



## Appeal Decision

Site visit made on 23 October 2007

by **Anthony Lyman** BSc(Hons) DipTP  
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:  
20 November 2007

---

### Appeal Ref: APP/H0738/A/07/2047007

#### 43 The Green, Norton, Stockton-on-Tees, Cleveland, TS20 1DX

- 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 M Bonar against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/0564/REV, dated 13 February 2007, was refused by notice dated 1 June 2007.
- The development proposed is a double garage.

---

#### Decision

1. I dismiss the appeal.

#### Main Issues

2. The main issues are:
  1. Whether the proposed garage would preserve or enhance the character or appearance of the Norton Conservation Area within which the appeal site is located.
  2. The effect of the proposed development on the living conditions of neighbouring residents.

#### Reasons

3. The appeal site lies to the rear of 43 The Green, Norton, which is the end house in a terrace of three. Mill Lane is a narrow street at the side of No.43. Immediately to the rear of the terrace is a shared track which provides access to each property. Each house has a private garden on the other side of this track. It is on his garden area that the appellant wishes to erect a garage.
  4. The appellant has described the site as "vacant land". A Planning Inspector in a previous appeal decision on this site in August 2005 stated that the site was screened by a dense hedge along Mill Lane and had the appearance of an overgrown garden. It was evident on my site visit that the hedge has been grubbed out, the site has been partly excavated and rubble placed on the ground. The site is now open to Mill Lane along its entire length. The appellant argues that a building on this site "...as it stands at present" would enhance the area. I am not persuaded by this argument as the site appears to have been so despoiled only recently and certainly since the last appeal was dismissed.
-

5. The proposed garage would be a substantial building with a brick gable wall 6m wide and approximately 5.3m high at the ridge. It would be 8m deep and the upper floor would be an uninterrupted void. Electronic gates over 1.5m high and a brick wall alongside Mill Lane between the gates and the garage would complete the development. I disagree with the appellant's statement that this would be a "normal double garage".
6. It is my opinion that the proposed garage would be an overdevelopment of this relatively small plot. The scale of the roof and the uninterrupted brickwork of the gable, immediately alongside Mill Lane, (where there is no pavement), would be over dominant and visually harmful to the street scene. The angle of the roof would be in keeping with nearby properties as stated by the appellant, but this large roof has been so designed to accommodate the appellant's storage requirement which in itself is not a valid planning argument.
7. The upper floor would be contrary to the advice in Supplementary Planning Guidance (SPG) Note 2 which states that "Upper floors are not normally acceptable on detached garages as they are likely to be too large in domestic scenarios". This is particularly relevant in this sensitive location because of the small size of the appeal site, its location immediately alongside the highway and the narrowness of Mill Lane.
8. I conclude that the proposed development would fail to preserve or enhance the character or appearance of the Norton Conservation Area contrary to policies GP1 and EN24 of the Stockton-on-Tees Local Plan and national policy on Conservation Areas.
9. I turn now to the impact on neighbouring residents. The 5.3m high gable wall of the garage would be approximately 8m from the front elevations of the houses on the other side of Mill Lane. It would be an overbearing feature which would dominate and detract from the outlook from these dwellings and reduce light into the rooms. I conclude that the development would be detrimental to the living conditions of these residents contrary to policy GP1 of the Local Plan and SPG Note 2.
10. For the reasons outlined and having taken all other matters raised into account, I dismiss the appeal.

*Anthony Lyman*

INSPECTOR