
Appeal Decision

Site visit made on 30 March 2016

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 04 April 2016

Appeal Ref: APP/H0738/D/16/3145787

38 Holme Land, Ingleby Barwick, Stockton-on-Tees TS17 5FB

- 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 Blair Taylor against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 15/2789/FPD, dated 6 November 2015, was refused by notice dated 22 January 2016.
 - The development proposed is a garage conversion into habitable room.
-

Decision

1. The appeal is allowed and planning permission is granted for a garage conversion into habitable room at 38 Holme Land, Ingleby Barwick, Stockton-on-Tees TS17 5FB in accordance with the terms of the application, Ref 15/2789/FPD, dated 6 November 2015, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No 1:01; Dwg No 1:02; Dwg No 1:03; Dwg No 1:04; Dwg 1:05; Dwg No 1:06; Dwg No 1:07 and Dwg No 1:99.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matters

2. The appellant has given the proposal a lengthy and highly descriptive title on the initial application form. Whilst the appeal form states that the description of the application has not changed, the Council's decision notice adopts a significantly more concise description. I am satisfied that the description as it appears on the Council's decision notice is usefully more concise and avoids the superfluous, and I have adopted it for the purposes of this appeal as set out in the heading, above.

Main Issue

3. The main issue is the effect of the proposal on highway safety and the free flow of traffic.
-

Reasons

4. The proposal before me is for the conversion of an existing integral garage in a modern detached dwelling into a habitable room. The dwelling lies within a development of similarly scaled detached and semi-detached dwellings.
5. In addition to the existing garage the property also has a short driveway to the front, with sufficient width to park two vehicles side-by-side. A total of 3 in-curtilage parking spaces are currently provided, in line with the provisions of the Council's Supplementary Planning Document 3: Parking Provision for Developments (the SPD) for 4 bedroom dwellings.
6. The site has a small lawned area at the front of the dwelling to the side of the existing driveway. Although part of this area appears to form a service strip running around the shared surface carriageway that lies beyond the appeal site, I am satisfied that the remaining area would provide sufficient space to accommodate the alternative additional parking space shown on the submission drawings. Furthermore, I am also satisfied that access to this space would be possible across the existing pavement crossing and dropped kerb without impacting on the service strip.
7. Whilst this space would fall just short of the dimensions for in-curtilage car parking spaces as set out in the SPD I am satisfied that it would nonetheless be sufficiently accessible to provide a third car parking space, thereby avoiding the potential for additional on-street car parking. I conclude therefore that it has not been demonstrated that the proposal would lead to an increase in on-street car parking, or that the proposal would be harmful to highway safety or the free-flow of traffic. For these reasons, I am unable to find conflict with the overarching aims of Core Strategy policy CS2 (criterion 3)
8. Externally, changes to the building would be limited to the replacement of the existing single garage door with a window (brickwork below) and the installation of patio doors to the rear. I note that the Council have raised no objections to the proposal on the grounds of its effect on the character or appearance of the area, or upon the living conditions of occupiers of neighbouring properties. I agree with this assessment, and I too conclude that the proposal would sit satisfactorily and comfortably within the street and without harm to the living conditions of neighbours.

Conditions

9. I have had regard to the conditions requested by the Council in their appeal submission. In addition to the time limit condition, I agree that a condition setting out the approved plans is necessary in order to provide certainty. A materials condition I agree to be necessary in the interests of the character and appearance of the area.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR