
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: 25 April 2016

Appeal Ref: APP/H0738/W/15/3140384

rear of Nos 22-24 Levendale Close, Yarm, Stockton-on-Tees TS15 9RA

- 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 Andrew Tannahill against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 15/1728/FUL, dated 13 July 2015, was refused by notice dated 30 November 2015.
 - The development proposed is the construction of a new 3 bedroom detached bungalow and double garage on land to the rear of Nos 22-24 Levendale Close.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development description initially given on the planning application form made reference to the site's location at the rear of Nos 22 – 24 Levendale Close. The site address details on the application form however referred just to Levendale Close. I have taken the description of the site's location from the development description and incorporated it into the site address. As a consequence, both the address and the description of the development are usefully more accurate and I have determined the appeal on that basis.
3. It is evident that the proposals were amended during the course of the Council's consideration of the application. Both parties have confirmed the drawings that were formally considered and upon which the Council's determination of the application was based, and I too have determined the appeal on that basis.

Main Issues

4. The main issues are:-
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of occupiers of No 24 Levendale Close, with particular regard to noise and disturbance.
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Reasons

Character and Appearance

5. Levendale Close lies amongst what could be described as a fairly typical residential development dating from the 1960s or 1970s and is a small cul-de-sac of bungalows leading up to, and set around, a small turning head. The dwellings on the eastern side of the cul-de-sac are modestly sized semi-detached bungalows. Linked by attached pairs of single garages set back from the main face of the bungalows, the shallow roof pitches and relatively low ridgelines give them a simple, low-line and relatively plain character. They follow the gentle curve of the cul-de-sac towards its turning head and have a pleasing sense of rhythm and uniformity to them in their proportions, simple features and levels.
6. Landscaped footpath corridors run to the south and east of Levendale Close. The footpath corridor to the south has mature hedgerows along both sides creating a pleasant, sylvan and almost rural feel to the path which belies its location. By contrast, the footpath corridor to the east is more open, its boundary marked by the arrow-straight rear fence-line of Nos 2 – 24 with little in the way of the tree or hedge cover evident to the south. The path here is raised slightly above the rear garden level of those properties and views are consequently open across the appeal site and the rear gardens of other nearby properties, where a similar sense of rhythm and uniformity to that found to the front of the dwellings is also found.
7. The pleasing sense of rhythm of the buildings combines with the individual roadside and amenity space trees and the more verdant footpath corridor behind, to create a pleasant residential environment. Overall therefore, I find that Levendale Close has a comfortable sense of scale and proportion to it when viewed from both within (the front) and outwith (the rear) the cul-de-sac.
8. The proposed dwelling would however be a considerably larger and more bulky structure than the existing bungalows within Levendale Close. Although a number of visualisations of the proposed dwelling have been provided, these do not include views of the site from the footpath corridor to the rear. This, I find, is telling. Although comparable in terms of footprint area with the semi-detached bungalows, its steeper roof pitch and a higher ridgeline would clearly identify it as an incongruous form when viewed along and across the rear gardens of Levendale Close.
9. I observed from my site visit that from this angle the proposed dwelling and its detached garage would be clearly seen across the relatively open and unobstructed rear gardens that run alongside the footpath corridor. Both the proposed dwelling and the detached garage would be taller structures than those on Levendale Close. With largely open views of the appeal site from the footpath corridor at the rear I find that the proposed development would have a significant and obtrusive presence within the overall streetscene. The result would be a dwelling seen clearly as a separate and incongruous entity, appearing out of context with, and relating equally poorly to, Levendale Close, to the footpath corridors to the south and to the east, and to the residential developments of Angrove Close and Playlin Close, beyond.

10. I share the appellant's view that existing dwellings in Levendale Close would effectively block out views of the proposed dwelling from within the street. So too would the extensive and mature hedges that bound the site on its southern edge. I therefore find no harm in respect of the effect upon character and appearance from this aspect.
11. However, whilst these factors weigh in favour of the proposal, they are not sufficient to overcome the harm to the character and appearance of the surrounding street scene I have identified above. As such, the proposal would be contrary to policy CS3 (8) of the Core Strategy and saved policy HO3. Together, these policies seek to ensure that residential development is sympathetic to the character of the locality and makes a positive contribution to the local area and I find them to be consistent with the National Planning Policy Framework in seeking to secure high quality design and the desirability of new development to make a positive contribution to local character.

Living Conditions

12. The appeal site is unusual within the context of Nos 2 – 24 Levendale Close, in that it has a separate, rather than paired, driveway entrance. I am satisfied however that there would be sufficient space to increase the width of the driveway from its existing entrance point off Levendale Close. I am also satisfied that as the proposed driveway would pass most closely in front of No 22's existing garage, with sufficient space and separation between the nearest point of that dwelling and the driveway itself, it would avoid harm to the living conditions of occupiers of No 24.
13. Whilst the Council's concerns are noted in this respect, I find nothing unusual in the principle of the proposed method of accessing the site. Nor would it be unusual for the sweep of car headlights to wash across neighbouring properties. In any event, the proposal is only for a single dwelling and so any comings and goings associated with the proposed development are likely to be limited, and so too therefore would the potential for any undue or harmful impact upon the living conditions of No 24.
14. I therefore conclude that the proposal would not result in harm to the living conditions of occupiers of No 22 Levendale Close with particular regard to noise or disturbance that may arise from the comings and goings associated with the proposed dwelling. I therefore find no conflict with Local Plan saved policy HO3 which seeks, amongst other matters, to ensure that development does not result in an unacceptable loss of amenity to adjacent land users.

Other Matters

15. I note that the Council have not sought to dispute the appellant's conclusions that they are unable to demonstrate a deliverable 5 year housing supply, nor that there has been persistent undersupply within the Borough. I acknowledge too that the proposal would boost housing supply in a sustainable location. However, the proposal is for a single dwelling and its impact in boosting housing supply would be limited in such circumstances, such that it would not overcome the harm to the character and appearance of the area, identified above.

Conclusion

16. I have found that the proposal would be harmful to the character and appearance of the surrounding area. Although there are other factors which count in favour of the proposal, these have not been sufficient to outweigh the harm that I have identified.
17. For the reasons set out above therefore, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR