



## Appeal Decision

Site visit made on 8 January 2008

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

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

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Decision date:  
29 January 2008

**Appeal Ref: APP/H0738/A/07/2057454**

**9 Southfield Road, Norton, Stockton-on-Tees, Cleveland TS20 2EZ**

- 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 Kathleen McLoughlin against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/2232/FUL, dated 24 July 2007, was refused by notice dated 21 September 2007.
- The development proposed is the extension and division of an existing dwelling into two dwellings.

### Decision

1. I dismiss the appeal.

### Main Issues

2. The main issues are the effect of the proposal on, firstly, the character and quality of the area, secondly, the living conditions of adjacent and future occupiers in terms of outlook, privacy and levels of private amenity space and, thirdly, the safety of users of the adjacent highway.

### Reasons

#### *Character and quality of the area*

3. The appeal site is a corner plot in an inter-war estate of mainly semi-detached housing. The main elevation of the proposal would front onto Blackett Avenue and would be similar in length to the other semi-detached properties on this side of the street. Whilst these properties are fairly undistinguished, they do benefit from a symmetrical appearance and rhythm, with front facades articulated by either projecting bays or gables. By contrast, the proposal would have a rather bland and flat elevation treatment, whose impact on the street scene would be emphasised by the building line, which steps forward of its neighbours, the asymmetric fenestration pattern and the loss of much of the existing attractive hedge boundary. This would result in a scheme, which would fail to take the opportunities available for improving the character and quality of the area, contrary to government advice in PPS1 and Policies GP1, HO3, HO11 and HO12 saved from the Stockton-on-Tees Local Plan (Local Plan).

#### *Living conditions of occupiers*

4. The proposal would not increase the built footprint on the site and, with no first floor windows in the gable end would not increase the possibility of overlooking

- the adjacent property at 2 Blackett Avenue. Whilst the latter has what appears to be a habitable room window in the side gable end, I also do not consider that any significant adverse impact on outlook for occupiers would result.
5. The existing two storey rear extension at the appeal property has a side elevation within 2 metres of the common boundary with 11 Southfield Road. The proposal, involving the replacement of existing dormers in the roofspace with a full height first floor elevation, would result in 2 first floor windows being brought marginally closer to the boundary. These currently light a games room, whilst the proposed windows would light bathroom/en-suite accommodation and could be obscure glazed. I do not consider, therefore, that there would be any increase in loss of privacy through overlooking. The raising of the eaves and ridge, however, would result in a significant built form, extending some 9 metres beyond the rear elevation of the neighbouring property close to the common boundary. This, I consider, (despite the absence of any formal objection) would have an overbearing and enclosing impact on occupiers of 11 Southfield Road, significantly greater than that existing at present.
  6. The proposed subdivision would involve the insertion of a bedroom window above an existing kitchen window in the existing property, located directly on the common boundary with its new neighbour, facilitating direct overlooking of the rear private garden space. I consider this arrangement would result in an unsatisfactory invasion of privacy.
  7. The subdivision of the plot would deprive the existing dwelling of any rear private amenity space and the incorporation of parking would significantly limit the remaining front garden space. The resultant private amenity space for the new dwelling would be similarly restricted with a rear garden less than two metres in length. In both instances, I consider that the levels of amenity space would be substandard and certainly not commensurate with the two new 3-bedroom dwellings, which would be created.
  8. Overall, therefore, on this issue, I conclude that the proposal would have an adverse effect on the living conditions of adjacent and future occupiers in terms of outlook, privacy and levels of private amenity space, contrary to Local Plan Policies HO11 and HO11.

*Safety of users of the highway*

9. The proposal would involve the creation of a new vehicle access close to, and within the radii of the junction of Blackett Avenue with Southfield Road. Whilst traffic volumes in the area are low, Southfield Road is a bus route and I am informed that the arrangement would not accord with the standards set out in the Council's adopted guidelines.
10. The appellant has submitted an alternative arrangement with the appeal documentation, showing on-site parking for both proposed dwellings accessed from the existing dropped kerb. This would involve what is effectively a shared front forecourt, with vehicles accessing the original property by manoeuvres directly in front of windows in the new dwelling lighting living accommodation. I do not consider that this arrangement would provide acceptable conditions for

occupants of the latter. Neither do I consider that the alternative option of providing no on-site parking, justified on the basis of national guidance in PPG13 on minimum parking provision, is a tenable or desirable solution in this location.

11. I do, however, consider that, given the prevailing local circumstances, any effect on the safety of users of the highway, as result of the implementation of the scheme formally considered by the Council, would be minimal and would not be a decisive objection on its own. Nevertheless, it contributes to my overall conclusion that the proposal is unacceptable.

*Conclusion*

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*G E Snowdon*

INSPECTOR