



Appeal Decision

Site visit made on 7 December 2009

by **Jacqueline North BSc MSc**

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

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Decision date:
21 December 2009

Appeal Ref: APP/H0738/D/09/2114282 27 Lanchester Avenue, Billingham, TS23 2TD

- 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 David Crosthwaite against the decision of Stockton-on-Tees Borough Council.
- The application Ref 09/1462/FUL, dated 15 June 2009, was refused by notice dated 18 August 2009.
- The development proposed is a two storey side/rear extension.

Decision

1. I allow the appeal, and grant planning permission for a two storey side/rear extension at 27 Lanchester Avenue, Billingham, TS23 2TD in accordance with the terms of the application, Ref 09/1462/FUL, dated 15 June 2009, and the plans numbered drawings 1 to 4 submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matter

2. The appellant's surname is 'Crossthaite' on the planning application form, however on the appeal form, subsequent letters and his e-mail address the surname is 'Crosthwaite' and this is the spelling I have used in this appeal.

Main issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons

4. Policy GP 1 of the adopted Stockton-on-Tees Local Plan (LP) requires development to provide satisfactory access and parking arrangements. This is supported by Supplementary Planning Document 3: Parking Provision for New Developments (SPD3). Table 7.3(a) of SPD3 requires 2 incurtilage parking spaces to be provided. Government guidance in Planning Policy Guidance 13: *Transport* states that parking policies should be expressed as a maximum standard and Table 7.3(a) of SPD3 relates to the parking provision for new residential development. Accordingly it is reasonable to consider the

circumstances at the appeal site instead of rigidly applying the standards in SPD3.

5. The dwelling has a driveway providing one car parking space, and an additional surfaced area in the front garden providing a slightly smaller parking space. The existing car port at the side of the dwelling would provide another car parking space, although this is currently used for storage of gym and garden equipment, which would prevent the parking of a car in this area.
6. At my site visit I saw that a small family car could be parked on the smaller parking area and that there would be no need to park on the street unless the second car parked at the dwelling was a relatively large vehicle such as a van or estate car. As such I consider it unlikely that the proposed development would result in vehicles parking on the highway.
7. In any case, there are no parking restrictions on Lanchester Avenue and the street is not subject to high volumes of traffic. Therefore even if a vehicle was parked on the highway in front of No. 27 I do not consider that this would be harmful to highway safety. Accordingly I conclude that the proposed development would not be detrimental to highway safety and would accord with LP Policy GP 1 and with the aims of SPD3.
8. Neighbours raised concerns regarding privacy, however the first floor window at the rear would serve an en-suite bathroom and as such would have an obscure glazed window. This would prevent any harm due to overlooking of the garden of No. 25. The rear projection of the proposed extension complies with the 45 degree rule set out in Supplementary Guidance Note 2: *Householder Extension Guide* (SPG2) and would not project further than 3 metres from the rear of the dwelling. It would not significantly reduce the light to the rear windows and rear garden of No. 25, nor would it appear overbearing. Accordingly it would comply with SPG2 and with LP Policy GP 1 in respect of the effect on the amenities of the occupiers of nearby properties.
9. The proposed extension would be clearly visible from the street, however it would appear as a subservient and modest addition to the dwelling due to the 4 metre setback and a lower roof ridge height. It would comply with SPG2 and with the requirement in LP Policy HO 12 for extensions to be in keeping with the property and street scene in terms of style, proportion and the provision of a set back from the front of the dwelling. However I shall impose a condition requiring materials used in the construction of the extension to match those of the original property in order to ensure that the extension is in keeping with the host dwelling.
10. For the reasons given above I conclude that the appeal should be allowed.

Jacqueline North

Inspector