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## Appeal Decision

Site visit made on 28 June 2016

**by M Seaton BSc (Hons) DipTP MRTPI**

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

**Decision date: 01 July 2016**

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**Appeal Ref: APP/H0738/D/16/3149799**

**28 Hillbrook Crescent, Ingleby Barwick, Stockton-on-Tees, TS17 5BN**

- 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 Richard Clarke against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 16/0576/FPD, dated 3 March 2016, was refused by notice dated 5 May 2016.
  - The development proposed is the conversion of the existing garage to a habitable room.
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of the existing garage to a habitable room at 28 Hillbrook Crescent, Ingleby Barwick, Stockton-on-Tees, TS17 5BN in accordance with the terms of the application, Ref 16/0576/FPD, dated 3 March 2016, subject to the conditions below;
  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: Site Location Plan, Drawing No. RC01 (Existing & Proposed Elevations), Drawing No. RC02 (Existing & Proposed Floor Plans), and Drawing No. RC03 (Existing & Proposed Parking Layout).
  3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing hard standing.
  4. The extended hard standing shall be provided and made available for use prior to the hereby approved garage conversion being first brought into use. The hard standing shall be retained for the life of the development hereafter.

### Main Issue

2. The Council has concluded that the proposed conversion of the garage would not result in an adverse impact on the character and appearance of the dwelling and area, and would safeguard the living conditions of neighbouring occupiers. On the basis of my observations of the appeal site I would agree
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with these conclusions. As a consequence I consider the main issue to be the effect of the proposed development on highway safety.

### **Reasons**

3. The appeal site is set within a large residential development and is occupied by a detached two-storey dwelling with integral garage and open front garden accommodating an existing parking space in front of the garage. The property is positioned on the inside of a bend on Hillbrook Crescent and is set close to the junction with Hillmorton Road.
4. The Council has indicated that its *Supplementary Planning Document 3 (SPD3): Parking Provision for Developments 2011* requires the provision of 2 in-curtilage parking spaces for this size of dwelling, which is currently provided by the existing hard standing and garage. The Council has highlighted in this instance the particular need to achieve the parking standard due to levels of on-street parking recorded within the area.
5. The proposed conversion of the garage would result in a shortfall of parking, necessitating the need to provide an additional space within the curtilage in accordance with SPD3. In respect of this, the appellant has indicated the provision of a second space angled across the front garden on the proposed parking layout. The space would meet the requirements of SPD3 in terms of the minimum size, but would be located essentially parallel to the road, and I would agree with the Council's assessment that the space would entail a more onerous level of manoeuvring than the existing arrangement. However, I am mindful that such an arrangement is not entirely unusual as a solution for providing additional parking for residential properties. Furthermore, despite the proximity to the existing nearby junctions, I am not persuaded on the basis of the characteristics of the local highway network, including the generally low speeds with which vehicles travel along Hillbrook Crescent as a consequence of existing traffic calming measures, that the contended adverse highway conditions and impact on highway safety would result.
6. On the basis of the evidence placed before me and my own observations of the appeal site and vicinity, I am satisfied that the proposed development would not result in an adverse impact on highway safety. I have not therefore found conflict with Policy CS2 (criterion 3) of the Stockton-on-Tees Core Strategy Development Plan Document 2010, which seeks to ensure that the number of parking spaces provided in new developments is in accordance with the requirements of the SPD3.

### **Conditions**

7. Turning to the suggested conditions, I have considered these in the light of paragraph 206 of the Framework. This paragraph sets out that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise, and reasonable in all other respects.
8. Condition nos. 1 and 2 relating to timeliness and the identification of plans are necessary in the interest of proper planning and avoidance of doubt, whilst the third condition regarding the use of external materials to match those on the existing hard standing would be in the interest of the character and appearance of the area. The condition related to the provision of the hard standing for use

prior to first occupation of the garage conversion, and subsequent retention for use as parking, would be in the interests of highway safety.

**Conclusion**

9. For the reasons given above, and subject to the conditions listed, I conclude that the appeal should be allowed.

*M Seaton*

INSPECTOR