



Appeal Decision

Site Visit made on 25 February 2008

by **Peter F Davies 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:
11 March 2008

Appeal Ref: APP/H0738/A/07/2056691

"The Wheelhouse", The Green, Wolviston, Billingham, Cleveland TS22 5LN

- 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 Sean McNicholas against the Decision of Stockton-on-Tees Borough Council.
- The application, Ref: 07/2077/REV, dated 10 July 2007, was refused by Notice dated 5 October 2007.
- The development proposed is the addition of an attic style extension to the west side of the existing dwelling to provide swimming pool/changing facilities at ground floor level with extra living accommodation over.

Procedural Matters

1. Prior to the Visit, and at my request via The Inspectorate, the Council confirmed that the Appeal site was within the Wolviston Conservation Area and provided a plan of it, copied to the appellant. Also supplied was the listing for the Grade II building at The Green, No 13 (Garth End Farmhouse).
2. As the site is within a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies in this case.
3. I have also taken into account the planning history at the site, together with the appellant's Design & Access Statement.

Decision

4. I dismiss the Appeal.

Main Issue

5. This is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons for the Decision

6. I had an extended presence, prior to the Visit, in the conservation area. It relates to the older part of Wolviston. In the vicinity of the site, its character and appearance is largely derived from The Green with its surrounding properties - a number listed, including No 13 adjacent to the site. I saw a significant presence of former/present farm buildings that contribute to the character and appearance of the conservation area. Modern houses have,
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however, been inserted around The Green, some of limited design merit. Any reasons for those are a matter for the Council. Nonetheless, overall, an attractive village scene results and consistent with conservation area designation.

7. On the basis of the evidence before me, confirmed by my site observations, the conversion of the original farm building(s) at the site has preserved the character of the conservation area. It resulted in a development that maintained the agrarian tradition of the complex - this, a rectangular feature about a courtyard.
8. That would not be the case with the Appeal proposal before me. Taking into account an existing ground floor projection, it would project about 20 metres from that part of the elevation against which it would be sited, and about 6.5 metres wide. It would have little design relationship to the existing building, adding an intrusive and discordant element to both it and the conservation area.
9. While having somewhat limited visibility from within the conservation area, it would be seen from properties to the south-west. Notwithstanding that, any argued case on limited visibility of a development within a conservation area can only carry limited weight in this Appeal. If I was to accept it, that would be able to be repeated frequently - to the detriment (as in this case) of the character and appearance of a conservation area.
10. As a result, the development proposed would neither preserve nor enhance the character or appearance of the conservation area - in conflict with Section 72(1) and the intent of national planning guidance at paragraphs 4.14 and 4.19 to Planning Policy Guidance 15: Planning and the Historic Environment.
11. I come to a similar view on Planning Policy Statement 1: Delivering Sustainable Development (PPS1). My assessment is that the development would not represent "good design" and is "inappropriate in its context". It should not, therefore, be accepted (PPS1 references at paragraph 34). Turning to the adopted Plan, it would conflict with Policies GP 1 (i.), HO 12 and EN 24 of the Stockton-on-Tees Local Plan (1997) - these saved following the Secretary of State's Direction dated 31 August 2007.

Other Matters

12. I have taken into account all those raised, including apparent appellant concern on the manner in which the Council dealt with his proposal at application stage. That is a matter between him and it. The development would not, in my opinion, result in any material harm to the living conditions of nearby residents. Further, its siting would not adversely affect the setting of the adjacent listed building - this established by its presentation to The Green.
13. The Wolviston Parish Council considers that an over-development of the site would be likely to result. I have come to a different assessment, taking into account the extent of the "red-line" site. My determining concern is on the design of the proposal as it relates to the existing building complex and the positive contribution that it makes to the conservation area.

14. I see that the Highway Authority does not object to the development, and I agree. Any boundary disputes arising from the development are a matter between the relevant parties. The acceptability of the proposal in these respects does not overcome the substantial level of harm identified above to the conservation area. For the reasons given, I conclude that the Appeal should be dismissed.

Peter F Davies

INSPECTOR