



Appeal Decision

Site visit made on 19 August 2008

by **R R Lyon MA CEng MICE MRTPI FIHT**

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

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Decision date:
3 September 2008

Appeal Ref: APP/H0738/A/08/2073071
7 Station Road, Billingham TS23 1AG

- 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 Ms Helen Armstrong against the decision of Stockton-on-Tees Borough Council.
- The application Ref 08/0395/FUL, dated 15 February 2008, was refused by notice dated 17 April 2008.
- The development proposed is construction of single apartment block with four flats across two levels with adjacent ground level car parking for six vehicles.

Decision

1. I dismiss the appeal.

Reasons

2. The principle of development is acceptable here as the appeal site is previously developed land, close to the defined local centre and within 500m of a regular bus service. Further, the design respects the character of the surroundings, with proportions that reflect those of the host property. I consider that the proposal would maintain the character and appearance of the Billingham Green Conservation Area. The building would be some 30m from the Grade II listed 2-5 Chapel Road, but as it is to the rear of those properties, I do not consider that the setting of the listed building would be adversely affected. I judge that the main issues here are the effect of the proposal on the living conditions of neighbours and new occupants with particular regard to privacy, and the effect on highway safety.

Privacy

3. The proposed rear bedroom windows would face windows, some 15m away, in the top flat of the club to the east. The angles are such that I do not believe that harmful intervisibility would be present with regard to 3 of the 4 proposed windows; but I judge that the occupants of the club flat and of the proposed rear upper floor south flat would be able to look into each other's rooms with a mutually harmful effect on privacy. The appellant suggests that obscure glass would overcome any harm, but I do not consider that this would be appropriate for the only window in the bed room of the proposed new build property. I conclude that the proposal would harmfully affect the privacy of neighbours and future occupants contrary to saved policy GP1 of the Stockton-on-Tees Local Plan.
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Highway Safety

4. I have taken account of the previous appeal on this site for 6 flats and 6 parking places (ref. APP/H0738/A/08/2060448). My colleague found that there would be no highway safety problems with that proposal. I do not know what evidence was before him, but I am not so sanguine given my own observations and the evidence that is before me.
5. The Station Road shopping area is regulated by yellow lines, but has some on-street parking. Side streets plainly come under pressure, and the kerb from the site access to Station Road was fully occupied by cars during my visit. This access varies in width, but is about 3.6m wide at Parklands Avenue; 2 vehicles could not pass within it. Here the visibility splay 'x' distance between the buildings is less than 2m and visibility to the right is impaired by parked vehicles. If 2 vehicles were to meet near the entrance, it is most likely that the vehicle to reverse would be the one entering the site as there is also an 'elbow' in the access that forms a blind spot to the car park area. Given the proposed 6 parking spaces, I consider that the possibility of 2 vehicles meeting would not be remote. I conclude that use of the proposed 6 parking spaces would harmfully affect highway safety on Parklands Avenue in conflict with saved policies GP1, HO3 and HO11 of the Stockton-on-Tees Local Plan.
6. The Council's deliberations address a scheme for 6 parking spaces, as mine have. The appellant suggests that on site parking is not necessary, I am not aware that such a scheme has been the subject of an application. Not all the proposed spaces would be fully accessible but, as the appellant implies, there is probably a balance to be made here between the number of parking spaces appropriate to the sustainable location, bearing in mind the advice in *Planning Policy Guidance Note 13: Transport*, and given that there is already some use of the substandard access. However, I do not believe that the scheme that is before me strikes that balance.

R R Lyon
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