



Appeal Decision

Site visit made on 24 June 2013

by **Philip Major BA(Hons) DipTP MRTPI**

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

Decision date: 9 July 2013

Appeal Ref: APP/H0738/A/13/2195367

Glebe House, Muirfield Road, Eaglescliffe, Stockton-on-Tees TS16 9BL.

- 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 Peter Abbott against the decision of Stockton-on-Tees Borough Council.
 - The application Ref: 13/0037/FUL, dated 3 January 2013, was refused by notice dated 6 March 2013.
 - The development proposed is a new build two bedroom dwelling to the garden of Glebe House.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character of the surrounding area.

Reasons

3. The surrounding area is residential in character, with relatively modern housing to the east side of Muirfield Road. The west side of the road has significant areas of open space alongside the rear boundaries of houses which face Yarm Road. The host property is one of a few which sits behind the houses on Yarm Road, and takes its access from Muirfield Road. The appeal proposal would do the same. One of the noticeable characteristics of the locality is the feeling of spaciousness around and between dwellings, in part resulting from the openness on the west side of the Muirfield Road. I do not share the opinion that the view of the rear of properties fronting Yarm Road is bleak - on the contrary the gardens generally offer a well vegetated and pleasant open aspect.
4. The appeal plot currently forms part of the garden of Glebe House, and I am aware of the previous decision to refuse an outline application for the erection of a dwelling. The scheme before me seeks to address the matters addressed in the previous case. One of those matters relates to the ability of the plot to accommodate a dwelling whilst retaining the character of the area.
5. The plot is small, and despite the fact that the building proposed would cover a proportion of the site which is similar to others in the locality, that is but one part of the assessment required. Evaluation of impact on character must of course do more than rely on mathematical comparisons. Of greater importance is the judgement relating to the impact on key characteristics of the area. As I have noted, one of those is its spaciousness.

6. The dwelling proposed, though informed by the constraints of the plot, would necessarily sit close to the boundary with Muirfield Road. Despite being set back from the previous scheme it would still leave little room for any significant landscaping to soften impact. Even if landscaping were to be introduced it would be impossible to hide the fact that a dwelling was squeezed into a small space. The example given to me (No 19 Muirfield Road) a little to the north, only serves to illustrate that it is difficult to achieve satisfactory integration of dwellings on sites with similar constraints. That development appears at odds with the general spacious character of the area and is not supportive of the case put to me.
7. The proposed scheme undoubtedly seeks to address the matters of concern previously expressed, but in my judgement does not successfully do so in most respects. The proposed parking may be reasonably well hidden, but the loss of the feeling of openness which runs along the western side of Muirfield Road would be significant. The dwelling would be seen close to the boundary and would appear hemmed in whether or not some vegetation were present in the narrow gap (though I doubt that significant landscaping could be introduced). The use of materials designed to assist with integration would be unlikely to materially alter this perception. The development would therefore interrupt the established character of the locality and appear as an incongruous addition to the street scene.
8. Core Strategy Development Plan Document Policy CS3 includes the objective that new development should make a positive contribution to the local area by, amongst other things, responding positively to local character. The proposal is in conflict with this development plan policy. I accept that there are some parts of the policy with which the proposal would not conflict, but that does not lessen the weight attached to the fundamental conflict noted above. Although of some age, saved Policy HO3 of the Local Plan (also part of the development plan) has similar objectives. These policies accord with the thrust of the National Planning Policy Framework, which seeks to ensure that development which fails to take the opportunity to improve the character of an area is not permitted.

Other Matters

9. I visited the other examples of developments cited. That at Sunny Mount has a very different context and is not comparable. That at No 561 Yarm Road relates to an extension, albeit significant, and has no direct comparative merit.
10. Local representations have introduced the matter of highway safety, but I see no reason to disagree with the local highway authority that safe access could be achieved. I also agree with the previous Inspector that concerns regarding loss of privacy and light are not sufficient to warrant refusal of the proposal on those grounds. Hence neither these nor any other matters raised are sufficient to alter the balance of considerations on the main issue.

Overall Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

Philip Major

INSPECTOR