

Appeal Decision

Site visit made on 10 January 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 16 January 2017

Appeal Ref: APP/V0728/D/16/3164098

53 Clive Road, Normanby TS6 0RS

- 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 Lee McLoughlin against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2016/0486/FF, dated 21 July 2016, was refused by notice dated 1 November 2016.
 - The development proposed is a two storey side extension; part demolition of existing single storey flat roof offshoot and replace with single storey rear extension with pitched roof; hardstanding parking area at side and 1.8m high close boarded timber fence to rear / side perimeter of parking area.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension; part demolition of existing single storey flat roof offshoot and replace with single storey rear extension with pitched roof; hardstanding parking area at side and 1.8m high close boarded timber fence to rear / side perimeter of parking area at 53 Clive Road, Normanby TS6 0RS in accordance with the terms of the application, Ref R/2016/0486/FF, dated 21 July 2016, subject to the following 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: Existing Site Location Plan and Proposed Block Plan; Proposed Plans Dwg No 02; Existing and Proposed Plans and Elevations Dwg No 01 and Proposed Site Location Plan – Build Lines.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The driveway parking area shown hatched on Proposed Plans Dwg No 02 shall not be brought into use until the parking area has been drained and surfaced in accordance with details submitted to and approved in writing by the local planning authority. This area shall be retained as such thereafter and not be used for any purpose other than the parking of vehicles.
 - 5) Notwithstanding the detail shown on Proposed Plans Dwg No 02 in respect of the close-boarded timber fence, full elevational details of the
-

fence enclosing the parking area shall be submitted to and approved in writing by the local planning authority prior to the parking area being brought into use. The development shall thereafter be retained in complete accordance with the agreed details.

Procedural Matters

2. I have used the description of the proposal from the Council's decision notice and from that set out on the appellant's appeal form, which I consider to adequately and accurately describe the proposed development. I have therefore considered the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site is a corner plot property on the inside of the junction of Clive Road and Windsor Road. Properties on Clive Road are predominantly terraced, in short terraced rows of between three and eight dwellings. Whilst the surrounding streets are typically comprised of semi-detached dwellings and bungalows, overall, the area is characterised by rows of semi-detached properties and short terraces, set relatively closely to each other. However, the areas around the junctions of streets within the estate have a more open, spacious feel, created largely by the siting of the dwellings within the garden plots, and the resulting generous side garden areas.
5. To this end, the Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) sets out guiding principles for residential alterations and extensions. For corner sites, it states that particular care will be required in the design of extensions on a corner site. In order to maintain the openness of corner sites, a gap should be retained around the property respecting the building lines of the street, and should not generally be less than 3 metres from the building to the back edge of the pavement.
6. In this instance the proposed two storey side extension would not achieve the required distance from the pavement, which the Council estimate to be in the region of 2.85 metres. However, whilst I note that the Council acknowledge that the shortfall would not be significantly below that required by the SPD, I do not share their concerns about the implication of that shortfall in terms of the sense of openness of the surrounding area.
7. Although the front corner of the extension would fall short of the gap required by the SPD, the obtuse angle of the junction at Clive Road and Windsor Road is such that the side garden of the appeal site increases in width towards the rear. As a consequence, the gap between the flank wall and rear corner of the extension and the pavement would be greater at the rear than at the front. Moreover, the row of houses to the rear of the appeal site at 67 – 85 Windsor Road follows the outside of a bend in that road. From my observations I found that the building line is limited and not particularly strongly defined, whilst the flank wall of the side extension would continue the incremental turn initiated in the alignment of Nos 67 – 85.

8. The National Planning Policy Framework (the Framework) seeks flexibility in planning decisions, and the Council acknowledge that the shortfall in this instance would not be significantly below the SPD requirement. As such, in this particular context, it seems to me that whilst the proposal would fall short of the 3 metre gap from the inside of the corner required by the SPD, it would do so by only a small amount. It is my judgement therefore, that, for the reasons set out, such a shortfall would not materially reduce the sense of openness on this corner, nor would it result in a jarring, obtrusive feature in the street scene.
9. The Council have not objected to the overall scale and proportions of the side extension in relation to those of the main house, or the extent to which it would be set back from the front face of the main house. I note, too, that they also consider the single storey rear extension to be acceptable and I see no reason to reach a different conclusion in these respects. Thus, I conclude that the proposed development would not cause harm to the character or appearance of the surrounding area. Despite the technical breach of the SPD in respect of corner plot sites, the site specific circumstances of this appeal mean that the scheme would still comply with the overall design aims of policies CS20, DP2 and DP3 of the Redcar and Cleveland Local Development Framework.

Other Matters

10. Currently, access to an in-curtilage car parking space is taken from Windsor Road, adjacent to the boundary with 85 Windsor Road. The proposal includes provision of an additional parking space, and a consequential increase in the width of the access thereto, with a new close-boarded timber fence around the perimeter of the enlarged parking area. The Council are satisfied that the surfacing and drainage of the parking area and the full detail of the fence enclosing it can be adequately dealt with by condition, and I have no reason to take a different view.

Conditions

11. I have considered the Council's suggested conditions in light of the Framework and Planning Practice Guidance. In addition to the time limit condition, I agree that conditions specifying the approved plans and the use of matching materials are necessary in order to provide certainty and in the interests of character and appearance, respectively. Conditions regarding the detail of the surfacing and drainage of the parking area, and the full detail of its means of enclosure, are necessary in the interests of highway and pedestrian safety, and I have thus imposed conditions to this effect.

Conclusion

12. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR