



Appeal Decision

Site visit made on 6 June 2023

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th June 2023

Appeal Ref: APP/N1350/D/23/3319198

26a Gate Lane, Low Coniscliffe, Darlington DL2 2JY

- 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 David Williams against the decision of: Darlington Borough Council.
 - The application Ref 22/01064/FUL, dated 26 September 2022, was refused by notice dated 9 January 2023.
 - The development proposed is a car port to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a car port to the front elevation at 26a Gate Lane, Low Coniscliffe, Darlington DL2 2JY in accordance with the terms of the application Ref 22/01064/FUL, dated 26 September 2022, and the details submitted with it, subject to the following condition:
 - 1) The roof of the car port hereby permitted shall be finished externally in reclaimed slate as specified on the application form.

Procedural Matters

2. No scaled drawings were provided with the application, but it is clear that the application was submitted retrospectively. At the time of my site visit, the car port was largely complete apart from the final roof covering. I have therefore determined the appeal on the basis that permission is being sought for the development already carried out plus the details of the roof covering.

Main Issue

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

Reasons

4. Gate Lane is a pleasant residential street characterised by two-storey houses that are set back from the street behind front gardens enclosed by low walls and hedges. Despite a generally consistent building line found in some parts of the street, there are also some notable garages and forward extensions which do not respect the building line. This includes a prominent double garage extension at the front of No 26, immediately to the east of the appeal site.
5. Whilst the car port is located at the front of No 26a, it is a modest, open-sided structure with a lightweight appearance. This is in contrast to the nearby garage extension at No 26. Moreover, the Council acknowledges that it is not highly visible from the street due to the screening provided by the ivy-covered

enclosure that surrounds the public notice board outside the site. As such, the development has minimal impact on the building line and overall spatial qualities of the area.

6. In terms of the materials used, I do consider that the current plastic roof covering is unacceptable, but this appears to be a temporary measure while construction has been halted. The application form specifies that the roof is to be covered in reclaimed slate. This would satisfactorily address the appearance of the most visible part of the development and could be secured by a planning condition. The suggestion to grow ivy over the roof is not an appropriate alternative to its proper completion and is not the development applied for. Landscaping should not be used to hide poor development and it can also die or be removed at any time.
7. The Council also raised concerns over the white timber frames, but given the limited visibility of this part of the development and the variety of materials in the area, I find no harm in this regard. The suggestion to paint the posts green is therefore not necessary, although green would also be acceptable.
8. In conclusion, subject to completion of the roof as stated, I find that the development is not harmful to the character or appearance of the area. As such, the development complies with Policy DC1 of the Darlington Local Plan (2022) and Policy LCM8 of the Low Coniscliffe & Merrybent Parish Neighbourhood Plan (2019), which together seek appropriately designed development that responds to local context and character.

Other Matters

9. I have noted the appellant's concerns over the Council's handling of the application and other Parish Council matters, but these are not matters which fall within the scope of this appeal, and so, have not influenced my assessment of the planning merits of the scheme.
10. Furthermore, given the appeal outcome, it has not been necessary to consider any potential benefits of the scheme.

Conditions

11. As the development is retrospective, it is not necessary to impose a condition requiring implementation within a specific timescale. I am also unable to impose an approved plans condition. However, a condition relating to the roof materials is necessary to ensure a satisfactory appearance of the development.

Conclusion

12. For the reasons given above, I conclude that the appeal should succeed.

A Caines

INSPECTOR