



Appeal Decision

Site visit made on 2 March 2010

by **Susan Heywood** BSc(Hons) MCD
MRTPI

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

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Decision date:
16 March 2010

Appeal Ref: APP/N1350/A/09/2117642
North of 2 Welbeck Avenue, Darlington, DL1 2DS

- 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 Robert Burnside against the decision of Darlington Borough Council.
- The application Ref 09/00647/FUL, dated 16 September 2009, was refused by notice dated 12 November 2009.
- The development proposed is described as: "*demolition of terraced garage block and erection of detached bungalow with disabled facilities*".

Decision

1. I dismiss the appeal.

Reasons

2. The main issues in this appeal relate to the impact of the development on the living conditions of future occupiers of the proposed dwelling and its effect on the character and appearance of the surrounding area.
 3. Policy H11 of The Borough of Darlington Local Plan requires that the layout of new housing development provides adequate private amenity space with satisfactory levels of privacy. The proposed dwelling would be sited close to its eastern boundary and only a narrow strip of amenity space would be provided to the rear of the property. The restricted width of this space would limit its value as a useable amenity area for future occupiers. The only other amenity space would be to the front of the property immediately adjacent to the pavement and would thus have poor levels of privacy. The appellant states that the amenity space covers 50% of the site area. However, it is the layout and location of that space which reduces its effectiveness. The limited level of private amenity space would provide a poor living environment for future residents of the proposed dwelling. The development would therefore fail to comply with policy H11.
 4. The proposed dwelling would be located on a restricted site. Part of the front elevation would project well beyond the generally regular building line of the properties to the south. This forward projection of the dwelling would appear incongruous and overly dominant in the street scene given its proximity to the pavement at the front of the site. Together with the proximity of the dwelling to its northern and southern boundaries, and the small amount of amenity space provided to the rear, the overall effect would be of a dwelling which would be cramped within its plot. The proposal would therefore harm the character and appearance of the surrounding area and would be contrary to
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Local Plan policies H11 and E29 which require development to respect the character of its surroundings.

5. I acknowledge that the existing garages have a somewhat run-down appearance. I also note that the dwelling is proposed to incorporate features suitable for occupation by a disabled person. However, neither of these factors is sufficient to overcome the above concerns.
6. For the reasons given above I conclude that the appeal should be dismissed.

Susan Heywood

INSPECTOR