



Appeal Decision

Site visit made on 6 August 2007

by **Graham E Snowden BA BPhil Dip**
Mgmt MRTPI

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

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Date: 21 August 2007

Appeal Ref: APP/H0738/A/07/2041908

99 Church Field Way, Ingleby Barwick, Stockton-on-Tees, Cleveland TS17 5AW

- 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 Darren Holden against the decision of Stockton-on-Tees Borough Council.
- The application Ref 06/1325/FPD, dated 4 April 2006, was refused by notice dated 1 November 2006.
- The development proposed is a garage conversion to habitable space.

Decision

1. I allow the appeal, and grant planning permission for a garage conversion to habitable space at 99 Church Field Way, Ingleby Barwick, Stockton-on-Tees, Cleveland TS17 5AW, in accordance with the planning application ref: 06/1325/FPD, dated 4 April 2006, and the plans submitted therewith.

Main Issues

2. The main issue is the effect of the proposal on the safety of users of the adjacent highway.

Reasons

3. The development, which is the subject of this appeal, has been implemented. It is no part of the Council's case that the scheme is unacceptable in design or visual terms and I agree. The Council's concern relates solely to the potential highway safety implications of the loss of the garage space. In support of its case, the Council refers me to its Supplementary Planning Document "Parking Provision for New Developments", dated November 2006. Although I have not been advised of the formal status of this document, or whether its preparation conforms to government advice, I have had regard to its provisions. It states that 4 bedroom houses should provide 3 on-site parking spaces. I have some sympathy with this and noted that most houses in this modern estate of detached housing had two cars parked on the driveway at the time of my daytime visit. Adequate on-site provision is clearly important and despite the presence of bus facilities and primary school within walking distance, I suspect that most trips generated by the dwellings on the estate will involve the use of private cars.

4. Nevertheless, the garage was only 5 metres in length and I note the appellant's arguments about the adequacy of this. At the time of my visit, a number of garage doors in the vicinity were open and it is obvious that the majority are not in fact used for the parking of vehicles. I am not convinced, therefore, that dismissing the appeal would ensure the use of the garage for its intended purpose. I also noted the lack of any roadside parking during my visit and the Council has, in any event, presented no evidence that such parking would lead to any dangers for users of the highway. The appeal property is located in a cul-de-sac where traffic levels and speeds are low and the open-plan nature of the layout ensures that visibility for manoeuvring vehicles is good. Given all these circumstances, I consider that the case for claiming a detrimental effect on the safety of users of the adjacent highway has not been made out and criterion (iii.) of Policy GP1 in the Stockton-on-Tees Local Plan would, as a consequence, be satisfied.
5. For the above reasons, and having regard to all other matters raised, including the absence of any local objections to the proposal, I conclude that the appeal should be allowed.

G E Snowdon
INSPECTOR