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## Appeal Decision

Site visit made on 27 August 2019

by **Diane Cragg DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 September 2019

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**Appeal Ref: APP/H0738/W/19/3229758**

**Mecca Bingo Club, 2 Chandler's Wharf, Stockton-on-Tees TS18 3BA**

- 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 Gordon Ross (Mecca Bingo Ltd) against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 19/0265/FUL, dated 5 February 2019, was refused by notice dated 4 April 2019.
  - The development proposed is new lobby to front, erection of smoking shelter and relocation of 7 no. disabled parking bays.
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### Decision

1. The appeal is allowed, and planning permission is granted for new lobby to front, erection of smoking shelter and relocation of 7 no. disabled parking bays at Mecca Bingo Club, 2 Chandler's Wharf, Stockton-on-Tees TS18 3BA in accordance with the terms of the application 19/0265/FUL dated 5 February 2019, 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 drawing number 02 Revision C part Proposed Ground Floor Plan and drawing number 03 Revision A Existing and Proposed Elevations

### Preliminary Matters

2. The appellant acknowledges the change in the description of the development on the decision notice. I have used this description as it more accurately describes the development.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

### Reasons

4. The appeal site is part of a modern commercial area adjacent to a busy arterial route into Stockton-on-Tees. The single storey building is designed with a covered walkway across the frontage with a pitched roof supported by columns facing the communal car parking area. The entrance to the bingo club is via a projecting covered canopy with a clock tower to one side of the front elevation. A large, two-storey, flat roofed, casino is attached to the bingo hall. That

structure appears to be of more recent construction and is partly clad externally in grey panelling. A large car park separates the front of the units from the adjacent highway. The prevailing character of the immediate area is of large utilitarian commercial units and open spaces dominated by the car park and the multi lane highway that passes the site. The appeal building is a typical late twentieth century building of no particular design merit.

5. The appeal proposal includes the construction of a new lobby entrance under the canopy and replacement disabled parking bays. I note that the council do not object to these elements of the scheme and, based on the evidence before me, I would agree.
6. The appellant advises that the smoking shelter is designed in accordance with relevant regulations to provide an area with the appropriate proportion of floor space open to the sky. The smoking shelter would enable smokers who currently congregate outside the entrance (despite there being an existing smoking shelter at the rear) to have access to a designated space. It would also support other internal layout alterations proposed to enhance the way the business operates from the building which would preclude access to the existing smoking shelter to the rear at certain times. Whilst those matters are essentially operational concerns for the appellant and not necessarily planning considerations, the presence of an outdoor seating area would bring a degree of activity to the frontage of the site. The introduction of some human activity into the presently anonymous, little used, space underneath the canopy would in my view have a beneficial effect on the character of the site and the way it functions.
7. The fenced area would project outwards from the covered walkway but would be set back from the two-storey canopied entrance. As such, the fence would not project significantly into the open space to the front of the building, nor would it affect the prevailing sense of openness across the site as a whole. In the context of the scale of the unit and the scale of the adjacent car park, the area to be enclosed is modest. The fencing would not be a prominent feature in views from the road given the distance from the highway and the size of the intervening car park. Further, the scale and location of the fencing, at a height considerably below the eaves line of the building and behind and below the height of the entrance canopy would not dominate or detract from the appearance of the building. Moreover, the use of horizontal slatted panels would allow some visibility through the fencing and the grey/silver finish would tie in visually with the colour of the cladding on the canopy entrance and the adjacent casino. For all these reasons I find that the enclosure would not cause harm to the appearance of the site or the surroundings.
8. Consequently, I conclude that the development would not harm the character and appearance of the area and would not conflict with Policy SD8 Stockton-on-Tees Borough Council Local Plan adopted 30 January 2019 (Local Plan) which requires that development is designed to the highest possible standard taking into consideration context, quality, character and sensitivity of the surrounding public realm and paragraph 127 of the National Planning Policy Framework (the Framework) which requires that development functions well, is visually attractive and sympathetic to local character.

## **Other Matters**

9. The scheme includes the relocation of seven disabled parking bays to which the council have not raised any objections. Comments of the Friends of the Stockton and Darlington Railway, in acknowledgement of the location of the parking bays on the line of the former Stockton to Darlington Railway, request that a small plaque or sign be provided which interprets the route of the former railway line. Policy HE3 of the Local Plan supports the provision for the interpretation of the route where remains no longer exist. Although the Council's committee report refers to the former route of the railway line, I have no other information before me about this. The council have not provided any suggested conditions and based on the evidence before me I cannot confirm the route of the former railway and therefore whether a plaque or sign could be conditioned in accordance with the tests for imposing conditions set out in paragraph 55 of the Framework. Nevertheless, I note the appellant's undertaking to provide a plaque or sign and I would encourage the parties to work together to secure the objectives of the policy where appropriate.
10. A condition should be imposed to list the plans in the interests of certainty.

**Conclusion**

11. For the reasons set out above, and subject to conditions, the appeal should succeed.

*Diane Cragg*

INSPECTOR