



Appeal Decision

Site visit made on 4 December 2007

by **Kevin Ward BA (Hons) 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 December 2007

Appeal Ref: APP/H0738/A/07/2053391

15 Barkston Avenue, Thornaby-on-Tees, Stockton TS17 0LE

- 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 Andrew Mark Westwood against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/1718/FUL, dated 14 May 2007, was refused by notice dated 1 August 2007.
- The development proposed is to convert the existing garage into a habitable living area.

Decision

1. I allow the appeal and grant planning permission to convert the existing garage into a habitable living area at 15 Barkston Avenue, Thornaby-on-Tees, Stockton TS17 0LE in accordance with the terms of the application Ref 07/1718/FUL, dated 14 May 2007, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the conversion hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall not begin until the garden wall to the front of the dwelling in question and adjoining the footpath has been removed and the whole area between the front of the dwelling and the footpath surfaced with an appropriate material to accommodate car parking. This area shall be retained as such thereafter.

Main Issue

2. The main issue is the potential effect of the proposed development on highway and pedestrian safety.

Reasons

3. Due to its location close to the junction of Barkston Avenue and Charrington Avenue, on street parking outside of the dwelling would prejudice highway and pedestrian safety.

4. Whilst the space in front of the dwelling is small, the Council acknowledge that the driveway currently provides for a second parking space within the curtilage of the dwelling in addition to the garage. They consider that this current parking provision is acceptable for such a dwelling. A parking space alongside the driveway could be provided if the front garden wall were to be removed and hard surfacing introduced as suggested by the appellant. This parking space would be of equal length to the driveway and at right angles to the highway. There would be no reduction in parking spaces available within the curtilage and therefore no increase in the likelihood of on street parking outside of the dwelling.

Conditions

5. The Council have suggested a condition relating to the external materials to be used in the conversion should the appeal be allowed. I agree that in the interests of the character and appearance of the area, such a condition is required but have simplified the suggested wording to reflect the advice in Circular 11/95: The Use of Conditions in Planning Permissions. A condition to ensure the provision and retention of a second parking space in front of the dwelling is required in the interests of highway and pedestrian safety.

Conclusion

6. For the reasons given above and taking account of other matters raised I conclude that the proposed development would not harm highway or pedestrian safety, it would therefore comply with Policy GP1 of the Stockton-on-Tees Local Plan and the appeal should succeed.

Kevin Ward

INSPECTOR