



## Appeal Decision

Site visit made on 28 April 2006

by **Anthony J Wilson** BA(Hons) MA DipLA MRTPI

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



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Date: 19 May 2006

**Appeal Ref: APP/H0738/A/06/2005216**

**10 Brisbane Grove, Hartburn, Stockton-on-Tees, TS18 5BN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr D Thompson against the decision of Stockton-on-Tees Borough Council.
- The application Ref: 04/3717/OUT, dated 26 November 2004, was refused by notice dated 14 June 2005.
- The development proposed is the erection of a single dwelling with access from Brisbane Grove.

### Decision

1. I dismiss the appeal.

### Procedural Matters

2. I understand that a plan was submitted with this outline application showing the position of the proposed dwelling and that this was amended at the request of the Council to show the siting of the building further away from the protected trees on the land. I also understand that the Council considered this amended site plan when determining the application. Nevertheless, there was no formal alteration to the terms of the application and all matters remained reserved for later consideration on this outline application. For clarification, therefore, I shall consider the appeal on this basis, treating the plans showing the siting of the dwelling as being for information purposes only.

### Reasons

#### *Highway safety*

3. The proposed access to the site would be taken from Brisbane Grove and would be shared with No 10 Brisbane Road. This existing property already has two points of access, situated alongside each other and separated by a single central pillar which, I understand, would be removed to implement the proposed development. The accesses are in use at the present time by the occupiers of the main dwelling and, in the absence of any on-site turning arrangements, vehicles would have to be either reversed from or into the street. Although any vehicles associated with No 10 would continue to reverse in or out of the shared access, a turning area could be required to permit any vehicle leaving the appeal site to do so in forward gear. Notwithstanding the bend in Brisbane Avenue, I consider that the visibility from the proposed, widened, shared access would be satisfactory in both directions. I note that the Council's Head of Engineering and Transportation has made no adverse comment on the application, subject to an access width of 4.1m and on-site parking and turning being achieved. Although no details of the means of access are for consideration at this stage, I