



## Appeal Decision

Site visit made on 27 November 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:  
9 December 2008

### Appeal Ref: APP/H0738/A/08/2083359

67 Marlborough Road, Oxbridge, Stockton-on-Tees TS18 4DB

- 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 L Blackburn against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/3490/FUL, dated 17 December 2007, was refused by notice dated 18 February 2008.
- The development proposed is extension and conversion of existing dwelling to form 2 No. 2-bed dwellings.

### Decision

1. The appeal is dismissed.

### Reasons

2. The existing house provides one parking place. The Council's Supplementary Planning Guidance requires 2 spaces for each of the proposed units. Applying that advice flexibly, and bearing Government guidance in mind, it is reasonable to require at least one space per unit here. The proposal shows such a space; the main issue here is the effect of that provision on highway safety.
3. The appellant states that on-street parking is not at capacity, but others point to parking problems, and I noted a significant amount of on-street parking in mid-afternoon and a regular passage of vehicles. That the highway raises some concern with regard to highway safety is self-evident as traffic calming is present in the street.
4. The proposed space would be near a bend in the road, with local narrowing and a give way system in operation. The bay would be behind the footway and parallel to it, unsighted by the garage wall and impeded by a lamp standard and railings to the railway. I consider that the bay would be awkward to use so as not to impede the footway, and that the awkwardness of the situation for users of the space and drivers on the highway would lead to highway safety problems contrary to saved policy GP1 of the Council's Local Plan.
5. The appellant seems to claim parity with appeal ref. APP/H0738/A/08/2060905 (64 Durham Road). However, that decision indicates that the disputed space would be in a rear yard, unlikely to be used, and alternatives are available in straight wide streets that are not heavily parked; the circumstances appear to be quite different to those for this appeal. That appeal does not affect my decision that this appeal should fail.

R R Lyon (INSPECTOR)

DATE RELEVANT