

Determined Appeal Summary

Ref: 08/00782/FUL

Address: 14 Trueman Grove, Darlington

Proposal: Garage, first floor bedroom and bathroom extension.

Reason for refusal: The proposed extension by virtue of its scale and location on the boundary of 36 and 38 Washbrook Drive will result in loss of natural light and outlook to those properties. In particular the private rear gardens will suffer from loss of outlook and natural light from the close proximity and height of the proposed extension. Furthermore existing rear facing habitable rooms to those properties will experience an unacceptable loss of natural light.

Planning Inspectorate Decision: The Appeal was allowed on 13th March 2009

Comment: The Inspector noted that we currently don't have adopted standards in relation to the distance between rear and side elevations of residential properties. He also noted that we referred to the draft supplementary planning document [SPD] on design. He decided to attach only limited weight to this document as it has yet to be formally adopted.

He also commented that the privacy distances quoted within the Design SPD relate to overlooking potential and not to relationships between properties without any windows facing one another.

This is a rather unusual conclusion to arrive at bearing in mind decisions we have made in the past where Nationally accepted privacy distances used by the Council have been supported by the Inspectorate.

It is not considered that the criteria that we currently use in relation to assessing distances between properties, which will be shortly formalised in the Design SPD when it is adopted, need to be reviewed.