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## Appeals Determined North Sunderland

Between 01/02/2011 and 28/02/2011

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Team	Ref No	ADDRESS	Descriptio	Appeal Decision	Date of Decision
N	10/00022/REF	Land Adjacent To 18 Caspian Road Sunderland	Erection of six two bed roomed flats (amended car parking plans recieved 23.4.2010)	DISMIS	11/02/2011



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# Appeal Decision

Site visit made on 8 February 2011

by **John L Gray DipArch MSc Registered Architect**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: **11 February 2011**

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## Appeal Ref. **APP/J4525/A/10/2132445**

### Land adjacent to **18 Caspian Road, Hylton Castle, Sunderland, SR5 3SE**

- 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 Warden Law Developments Limited against the decision of Sunderland City Council.
  - The application, ref. 10/00970/FUL, dated 18 March 2010, was refused by notice dated 26 May 2010.
  - The development proposed is a building providing six 2-bedroom flats.
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### **Decision: I dismiss the appeal.**

#### **Main Issues**

1. There are three main issues – the effect of the proposal on the street scene, the effect on the amenities of neighbouring residents and the adequacy of the proposed car parking provision.

#### **Reasons**

##### ***Effect on the street scene***

2. Hylton Castle Estate is a development from around the 1950s of what was then Council housing. It comprises two-storey buildings, generally either semi-detached houses or containing two ground floor and two first floor flats. They are set well back from the roads and have reasonably generous rear garden areas. While the quality of architecture may be modest, the estate at least has a consistent and relatively spacious quality.
3. One can surmise that a building of four flats once stood on the appeal site, which is nowadays grassed. And one could not object to development for housing if it was designed to be in keeping with its context. Quite simply, the appeal proposal is not.
4. It would be three-storeyed, amidst a development uniformly of two storeys. It would project forward of the building line established by the flats to the east. It would be more than twice the depth of the neighbouring buildings, giving it a mass and bulk wholly out of keeping with its surroundings. An attempt has been made to reduce the apparent height and bulk by incorporating the second floor partly within the roof. Even so, the lowest eaves height is still about 2.0m above that of the adjacent buildings, the ridge about 3.0m higher. The depth of the building also means a roof pitch of around 25°, significantly shallower than the existing housing and serving to emphasize the mass and bulk of the proposal. All in all, I see nothing to commend the proposed design and much to put it in conflict with saved UDP Policy B2.

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**Residential amenity**

5. The mass and bulk of the proposed building, inappropriate in design terms, would also harm the living conditions enjoyed by neighbouring residents. It would stand less than 1.0m from the western boundary and extend over 7.0m beyond the rear of the neighbouring building. It would extend to about 7.0m from the rear boundary and just 19.0m from the rear façades of the houses to the north. The front part of the eastern flank wall would be about 14.0m in a direct line from the rear of no. 18, to the east, the rear part less than 12.0m away at only a slight angle. Given the height of the building, it could not fail to be unduly dominant and overbearing for neighbouring residents, whether in their houses or their gardens, reducing the amount or quality of daylight for most and the amount of sunlight for some. The first and second floor lounge windows at the rear would overlook the gardens and houses to the north from unacceptably short distances. All of that puts the proposal further in conflict with Policy B2.

**Car parking**

6. Neither of the site layouts appears to me to make adequate provision for car parking. Drawing 3 shows three spaces end-to-end in front of the building, each only about 4.6m long and with a manoeuvring width for the westernmost space of just 1.6m between it and the front of the building. Quite apart from the inadequacy of the space, cars would have to manoeuvre directly outside the lounge and bedroom windows of the ground floor flat. The two spaces immediately to the east of the site access scale only 4.5m long, with the manoeuvring width for one being virtually the same. The other three spaces, alongside the eastern boundary, are again only 4.6m long, which constrains the ability to manoeuvre in and out of them. The layout conflicts with saved UDP Policies T14 and T22 and exacerbates the conflict with Policy B2.
7. The layout on Drawing 4 is, in overall terms, no better. There are only two spaces directly in front of the building but the manoeuvring width and the relationship to the ground floor flat are no different. The two spaces alongside the eastern boundary are acceptable. And there would be four spaces to the rear, adequate in themselves but with very constrained access around the corner of the building and no real opportunity to turn a car to negotiate that access in forward gear. This layout also means that virtually the entire site around the building would have to be paved for vehicular movement and there would be no garden area for the occupiers of the flats. Neighbouring residents would be subjected to the noise of cars being parked at what ought to be the quieter rear side of their dwellings. Although for somewhat different reasons, this layout causes exactly the same policy conflicts as that on Drawing 3.

**Overall conclusion**

8. In design terms, the proposal is far too large a building for its site and would look sorely out of keeping with its surroundings. That is emphasized by the harmful effect it would have on the living conditions that neighbouring residents can reasonably expect to enjoy. The parking layouts highlight the very same point, making technically inadequate provision while at the same time diminishing the quality of living conditions for the occupiers of both the proposed building and those neighbouring residents who would have cars manoeuvring close to their rear boundaries. I cannot but dismiss the appeal.

*John L Gray*

Inspector