



Appeal Decision

Site visit made on 1 October 2008

by **A C Pickering** FRTPi

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

The Planning Inspectorate
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Decision date:
13 October 2008

Appeal Ref: APP/N1350/A/08/2079159
60 Cobden Street, Darlington DL1 4JD

- 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 K Burnside against the decision of Darlington Borough Council.
- The application Ref 08/00251/FUL, dated 19 March 2008, was refused by notice dated 29 April 2008.
- The development proposed is the erection of a detached bungalow.

Decision

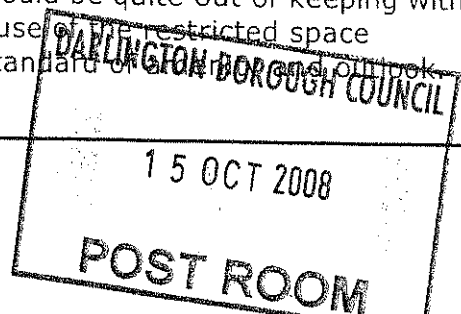
1. I dismiss the appeal.

Main issue

2. The main issues in the appeal are the effect of the development on the character and appearance of the surroundings and the residential amenity of nearby dwellings.

Reasons

3. I saw that the appeal site is an area of partly walled, partly fenced land used for parking vehicles and general storage. It lies behind the end house of a terrace of dwellings with similar pieces of ground at the back, separated from their small rear yards by an unadopted track. The Council has indicated that given the right conditions the principle of residential development is acceptable. It seems to me however that, as planned, the appeal scheme would give rise to a number of disadvantages.
4. In the first place it would rob no. 60 Cobden Street of its rear pleasure garden and although it has a small front garden the loss would mean that the only private domestic space attached to the house would be the limited yard outside the back door. This would offer no reasonable opportunity for personal relaxation by the residents of the house and I regard this lack of amenity as a compelling failing of the project.
5. Secondly, I think that the erection of even a single storey dwelling (which would be markedly out of place with the traditional houses in the locality) so close to the boundaries of the site, would have an overbearing influence on the residential characteristics of the land adjoining the site. Moreover in this isolated backland situation the new property would be quite out of keeping with the existing pattern of development and, because of the restricted space around the building, would have a very poor standard of appearance.



6. In this combination of circumstances I consider that the proposal could only be achieved at the expense of the character and appearance of the setting of the site and the residential enjoyment of nearby dwellings. This would be contrary to the objectives of policies E29, H11 and H13 of the Local Plan for the borough and I am satisfied that for these reasons permission should not be granted.

A C Pickering

Inspector