



## Appeal Decision

Site visit made on 4 February 2009

by **D R Cullingford BA MPhil MRTPI**

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

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Decision date:  
30 March 2009

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**Appeal Ref: APP/H0738/A/08/2088038**  
**101 Junction Road, Stockton-on-Tees, TS20 1PX**

- 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 by Mrs W Shepherd against the decision of the Stockton-on-Tees Borough Council.
- The application (ref: 08/0904/OUT and dated 11 April 2008) was refused by notice dated 22 July 2008.
- The development is described as 'an outline application for the erection of 1 No. dwelling and demolition of existing garage'.

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### Decision

1. For the reasons given below, and in exercise of the powers transferred to me, I dismiss the appeal.

### Reasons

2. The appeal property is a substantial detached house set in a spacious garden amongst similarly large detached or semi-detached dwellings. A detached garage beneath a hipped roof stands to the west, beyond which is a driveway owned by the appellant but fenced off from the appeal property serving a large modern bungalow to the rear. Permission has been granted for 2 further dwellings behind Nos.103 and 105 to gain access to Junction Road via that driveway. The proposal would add to that traffic because a new garage would be constructed to the rear of No.101 to be served by that driveway; the existing garage would be demolished and replaced by a modest detached house.
  3. The Council have refused planning permission because, by adding to the use of the driveway, the scheme would exacerbate the noise and disturbance experienced by residents at No.103, contrary to 'saved' policies GP1, HO3 and HO11. In addition, the limited room for the proposed house would necessitate the construction of an incongruously modest property, thereby imparting a cramped impression to the street scene contrary to 'saved' policies GP1 and HO11. Those are the issue on which this appeal turns.
  4. Given that an existing dwelling and extant planning permissions would lead to this driveway accommodating traffic to 3 separate dwellings, it is difficult to see how the additional coming and going at a detached garage would transform what must hitherto have been deemed an acceptable situation into an unacceptable one. And, although the dwelling proposed would be taller than the garage it would replace, it would stand across the driveway and some 4m
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from the windows in the side elevation of No.103, which are, in any case, either obscure glazed or secondary.

5. On the other hand, the proposed dwelling would stand on a relatively narrow plot, the width of which would be commensurate only with those accommodating some of the smaller semi-detached dwellings here. As a result it is inevitable that the detached dwelling proposed would appear substantially smaller than the large properties nearby and incongruously cramped amongst the generally spacious and verdant character conveyed by the street scene. The limited gap between the proposed dwelling and the appeal property, the indicative position of the flank wall hard against the boundary and the apparent use of a gabled roof rather than the hipped design that generally prevails here would all serve to exacerbate those harmful effects. I appreciate that the proposal is submitted in outline, but the room for manoeuvre is very limited and, in the absence of detailed drawings to convince me otherwise, I doubt that such harmful effects could be satisfactorily overcome. I consider that such development would contravene the requirements of policies GP1 and HO11 and, in spite of having regard to all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be dismissed.



INSPECTOR