



Appeal Decision

Site visit made on 21 October 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th November 2020

Appeal Ref: APP/H0738/W/20/3249510

Sopwith House, Cleveland Housing Trust, Sopwith Close, Preston Farm Industrial Estate, Stockton-On-Tees TS18 3TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Harold Eddy against the decision of Stockton-On-Tees Borough Council.
 - The application Ref 19/1953/FUL, dated 4 September 2019, was refused by notice dated 1 November 2019.
 - The development proposed is construction of a two-storey building containing garage / store on ground floor with separate office accommodation at first floor level.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development proposal is in a suitable location;
 - The effect of the development proposal upon the character and appearance of the surrounding area; and
 - The effect of the development proposal upon car parking capacity and the consequential implications of any vehicle displacement for the safety of pedestrians and other highway users along Sopwith Close.

Reasons

Whether in a Suitable Location

3. The appeal site is an area currently used for vehicle parking within Sopwith Park, a small business park which is part of the larger Preston Farm Industrial Estate on the edge of Stockton-on-Tees. The business park comprises 3 approximately equal sized 2-storey office blocks and associated car parking set within a secure fenced compound. Adjacent to the business park is Sopwith Close.
4. The development proposal comprises the erection of a 2-storey building containing a garage and storage facility on the ground floor with separate office accommodation at first-floor level together with an associated re-arrangement of parking on land to the side of Unit B within the business park. The building would sit on an area of tarmac currently used for 4 parking spaces.

5. The ground floor facility would be for use by the Cleveland Housing Trust (the CHT) whom occupies the adjacent office block known as Sopwith House. It would house a van, tools and materials necessary for the day-to-day maintenance of the CHT's housing stock. The first-floor office would occupy around 40 square metres of floorspace.
6. CHT owns and has control over the rest of Sopwith Park. Currently the CHT uses a building known as Pragnell House adjacent to the business park for storage purposes, but this is to be sold.
7. Policy EG3(2) of the Stockton-On-Tees Local Plan 2019 (LP) adopts a sequential approach to new office development. In the first instance it seeks to direct office uses to towns and town centres, then to sites on the edge of town or district centres that are well served by public transport, then within the boundaries of local centres and, finally, to sustainable out-of-town locations within development limits.
8. The proposed office facility would not be within a town or a town centre and is therefore in a less sequentially preferred location. It occupies an edge of town site. However, the Appellant has not provided a sequential assessment identifying alternative options for an office facility and explaining why they are not suitable. No details have been provided in regard to public transport provision within the area. Whilst this element of the development proposal is very modest in size the policy does not set a threshold.
9. Therefore, the Appellant has failed to justify the location of the proposed office facility through provision of an appropriate sequential assessment. Consequently, the proposal would fail to accord with Policy EG3(2) of the LP which requires such a study to be provided for office proposals that are not within town centres. However, Policy EG2 of the LP appears to be directed primarily at retail uses and so is not relevant to the development proposal.
10. The office proposal would also fail to accord with the advice set out at Paragraphs 85, 86 and 90 of the National Planning Policy Framework respectively that planning decision should seek to support town centres and ensure that decisions should be based upon a sequential approach.

Character and Appearance

11. The proposed building would be located close to the side of Sopwith House and close to the rear boundary of the business park. It would measure just under 10 metres in width, around 8 metres in depth and about 9-10 metres in height. The red brick side elevations and pitched concrete tile roof would match the design of the 3 units on the business park.
12. The area beyond the business park is generally commercial and industrial, comprising uses such as haulage yards, vehicle repair facilities and trade retail units. The 3 units in the business park are spaced apart in an ordered, tidy fashion and there is some element of landscaping.
13. The development proposal would disrupt that level of tidiness and order by introducing a smaller garage facility with an office above. Given the relatively limited area of land available it would appear cramped and incongruous to the detriment of the appearance of the business park.

14. Consequently, because it would harm the character and the appearance of the area it would fail to accord with Policy SD8(1d) of the LP which seeks to ensure that new development is appropriately laid out to ensure that it maintains an adequate separation of buildings and achieves a high quality environment. It would also fail to comport with the advice set out at Paragraph 127 of the Framework that new development should be of a high-quality design.

Car Parking and Highway Safety

15. The proposed development would lead to the direct loss of 4 parking spaces and generate a need for a further 2. The Appellant proposes to insert a new parking space close to the proposed garage / office and also release a small tarmacked area adjacent to one of the other 2 office blocks ('Unit B'), currently denoted on plans as 'hardstanding', for a further 3 spaces.
16. During my visit I noted that the area of hardstanding was already marked out for the parking of 5 vehicles although was taped-off and so unavailable for use. It is not clear that 5 vehicles could be accommodated within what is quite a confined area and so 3 as denoted on the plans seems more realistic.
17. It is likely, therefore, that the proposed development would lead to a displacement of 1 or 2 vehicles from the business park. There is already evidence that some of those working on the business park are parking their vehicles in the car park of the neighbouring veterinary practice.
18. On balance it seems inevitable that the displacement of 1-2 cars from the business park would lead to parking on Sopwith Close which has no parking restrictions. Given that the area is used by large lorries increasing the level of on-street parking is undesirable since it is likely to increase the level of vehicle and pedestrian conflict.
19. Thus, because the development proposal would fail to provide for a sufficient level of compensatory parking on-site it would not accord with Policy SD8 (1f) of the Stockton-on-Tees Local Plan 2019 which requires that new development provide safe and satisfactory access and parking.
20. Furthermore, the proposal would fail to comport with the guidelines governing B1 use (office / financial and professional services) set out in the Council's Supplementary Planning Document No 3: Parking Provision for Development 2011 which requires, inter alia, sufficient operational and area parking for vehicle manoeuvring within the site.
21. Finally, since the proposal would have any adverse effect on highway safety it would fail to comply with the advice set out at Paragraph 109 of the National Planning Policy Framework.

Conclusion

22. For the reasons set out above the appeal should be dismissed.

William Walton

INSPECTOR