



Appeal Decision

Site visit made on 21 May 2019

by **Laura Renaudon LLM LARTPI Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 5 June 2019

Appeal Ref: APP/H0738/W/19/3223875

34 Ellerton Road, Stockton-on-Tees TS18 5NP

- 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 Jeff Floyd against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 18/2291/REV, dated 30 September 2018, was refused by notice dated 26 November 2018.
 - The development proposed is the creation of a single bedroomed bungalow in the side garden of existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. 34 Ellerton Road is the westernmost property of a row of single-storey terraced dwellings facing south onto Ellerton Road, interspersed by a large triangular area of green space. To the east of the row lies a further terrace of similar properties facing west. Opposite on the other side of Ellerton Road are two-storey dwellings, and to the west lie further single-storey dwellings (with some evidence of living space in the roofs) on Edgley Road, which lies off Ellerton Road adjacent to the boundary of the appeal site. The terrace including No 34 is set a little above the road, and the houses on Edgley Road are slightly but distinctly set down from those on Ellerton Road, with lower eaves and ridge lines.
4. The site lies close to the edge of the settlement, with open countryside lying beyond the nearby dwellings on Arathorne Road and the Penny Black public house to the west. A footpath lies to the north of the terrace giving a through route from Edgley Road to Swinton Road, passing the small rear courtyards of the dwellings in the terrace.
5. No 34 is different from its eastern neighbours in that it has the benefit of a garden area to the western side, as well as a rear courtyard. The appeal proposal is to extend the terrace into this garden area, providing an additional house and parking areas for each of the two resulting dwellings on the site. The

parking area for No 34 would be separately accessed, beyond the curtilage of the newly-created No 35. The new No 35 would be recognisably smaller than the other dwellings in the terrace, having the same depth and ridge, but not as wide and so with differing fenestration as a result.

6. Similar sizeable side gardens are seen on the other nearby corner plots at 18 Ellerton Road, which has a small flat-roofed extension to the rear southern side, and at 1 Edgley Road lying opposite the appeal site to the west. These all lie near to the triangular area of open green space, and contribute to the open and spacious feel of the area. The appeal site's garden is bounded by a wooden fence approximately 1m high, whereas the other corner plots are bordered by low brick walls.
7. The erection of a further dwelling to the west of the terrace would disturb this arrangement of spacious corner gardens that give an open aspect to the estate. Although the dwelling would not cover the entirety of the space, it would considerably reduce this openness, and would rather obviously contrast with the undeveloped gardens of the corner plots to the east and west.
8. The application plans show a ground level of the proposed new dwelling that is the same as its eastern neighbour, whereas the existing garden appreciably slopes away from the existing house towards the lower-lying dwellings beyond. The appeal proposal would result in an awkward transition where the new dwelling would appear too prominent, as a consequence of the increased mass of the building to manage the change in levels. In turn the development of this corner plot as shown in the appeal proposals, together with the parking arrangements, would result in a cramped form of development harmful to the spatial characteristics of the area. Infilling the corner plot would not match those others nearby, and against the lower-lying properties beyond it the change in levels would be more dramatically perceived as the result of bringing the terrace into closer proximity to them. It would thus adversely affect the relationship of the terrace with the surrounding properties, as well as reducing the openness of the area.
9. Policy SD8 of the Council's newly-adopted Local Plan requires new developments to respond positively to their surroundings and to create an attractive environment. For the above reasons, the appeal proposal would not comply with these policy requirements. The proposal would provide an additional house, and thereby attracts support from the Government's policy objective of boosting the housing supply, but it is not suggested that there is a local housing need that would warrant setting aside the development plan. Therefore the appeal is dismissed.

Laura Renaudon

INSPECTOR