



Appeal Decision

Site visit made on 26 January 2010

by **Kevin Ward BA (Hons) MRTPI**

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

The Planning Inspectorate
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Decision date:
5 February 2010

Appeal Ref: APP/N1350/D/10/2119456

33 Pierremont Road, Darlington, County Durham DL3 6DQ

- 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 Ian Richardson against the decision of Darlington Borough Council.
- The application Ref **09/00751/FUL**, dated 26 October 2009, was refused by notice dated 21 December 2009.
- The development proposed is a single storey rear conservatory and amend existing rear extension.

Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 31 Pierremont Road in terms of outlook, sunlight and daylight.

Reasons

3. I have noted the Council's Planning Guidance Note 7: Alterations and extensions to dwellings. However I have no information as to whether this was subject to public consultation and formally adopted by the Council. I can give it very limited weight therefore.
 4. The proposed conservatory would be very close to the common boundary with No.31 and the ground floor window and door which appear to serve a dining room. Given this and the height and length of the conservatory, it would have an overbearing and unduly dominant effect on the outlook from the rear of No.31 and its garden. It would significantly add to the sense of enclosure created by the existing single storey extension to the rear of No.31.
 5. I consider that given the orientation of the dwellings and the presence of the existing rear extensions, there would be little, if any, effect on sunlight. Whilst there may be some effect on daylight to the rear of No.31, this would not be to the extent that it would have a significant effect on living conditions.
 6. The proposed development would be in keeping with the character and appearance of the appeal property and the area as a whole and would not affect the privacy of neighbours. However, the above factors are not sufficient to outweigh the harm I have identified in terms of the effect on outlook.
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Conclusion

7. For the above reasons and taking account of other matters raised I find that the proposed development would have a significant adverse effect on the living conditions of the occupiers of No.31 in terms of outlook. It would be contrary to Policy H12 of the Borough of Darlington Local Plan. I conclude therefore that the appeal should be dismissed.

Kevin Ward

INSPECTOR