



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

The Planning Inspectorate
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Decision date:
5 September 2008

Appeal Ref: APP/H0738/A/08/2072148 land to rear of 2 Beckwith Road, Yarm TS15 9TG

- 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 S M S Panahi against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/2700/FUL, dated 10 September 2007, was refused by notice dated 28 November 2007.
- The development proposed is erection of 1 No. single storey dwelling.

Decision

1. I dismiss the appeal.

Reasons

2. The location of the proposed rear elevation was agreed on site to within about 0.5m; a variation that makes no material difference to my observations. That rear elevation would align with the side elevation of No.2, such that the proposed bungalow would not stand behind its host. Given this offset and the 1.8m close boarded garden fence edging the site, I do not believe that the proposal would be overbearing on the host property.
 3. I made observations from the site and from the garden of 10 Darcy Close. The bulk of the proposed bungalow would be screened by the high close boarded fences separating the gardens and the garages in the backland. In my judgment, only the ridge of the proposal would be visible from gardens of immediate neighbours, and then only from some parts of the gardens. From these observations and the distances to the proposed bungalow, I conclude that the proposal would not be overbearing on neighbours, and would not appear cramped from neighbours' properties.
 4. The bungalow would stand on the Fauconberg Way frontage. The separation distances between the proposal and the bungalows at 2 Beckwith Road and 12 Darcy Close would be comparable to the separations seen elsewhere in the street. From this and my previous comments, I judge that the proposal would not appear to be cramped and would integrate well with its surroundings.
 5. The garage connected to the proposal is associated with the host property. There is a temporary drive that has been inserted on the radius at Beckwith Road/Fauconberg Way which would appear to be intended as a replacement. However, this seems not to have permission, and is in any case not an acceptable solution at the radius on highway safety grounds. It has been suggested that a location for replacement parking is available next to the fence
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adjacent to the appeal site, and that a Grampian style condition would secure replacement parking for the host property. However, I have seen no proposal for such an access, and there may well be a backland issue in relation to the bedroom of the proposal, so I cannot be sure that an alternative is available.

6. Thus, despite my conclusions on the general suitability of the proposal on this site, I must dismiss the appeal because of the adverse effect on highway safety due to the loss of access and parking arrangements at 2 Beckwith Road. That harmful effect would conflict with saved policies GP1, HO3, HO11 of the Stockton-on-Tees Local Plan.

R R Lyon
INSPECTOR