



Appeal Decision

Site visit made on 2 June 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2020

Appeal Ref: APP/J4525/D/20/3247207

16 Fieldside, East Rainton, Houghton-Le-Spring, Sunderland DH5 9RP

- 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 Mrs Mavis Linden against the decision of Sunderland City Council.
 - The application Ref 19/01036/FUL, dated 19 June 2019, was refused by notice dated 20 November 2019.
 - The development proposed is a ground floor rear and side extension to dining room kitchen and garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. This appeal must be determined on the basis of the development plan as it exists at the time of my decision. Subsequent to the Council's decision, it has adopted a new Core Strategy and Development Plan (CSDP). The Council has confirmed that the policies of the Unitary Development Plan referred to in its decision have been replaced. Both parties have had the opportunity to comment on the new development plan. I have therefore considered the appeal against the relevant adopted policies and make no further reference to the previous development plan.

Main Issues

4. The main issues in this appeal are:
 - The effect of the proposal on the living conditions of residents of 18 Fieldside with regards to outlook; and
 - Whether the proposal would make suitable provision for car parking.

Reasons

Living Conditions

5. A side wall of the rear extension would be located on the boundary with 18 Fieldside, with an opaque glass screen projecting beyond that. Due to the bulk and projection of this element of the proposal along the boundary, the extension and screen would appear as overbearing and obtrusive features in views from the rear ground floor windows and garden of No 18. This overbearing impact would be exacerbated further due to the rear gardens being set lower than the ground floor of the property, which would lead to a commensurate increase in the apparent height and massing of the proposal when viewed from the garden of No 18.
6. I conclude that the proposal would lead to significant harm to the living conditions of residents of No 18 due to an oppressive and overbearing impact on outlook from the rear of that property. The proposal would therefore be contrary to Policy BH1 of the CSDP which states that development should ensure a good standard of amenity for existing and future occupiers of land and buildings.

Car Parking

7. Parking provision at the appeal site is currently provided by a garage to the side with an open driveway leading to the highway. I saw that the driveway has a close-knit relationship with that of the neighbouring property of 14 Fieldside.
8. The proposal would involve extending the garage forward with a subsequent reduction in the extent of driveway. An enclosed hardstanding to the side of the extended garage would provide external parking provision.
9. The Council's Transportation Development Officer has expressed concern that the hardstanding would not meet the Council's guidelines for an enclosed parking space. Based on the evidence before me, I have no reason to disagree. The extent of useful parking area would be reduced further by a short flight of steps projecting onto the hardstanding. When combined with the inconvenience arising from the need to open gates to access the hardstanding, the substandard area of proposed parking would be likely to displace the parking of cars at the appeal site onto the remaining extent of driveway or onto the highway.
10. If car parking takes place on the remaining open driveway at the appeal site, the evidence suggests that this could conflict with access to the parking area and garage at No 14. Moreover, it has not been demonstrated that cars could access the proposed hardstanding without conflicting with vehicles parked within the property of No 14 e.g. through a swept path analysis. The constrained parking and access at the appeal site could therefore be harmful to the reasonable access that residents of No 14 could expect to their property. This may also lead to the displacement of parking from both the appeal site and No 14 onto the highway.
11. The appeal site and no 14 are two of a number of properties located at the head of this cul-de-sac. Any increase in on-street parking in this area would be likely to hinder the manoeuvring of vehicles within the turning head to the detriment of highway safety. The parking of vehicles projecting onto the

footpath would also limit the movement of pedestrians and may deflect them into the roadway, increasing the potential for conflict with vehicles.

12. I conclude that the proposal would not make suitable provision for car parking with resultant harm to access to No 14 and to highway safety. The proposal would therefore conflict with policies BH1 and ST3 of the CSDP which seek to ensure that development creates safe and convenient areas for parking and access, and not compromise the free flow of traffic and pedestrians.

Other Matters

13. I have had regard to the evidence provided in respect of land ownership and the potential to erect a fence along the site boundary. However, issues of land ownership and potential trespass are private matters between the parties. The potential to erect a fence along the boundary also does not lead me to a different conclusion in respect of the restricted nature of access and parking at the site - indeed the effect of a fence on manoeuvring space may exacerbate the harm arising from the appeal proposal in respect of parking.

Conclusion

14. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR