



# Appeal Decision

Site visit made on 17 May 2022

**by A Caines BSc(Hons) MScTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 May 2022**

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**Appeal Ref: APP/H0738/D/22/3296265**

**19 Nevern Crescent, Ingleby Barwick TS17 5EX**

- 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 S Kell against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 21/2539/REV, dated 8 September 2021, was refused by notice dated 11 January 2022.
  - The development proposed is extension of existing garage to create triple garage, roof alterations for the creation of storage room.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the development on:
  - i) the living conditions of the occupiers of 21 Nevern Crescent with particular regard to outlook; and,
  - ii) the character and appearance of the area.

## Reasons

### *Living conditions*

3. The existing pitched roof double garage has its gable end located close to, and facing, the modestly sized rear garden of 21 Nevern Crescent. A similar arrangement exists on the opposite side of number 21's garden.
4. As part of the proposal to extend the garage to the side, its roof would be turned 90 degrees so that it would now slope away from the boundary. However, the benefits of this to number 21 would be negated by the increase in the length of the garage. This would span the majority of the garden boundary, also extending beyond the rear wall of number 21, thereby closing the important gap that currently provides some relief from the effects of enclosure on that side of the garden. Consequently, even when taking into account the sloping roof form, the extended garage would, through its length and height, undoubtedly have a greater overbearing and oppressive effect on the outlook from the rear windows and garden of number 21 than the current garage building, and cause an undue sense of enclosure.
5. I therefore conclude, on this issue, that the development would unacceptably harm the living conditions of the occupiers of 21 Nevern Crescent with particular regard to outlook. This is contrary to Policies SD3 and SD8 of the

Stockton-on-Tees Borough Council Local Plan (2019) (the LP), which among other things, seek to protect the amenity of neighbouring occupiers. It is also contrary to paragraph 130 of the National Planning Policy Framework (the Framework), where it requires development to provide a high standard of amenity for existing and future users.

#### *Character and appearance*

6. 19 Nevern Crescent is a two-storey detached dwelling located within a modern open plan housing estate. The existing detached double garage is a design found commonly throughout the estate, but other forms of attached and integral garaging exist through the variety in house types.
7. The appellant highlights another property with a triple garage in a different part of the estate, but I did not observe any such examples in the vicinity of the appeal site. Nonetheless, the garage is located on a spacious corner plot where its enlargement could be comfortably accommodated without appearing cramped, or compromising the open plan character. Nor would it impinge on any front building line. In addition, its design and height would respect the main house and surrounding buildings. Consequently, the garage would not appear as a disproportionate or unduly intrusive element in the street scene.
8. I therefore conclude, on this issue, that the development would not be harmful to the character or appearance of the area. In this regard, the proposal complies with LP Policies SD3 and SD8 in so far as they require a high standard of design taking into consideration the context of the surrounding area and that extensions should be in keeping with the property and street scene in terms of style, proportion, and materials.

#### **Other Matters**

9. The development would enable the appellant to carry out his hobby at home, which, in turn, would reduce the number of journeys made for that purpose. However, these matters are far outweighed by the harm I have described and the resultant conflict with the development plan and Framework as a whole.

#### **Conclusion**

10. Although the development would not harm the character or appearance of the area, it would significantly harm the living conditions of neighbouring occupiers. The proposal therefore conflicts with the development plan taken as a whole and there are no considerations that indicate the decision should be made other than in accordance with the development plan. Accordingly, the appeal should be dismissed.

*A Caines*

INSPECTOR