



Appeal Decision

Site visit made on 29 September 2009

by **Louise Crosby MA MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
5 October 2009

Appeal Ref: APP/N1350/D/09/2111179 1 Peterhouse Close, Darlington, DL1 2YU

- 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 Varaz Bonyadi against the decision of Darlington Borough Council.
- The application Ref: 09/00344/FUL, dated 20 May 2009, was refused by notice dated 15 July 2009.
- The development proposed is a 1 storey flat roof rear extension situated behind the existing garage of the property.

Decision

1. I dismiss the appeal.

Procedural matter

2. Although the application sought planning permission for a 1 storey flat roof rear extension situated behind the existing garage of the property, the appellant contends that planning permission may not be required. Whether or not planning is required is not a matter for me to determine in the context of an appeal made under S78 of the above Act. It is open to the appellant to apply for a determination under sections 191/192 of the above Act to determine this matter. My determination of this appeal under section 78 of the above Act does not affect the issuing of a determination under s191/192 of the same Act.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal dwelling is located within an attractively designed, modern housing estate. It has an attached pitched roof garage, at the side, which appears to have been constructed at the same time of the dwelling and is similar to many others in the surrounding area. The proposed flat roofed extension would be attached to the back of this and the side of the dwelling. It would project beyond the rear of the existing garage by about 5 metres and be the same width (approximately 2.5 metres). It would also project beyond the rear plane of the dwelling.
 5. When I visited the site, I did not see any other examples of flat roofs in the surrounding area. While the extension would not be visible from the street, it would be highly visible from a number of dwellings to the rear of the appeal
-

site. The proposed flat roof would, in my opinion, appear out of character with the surrounding area, which is characterised by pitched roof dwellings and garages. Its incongruity would be further emphasised by the large footprint.

6. I consider that the proposal would have a harmful effect on the character and appearance of the surrounding area and thus conflict with The Borough of Darlington Local Plan (incorporating Adopted Alterations September 2001) Policy H12 which, among other things, seeks to ensure that extensions to dwellings are in keeping with the character, design and external appearance of the property, as well as the surrounding area. The proposal would also fail to accord with the Council's Planning Guidance Note 7 - *Alterations and Extensions to Dwellings*, in so far as it encourages the use of pitched roofs on rear extensions to dwellings.
7. I realise that constructing a similar extension with a pitched roof would be more expensive and I am aware that the appellant has designed the extension with a flat roof in order to limit the impact on living conditions at the adjacent bungalow. While I sympathise with the appellant on these matters, they do not outweigh the harm to the character and appearance of the surrounding area that I have identified above.
8. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Louise Crosby

INSPECTOR