
Appeal Decision

Site visit made on 22 September 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th October 2020

Appeal Ref: APP/V0728/W/20/3255060

Lock up garages, Tweed Street, Saltburn, Redcar & Cleveland TS12 1JR

- 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 John Robinson against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2019/0663/CA, dated 23 October 2019, was refused by notice dated 28 February 2020.
 - The development proposed is described on the application form as 'Demolition of obsolete garages & construction of two bedroom detached dwelling'. (sic)
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. On the original application form the site address did not include a postcode. In the interest of clarity and precision, I have added a postcode to the site address in the banner heading above.
3. The Council have described the development as 'demolition of garages replace with a detached two bedroom dwelling'. I note that the appellant has also utilised this description on their appeal form. I consider that the Council's revised description provides a succinct and accurate description of the proposal and I have therefore determined the appeal on the basis of the revised description.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the living conditions of neighbouring occupiers having particular regard to matters of privacy; and
 - The effect of the proposed development on highway safety.

Reasons

Living Conditions

5. The adopted Design of Residential Areas Supplementary Planning Document 2011 (SPD) states that the usually required separation distance between the fronts and/or backs of dwellings is 21 metres.
6. The rear elevation of the proposed dwelling would be located opposite the rear elevation of no. 2 Leven Street which has a two-storey rear extension with there

- being a gap of approximately 12 metres between them. Therefore, I consider that the separation distance between them would fail to meet the SPD requirement.
7. There are also what appear to be two first floor bedroom windows on the rear elevation of the extension to no. 2 with another first floor bedroom window on the rear elevation of the property. The proposal would have one first floor bedroom window and one first floor bathroom window on its rear elevation. This bathroom window would be obscure glazed. Consequently, given the short distance between them, I find that the proposal would cause an unacceptable degree of overlooking of the first floor bedroom windows on the rear elevation of no. 2 Leven Street from its first floor rear bedroom window.
 8. I also acknowledge that it is proposed that the bottom section of the first-floor bedroom window be obscure glazed. However, as the proposed first floor bedroom would only have one window, I consider that the installation of partially obscure glazing would neither be a desirable nor reasonable solution in this instance.
 9. The front elevation of the proposal would also be located approximately 17.5 metres from the front of the Valtory Court apartments and approximately 18.5 metres from the front of Glenhow, which comprises another set of apartments. Consequently, the proposal would also fail to meet the SPD requirement in this regard.
 10. As a result, while I acknowledge that due to the vehicular access serving the rear of Valtory Court the proposal's front elevation would only directly face a small portion of each of the opposite properties' respective front elevations, given the short distance between them I consider that there would be an unacceptable loss of privacy to the occupiers of these properties nonetheless particularly for those in the rooms served by the front windows closest to the alleyway.
 11. I acknowledge the appellant's point that the distances between the front elevation of Valtory Court and those of nos. 1 and 5 Tweed Street are less than 18 metres. However, the front elevations of nos. 1 and 5 are more offset to that of Valtory Court than the proposal's would be. Indeed, given its location the front elevation of no. 5 does not directly face that of Valtory Court.
 12. I therefore conclude, on this main issue that the proposed development would materially harm the living conditions of neighbouring occupiers having particular regard to matters of privacy in conflict with Policy SD4 (b) of the adopted Redcar & Cleveland Local Plan 2018 (RCLP) which aims to ensure that development will not have a significant adverse impact on the amenities of occupiers. It would also conflict with paragraph 127 f) of the National Planning Policy Framework (the Framework) which aims to create places with a high standard of amenity for existing and future users.

Highway Safety

13. The SPD states that the minimum garage size set out in the Council's highway Design Guide is 6 metres by 3 metres. In addition, the Council's parking standards require that two parking spaces be provided for a two bedroomed dwelling.
14. The proposal would have an integral ground floor garage to the rear of the property which would measure approximately 5.6 metres by 2.6 metres. The appellant also advises that an additional parking space would also be provided in the area in front of the integral garage that would measure approximately 5 metres in length. It is not specified how wide this potential additional parking space would be.

15. Furthermore, from the evidence provided by the Council, the area of land to the rear of the existing garages would appear to be adopted highway which would make it difficult for the additional parking space to be provided without stopping up the highway and the appellant has not provided any substantive or convincing evidence to the contrary. Consequently, I consider that the proposal would fail to provide enough off-street car parking spaces to meet the stated requirement.
16. I acknowledge the appellant's point that an average car is approximately 4.4 metres in length and 1.8 metres in width. However, even if this were the case, there is no way to be certain that the proposal's future occupiers would own a car of this size and not something much bigger.
17. I also acknowledge that many of the properties in the surrounding area do not and have never had off-street parking. However, this only serves to illustrate that there is already a lack of adequate provision in the area which the proposal would likely exacerbate. This combined with the apparent and related high demand for on-street parking in the area, as highlighted by interested parties, means that the proposal would have an adverse impact on highway safety in this regard.
18. Moreover, given the location of the proposed garage and additional rear parking space in relation to the small narrow alleyway behind them I consider that it would be difficult for a vehicle to enter and exit these spaces in a safe or convenient manner.
19. I note the appellant's point that the proposal would have no more of an impact in relation to the frequency of vehicles parking than the existing garages. However, vehicles entering/exiting the existing garages do so facing southwards onto Tweed Street where there is an existing turning area and a wider field of vision whereas those using the proposed garage and additional parking space would need to navigate alleys with a much narrower field of vision.
20. Indeed, the Highway Authority have raised concerns on the above matters and from the evidence before me I see no reason to disagree. I therefore conclude, on this main issue, that the proposed development would materially harm highway safety in conflict with Policy SD4 (p) of the RCLP which aims to ensure that development provides suitable and safe vehicular access and parking suitable for its use and location.

Other Matters

Impact on Heritage Assets

21. The proposal is located within the Saltburn Conservation Area and close to two grade II listed buildings. However, as the Council have not raised any concerns in relation to any potential adverse impact on these heritage assets and given that I am dismissing the appeal on other substantive grounds, I have not considered this matter further.

Conclusion

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

C Coyne

INSPECTOR