



Appeal Decision

Site visit made on 1 October 2008

by **A C Pickering** FRTPi

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

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Decision date:
10 October 2008

Appeal Ref: APP/H0738/A/08/2077240

Land to the rear of 12-14 High Street, Norton, Stockton-on-Tees TS20 1DN

- 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 D Fennall against the decision of Stockton-on-Tees Borough Council.
- The application Ref 08/0827/FUL, dated 3 April 2008, was refused by notice dated 3 June 2008.
- The development proposed is the erection of six apartments.

Decision

1. I dismiss the appeal.

Main issues

2. The main issues in the appeal are the lack of parking provision, the amenity and privacy associated with the proposed flats and others nearby and the operation of the adjoining café premises.

Reasons

3. As far as the privacy question is concerned, the indication is that there would be no ground floor windows facing Maybray King Walk or the Somerfield car park. Given that the sill levels of the first floor windows on these elevations would be well above eye level and head height I find it difficult to appreciate how the privacy and amenity of the occupiers of the flats might be compromised. There would be no direct line of sight from the pedestrian walkway, or the parking area into the rooms except at some distance back into the car park, and I do not regard this as a serious disadvantage. In relation to the existing flats facing Billingham Road I think there would be quite sufficient separation between the buildings to avoid any mutually intrusive, overlooking or overbearing impressions.
4. The café on the south-eastern side of the site has a window facing the site which would be lost in the development scheme. The rear access to the kitchen would be retained, with access to the yard as at present. I accept that conflict could arise between the operation of the café and occupation of the closest flat. However as both sites are in the same ownership and control it seems to me that this is a question of priorities to be sorted out by the appellants and that does not give rise to important planning considerations.
5. The site is well within the built-up area, close to a district centre with reasonable transport links and I accept that if conditions are right the lack of

- curtilage parking need not be a compelling objection to the scheme. However, I note that the building would not provide specialist accommodation but include two and three bedroom accommodation of a kind, in the latter case at least, suited to family occupation, and I think it is reasonable to infer that some car-borne traffic would be generated by the project. I also saw that there is considerable congestion in the locality arising from street parking. I agree with the Council that the public car park in Norton High Street cannot be relied upon to provide the necessary parking facility for the flats. In the absence of this provision the development would be likely to add to local congestion and adversely affect traffic flow and circulation in the area.
6. The Travel Plan promoted by the appellant could go some way to overcoming these problems but in my view it would not resolve them completely. The cycle storage would help, and could be increased, and the bus passes would encourage travel by public transport. But they would only be available for a year and it does not seem to me that this limited provision would meet the potential travel needs of the development; indeed the appellant acknowledges that a full Travel Plan would be difficult to implement.
 7. I consider that the development would preserve the qualities of the designated conservation area. However my overall conclusion on the key issue is that the nature of the current proposal would not function satisfactorily in the absence of effective parking provision and that this lack conflicts with the objectives of policies GP1 and HO11 of the Stockton-on-Tees Local Plan.

A C Pickering

Inspector