



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

The Planning Inspectorate
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Decision date:
13 October 2008

Appeal Ref: **APP/H0378/A/08/2078849**

Ace Tarpaulins, Dovecot Street, Stockton-on-Tees TS18 1HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr M Edwards against the decision of Stockton-on-Tees Borough Council.
- The application Ref 08/0327/OUT, dated 5 February 2008, was refused by notice dated 12 May 2008.
- The development proposed is the construction of 17 bed student accommodation and associated demolition.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in the appeal is the effect of the development on nearby residential amenities.

Reasons

3. The Council regards the use and the appearance of the building acceptable in this location. I see no reason to disagree with this view. The difference of opinion relates to the effect on neighbouring dwellings.
 4. I saw that the existing building is a commercial structure on the back edge of the Dovecote Street footway and set back slightly on the flank frontage to Ewbank Drive. On the east side is a narrow access way separating the site from the backs of terraced houses in Tarring Street and to the south stands a modern house and a linked line of terraced bungalows. There are modern semi-detached houses on the opposite side of Dovecote Street.
 5. The drawings indicate that the height of the proposed building would not be a great deal higher than the present structure and I note that the section closest to the houses in Tarring Street would be two storeys in height. It is clear however that the bulk of the building would be considerably larger than the existing commercial unit. Whilst I see no objection to the higher elevation of the student accommodation I think that the substantial building size and scale proposed would, in proximity to the existing dwellings, be to their disadvantage.
 6. In particular, I consider that the new block would seriously impair the amenities associated with the occupation of no.9 Ewbank Drive, because of the adverse overbearing impression of the proposed building so close to the
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existing house and the overlooking perception arising from the new windows in the side elevation (even though they are to non-habitable rooms or spaces). And whilst I accept that space standards in the neighbourhood are in some cases less than the usual minimum criteria, it seems to me that the combination of the intensive site coverage carried upwards in two and three storey construction at separating distances less than the conventional requirements in the borough would have a similar impact on residents in Tarring Street. In these ways I conclude that the development would conflict with the objectives of policies GP1, HO3 and HO11 of the adopted Local Plan for the area and should not, therefore, be permitted.

A C Pickering

Inspector