from public points of view. The appellant agreed to the visit proceeding unaccompanied and the Council later confirmed that it had no objections to this alteration to the procedure.
2. Notwithstanding the description of the proposed development on the application form, I note that the proposed first floor extension would contain two bedrooms, both with en suite bathrooms. I also note that the Council altered the description of the development to read *the erection of a first floor extension over garage*. For clarification, I have proceeded to determine the appeal on the basis of the Council's amended description as the more accurate reflection of the development being sought.

Decision

3. I allow the appeal and grant planning permission for the erection of a first floor extension over garage at 6 Gragside, Sedgfield in accordance with the terms of the application (Ref: 7/2005/0626/DM), dated 14 September 2005, and the plans submitted therewith, subject to the following conditions:-
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reasons

4. The appeal site occupies a position at the heart of a small residential estate to the south of Sedgfield town centre. The estate exhibits a significant variety in the style and design of

its buildings and I noted, in particular, that a number of large dwellings are displayed on almost all of the road frontages. Some of these examples, such as the pair of dwellings next to the appeal site, have been originally built to their relatively generous proportions. However, the large size of most of the properties in the locality has arisen from their being substantially extended from their original form. This is particularly noticeable on several of the closely-arranged, semi-detached properties near to the appeal site along The Meadows and in Cragside. Some of the properties fill their plot widths and there are a number of two-storey extensions infilling the gaps between the buildings to the extent that, in my opinion, these enlarged dwellings are a notable characteristic of this local residential environment. Consequently, I see no objection in principle to the enlargement of the appeal property provided that Policy H15 of the Sedgefield Borough Local Plan is satisfied.

5. Looking at two of the criteria of Policy H15, I note that there are no issues concerned with the privacy and amenity of the surrounding properties, nor are there any highway safety issues. Turning to the effect on the character of the area, I recognise that the proposal would significantly increase the overall size of the host dwelling, but I do not consider that the completed building would be inappropriate in the context of the local residential environment that I have identified. I acknowledge that No 6 stands forward of the other dwellings in The Meadows, but the nature of the topography means that it is set significantly below them. As a consequence of this difference in levels, taken together with the mature planting in the neighbouring front gardens, I do not consider that the proposed extension would dominate or unacceptably intrude into the street scene of The Meadows.
6. The appeal building looks out over a large public space in Cragside and, whilst it would be possible to see the front elevation of the enlarged dwelling over a wide area, the views across it are significantly interrupted by the mature trees growing upon it. In any event, I consider that the appearance of the proposed extension would be consistent with the simple architecture of the original dwelling, which is typical of the period of its construction, and that the completed building would be similar to a number of other extended buildings in the immediate locality. Moreover, I do not consider that the proposal would have any harmful cumulative impact when added to the previous alterations and single-storey extensions that have been made to the host dwelling.
7. The Council has drawn my particular attention to the adopted Residential Extensions Supplementary Planning Document (SPD) which contains advice on side extensions and updates Supplementary Planning Guidance Note 4: The Design of Extensions to Dwellings. I accept that the proposed extension would fail to meet some of the design guidelines set out in these adopted documents that are intended to secure extensions which are subordinate to the main house. However, the standards and advice in all such guidance seeks to ensure that submitted proposals avoid adverse environmental effects that would infringe development plan policy. In this case, I do not consider that the proposed extension would be materially harmful to the character and appearance of either the host building or the wider surroundings of the street scene. In the absence of any identified harm to the relevant interests of importance set out in Local Plan Policy H15, I do not consider that an infringement of the standards expressed in the emerging SPD would, in itself, carry sufficient weight to justify the refusal of planning permission.
8. I conclude, therefore, that the proposed development would comply with development plan policy and that the appeal should succeed.

Conditions

9. In the event of planning permission being granted, the Council has suggested the imposition of 3 conditions and I have examined these against the advice set out in Circular 11/95: The Use of Conditions in Planning Permissions. I shall impose the standard time condition required by the 1990 Act and I agree that a condition requiring the materials to match those of the existing dwelling would be reasonable and necessary in this case. Taking into account the advice in the Circular, I do not consider that either the location or the circumstances of the appeal site are sufficiently exceptional to justify the imposition of a condition requiring full compliance with the submitted plans.

Anthony J Wilson

INSPECTOR