



Appeal Decision

Site Visit made on 25 May 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 9th June 2021

Appeal Ref: APP/M3455/W/20/3266135

**Former STW Pumping Station site, Turnhurst Road, Stoke-on-Trent
ST7 4QR**

- 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 Cygnus Property Ltd against the decision of Stoke-on-Trent City Council.
- The application Ref 65442, dated 12 June 2020, was refused by notice dated 16 December 2020.
- The development proposed is described as 'Redevelopment of former STW pumping stations site for 2 new semi-detached 3 bed homes'.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted amended plans in order to address the Council's concerns in respect of the layout of the proposed car parking spaces. These revisions have resulted in the re-siting of the proposed dwellings and the proposed parking bays being re-orientated to be positioned perpendicular to the highway. The attached garages have also been increased in size and scale as a result.
3. I consider the revisions to be a significant alteration from the original scheme, and from that which formed the original application. The revised details were not considered by the Council in their determination of the planning application and were not subject to a period of public consultation. In addition, I am conscious that the appeal process should not be used as a means to progress alternatives to a scheme that has been refused. In the interests of fairness and natural justice, I consider that the Council and interested parties would be prejudiced by the consideration of the amended proposal. I have therefore determined the appeal on the basis of the original plans submitted with the application.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area and on pedestrian and highway safety.

Reasons

Character and appearance

5. The appeal relates to a roughly rectangular shaped piece of land that contains a disused single storey flat roof pumping station. Although there is two storey housing on the opposite side of Turnhurst Road, and a neighbouring detached

bungalow adjacent to the site, which all have pitched roofs, the appeal site abuts open fields. The nearby areas of open space, grassed highway verges and mature trees combine to provide a pleasant and spacious verdant character to this part of the road.

6. The submitted plans show the proposal to be of a contemporary design, incorporating full height windows and timber cladding. However, I do not consider these factors to be sufficient to ensure that the proposal would, as the appellant suggests, blend into the natural landscape. This is because the proposal's siting, in close proximity to the back edge of the Turnhurst Road footway, when combined with its size, bulk and box-like profile would result in the introduction of a prominent feature that would appear conspicuous in its context.
7. I recognise that design is subjective. However, in my view, the proposal's form, notwithstanding the proposed incorporation of familiar materials such as Staffordshire blue and red brick, would fail to sufficiently reflect the identity of local buildings or reinforce local distinctiveness. The flat roof, particularly when seen from the south of Turnhurst Road would emphasize the building's bulk and would be at odds with what is typical of dwellings in the area. Compared with the existing single storey flat roof pumping station, the proposed building would also have a materially greater presence and impact on the spaciousness of the immediate surroundings, and in light of the above, would be harmful to it.
8. In support of its case the appellant argues that as the plot is unique it requires a design that is away from a traditional bungalow or a 1960s semi detached house. It also contends that 76% of the site is to be retained as landscaping and that the proposal would only be 0.3 metres taller than the roof ridge height of the neighbouring bungalow. However, these factors do not overcome or outweigh the harm that the proposal would cause to the character and appearance of the area.
9. As such the proposed development would conflict with Policy CSP1 of the Core Strategy¹. This requires, amongst other things, for new development to be well designed to respect the character, identity and context of the area. This policy reflects an aim of the Framework² to ensure that developments are sympathetic to local character. The proposal would also not comply with the Design Guidance³, which advises that residential development should be designed to contribute towards improving the character and quality of the area.

Pedestrian and highway safety

10. I noted on my midday site visit that there was a regular flow of traffic in both directions along Turnhurst Road. Whilst there are 30 mph restrictions in place, and splitter islands nearby, I observed that vehicle speeds appeared to be relatively high despite the speed limit. I appreciate that this was only a snapshot in time, nonetheless it would be reasonable to assume that compared to these conditions the level of traffic is likely to be greater at peak times, during the morning and early evening, when most people commute.

¹ Newcastle-Under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (2009)

² The National Planning Policy Framework 2019

³ Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010)

11. Given the proximity of the proposed dwellings to the footway the proposed parking spaces would be cramped with the potential for the overhanging of parked vehicles. There would also not be a sufficient area to ensure that vehicles could enter and leave the site in forward gear so; use of the accesses would involve either reversing into or off the highway, with consequent manoeuvres taking place on this road. These manoeuvres would interrupt the free flow of traffic and create the potential for conflict with highway users. This danger would be exacerbated by the appeal site's location on a slight bend and the presence of a grassed highway verge and mature tree in front of one of the proposed driveways. These would cause obstruction and impede visibility when trying to enter or leave the site.
12. Any reversing manoeuvre would pose a very serious risk to the safety of the users of the proposed car parking spaces and to motorists, cyclists and pedestrians using Turnhurst Road.
13. In reaching my views I have had regard to the evidence before me in respect of accidents in the local area. Nonetheless, I do not consider the limited number of recorded accidents to be a persuasive justification for increasing the risk of an accident occurring in the future. I also recognise that vehicles using the driveways of some of the residential properties on the opposite side of Turnhurst Road may have to reverse on to the highway. However, the presence of these driveways would not negate or overcome the highway danger that I have identified above.
14. As such I find that the proposed development would have a materially harmful effect on highway safety. It would therefore conflict with Core Strategy Policies CSP1 and SP3, which seek, among other things, to ensure that developments adopt design principles which work to create safer travel and environments.

Other Matters

15. The appellant has put forward a number of other factors in support of their case. These include the efficient use of a previously developed site, the robust prefabricated construction, the incorporation of sustainable materials, and the contribution that the proposal would make towards housing need and modern family living. I have also been made aware of the proposal's density range, its secure and level access, and the health benefits associated with the links and views over Packmoor that would be provided. Nonetheless, given the scale of the proposed housing any benefits in these respects would be somewhat limited and would not outweigh the harm that the proposal would cause.
16. I am aware that the design of the scheme was altered following pre-application discussions with the Council. I also note the appellant's disappointment with the lack of opportunity to amend the scheme during the processing of the application and the lack of a formal consultation report from the Council's Highway Department. However, these matters have had no bearing on the outcome of this appeal as I have only had regard to the planning merits of the proposal that is before me.

Conclusion

17. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should therefore be dismissed.

Mark Caine

INSPECTOR