
Appeal Decision

Site visit made on 1 April 2014

by Roger Catchpole Dip Hort BSc (Hons) PhD MCIEEM

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

Decision date: 7 April 2014

Appeal Ref: APP/N1350/D/14/2214378

1 Church Close, Middleton St. George, Darlington DL2 1DT

- 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 Ged Marsh against the decision of Darlington Borough Council.
 - The application Ref 13/00890/FUL, dated 30 October 2013, was refused by notice dated 10 January 2014.
 - The development proposed is described as a 'raise of roof height and alterations to create roof space accommodation'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken into account the Government's Planning Practice Guidance, issued on 6 March 2014, in reaching my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the immediate area, bearing in mind the special attention that should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area (CA).

Reasons

4. The site is located within the Middleton-One-Row CA, near the western edge of the settlement. The Middleton-One-Row CA Character Appraisal 2010 describes the key feature of the area as its open space and relationship with the surrounding countryside, some of which is included within the boundary of the CA. In architectural terms three main character areas have been identified. The one in which the site is located consists of modern development interspersed with Victorian and Edwardian lodges and villas with large gardens. Although one notable, but unlisted, building is visible some distance from the site, at Nos 17 and 18 Church Lane, the immediate and principal architectural context is modern.
5. The host property itself is located at the entrance of a cul-de-sac. It is part of an architecturally cohesive group of split-level bungalows arranged around a small, steep-sided valley. Although the topography varies, a more or less consistent roof height has nonetheless been maintained. Whilst two stories

face onto the valley, the street scene of Church Close, and the nearby section of Church Lane, are characterised by single-storey frontages and properties that have a distinctive low-rise appearance.

6. I observe from the plans and my site visit that the northern and eastern elevations of the proposed extension would be prominent when approaching the site from Church Lane. Although some screening would be afforded by a number of mature street trees during the summer months, this would clearly not be the case during the winter. Furthermore, the increase in height would introduce an incongruous and disruptive element when the visual juxtaposition with the adjacent property on Church Lane is considered. This would also be the case when the proposal is viewed from Roman Road and its junction with Church Lane. Whilst traffic flow along these roads may well be limited, this does not alter the fact that the proposed extension would be clearly visible from the public domain.
7. Whilst No 12 Church Close would counterbalance this effect to a certain extent, the proposal would nonetheless still be noticeably contrary to the established pattern of development in the immediate area. This would not only be due to the overall increase in height but also the introduction of divergent 2 and 3 storey elements. Whilst it would have a negative impact on the character and appearance of the immediate area, I find that it would not detract from the wider heritage significance of the CA because of the strong contemporary context of the scheme.
8. The appellant has argued that the Council have been inconsistent in allowing other development to occur within the CA. Whilst I acknowledge the presence of apparently recent development at the specified locations, I am not aware of the circumstances of those permissions nor whether any harm to the heritage significance of the CA resulted.
9. I conclude that whilst the proposal would not harm the special character or appearance of the CA it would nonetheless lead to significant harm to the character and appearance of the immediate area. Therefore, it would be inconsistent with paragraph 131 of the National Planning Policy Framework 2012; policy CS2 of the Darlington LDF Core Strategy 2011; and policy H12 of the Darlington Local Plan 1997 that seek, among other things, to ensure that development makes positive contributions to local character and is in keeping with the local street scene.

Other Matters

10. The appellant has noted that there have been procedural irregularities in the determination of the application. However, this is not something to which I can attach any weight as this is an internal matter for the Council and not something to be addressed through the appeal process.

Conclusion

11. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Roger Catchpole

INSPECTOR