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# Appeal Decision

Site visit made on 13 April 2021

**by Diane Cragg DipTP MRTPI**

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

**Decision date: 04 May 2021**

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**Appeal Ref: APP/H0738/D/20/3258422**

**31 Bradbury Road, Norton TS20 1LE**

- 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 & Mrs W Carter against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 20/1261/REV, dated 22 June 2020, was refused by notice dated 14 August 2020.
  - The development proposed is demolition of existing detached garage & erection of a single storey detached garage/garden building to the rear, raised decking and off-street parking area.
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## Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing detached garage & erection of a single storey detached garage/garden building to the rear, raised decking and off-street parking area at 31 Bradbury Road, Norton TS20 1LE in accordance with the terms of the application ref 20/1261/REV dated 22 June 2020 subject to the conditions set out in the attached schedule.

## Main Issue

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

## Reasons

3. No 31 Bradbury Road is a detached property prominently located on the corner of Bradbury Road and Cottersloe Road. The appeal property is part of an area that is largely characterised by similarly designed semi-detached and detached houses set back from the road frontage behind enclosed front gardens. No 31 has a detached single garage adjacent to the back boundary with vehicle access from Cottersloe Road.
4. Cottersloe Road rises to its junction with Bradbury Road and the garden of No 31 also rises with the lowest part of the garden adjacent to the existing garage and driveway. Steps from the driveway lead to a raised garden and further steps to a raised patio provide access into the rear of the property. The side boundary adjacent to Cottersloe Road is defined by a low brick wall with close boarded fencing above, stepped to take account of the change in land level. To

the rear of the garden is a substantial leylandii hedge which restricts views into the rear garden from Cottersloe Road.

5. The removal of the leylandii hedge would result in the rear of the property being more visible from Cottersloe Road. Even so, the proposed garden building would be set back from the front of the single storey side extension of the adjacent property (No 2 Cottersloe Road) and further back from the road frontage than the existing garage. Although the building would be higher and larger than the garage, the change in land levels would limit its height in relation to the site boundaries and its prominence in the street. The extended raised patio, retaining walls (to retain the new site levels) and the proposed hardstanding would be enclosed by the side boundary treatment and would not be incongruous or obtrusive.
6. I appreciate that the dwelling has been extended previously, but many of the adjacent dwellings have been extended and the appeal site does not appear particularly built up in comparison. Although new planting may be slow to establish in a restricted planting bed, the proposed development would continue to be enclosed to its side boundary by a low wall with fencing. Limited planting on the boundary would not be out of character with neighbouring sites or inappropriate to the character of the area. Overall, the development would not result in the appeal site appearing notably more built up or particularly cramped.
7. For these reasons, I conclude that the proposal would not harm the character and appearance of the area and would accord with Policy SD8 of the Stockton-on-Tees Borough Council Local Plan adopted 30 January 2019 where it seeks the highest possible design which responds positively to the quality, character and sensitivity of the surrounding public realm. It would also accord with the National Planning Policy Framework which seeks to ensure that development is sympathetic to local character.

### **Other Matters**

8. I have had regard to the concerns raised by third party representations about the detail of the scheme along the southern boundary. However, the effect of the development on the neighbouring properties was considered by the Council and has not been raised as a reason for refusal. I saw no reason at my site visit to reach a contrary conclusion.

### **Conditions**

9. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty of the development for which permission is granted.
10. An archaeology condition is required to provide a reasonable opportunity to record the history of the site in an area of archaeological interest prior to commencement.
11. A condition is necessary to require details of the boundary treatment on the western and southern boundaries in order to ensure that the height and design of it accords with the intention of the design on the submitted plans.

## **Conclusion**

12. I conclude that the proposal complies with the development plan and there are no material considerations to indicate that a decision should not be taken in accordance with it.
13. Therefore, the appeal is allowed, subject to conditions.

*Diane Cragg*

INSPECTOR

## **Schedule of Conditions**

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos AJR18:70 -01A, 02A, 03A, 04A and 05
3. A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority (LPA) in writing. The scheme shall include an assessment of significance and research questions; and:
  1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
4. No development shall commence until details of the proposed boundary treatment on the western and southern boundaries of the site have been submitted to and agreed in writing by the LPA. The boundary treatment shall

be carried out in accordance with the approved details before any part of the development is brought into use.