



Appeal Decision

Site visit made on 9 March 2012

by **George Arrowsmith BA, MCD, MRTPI**

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

Decision date: 19 March 2012

Appeal Ref: APP/N1350/D/12/2169579

1 Church View, Sadberge, Darlington, DL2 1SD

- 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 Peter McGee against the decision of Darlington Borough Council.
 - The application Ref 11/00723/FUL, dated 20 October 2011, was refused by notice dated 6 January 2012.
 - The development proposed is a rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the extension would unacceptably detract from the light and outlook at the rear of the neighbouring residential property.

Reasons

3. The appeal property is at one end of a terrace of three dwellings. It already extends to the rear of the adjoining house at No 2. That house's rear elevation has a door close to the boundary with No 1 and, on the far side of the door, a clear glass window. On the first floor there are two bedroom windows. The two storey extension now proposed would be set on the boundary between the two properties. It would take the total degree of extension beyond No 2's rear elevation to around 5m and would infringe on a line drawn at 45° from the centre of its rear windows. I am satisfied that the existing and proposed extensions would appear overbearing when seen from the ground floor window and especially from the small outdoor area immediately to the rear of No 2.
4. The appellant refers to a reduction in the height of the proposed extension but it would still be well over 3m high at the eaves. The appellant also refers to the deeper extension at No 3. That extension is different from the one now proposed in that it is set in from the boundary by about 1.5m. I do not know the circumstances leading to its erection but I must in any event determine the appeal before me on its own merits. If the proposed extension were to be constructed the area to the rear of No 2 would be flanked on either side by high walls, which would give it an enclosed and claustrophobic character. Both No

2's outlook and the natural light it receives would be restricted to an extent that would conflict with the objectives of saved policy H12 in the Borough of Darlington Local Plan 1997.

5. I appreciate that the extension is intended to increase No 1's limited accommodation but this does not justify the adverse effect it would have on the neighbouring property.

George Arrowsmith

INSPECTOR