

Appeal Decision

Site visit made on 3 January 2017

by Philip Lewis BA (Hons) MA MRTPI

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

Decision date: 17 January 2017

Appeal Ref: APP/V0728/D/16/3162598

41 Marlborough Avenue, Marske by the Sea TS11 6AU

- 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 and Mrs Jerry Boardman against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2016/0507/FF, dated 2 August 2016, was refused by notice dated 5 October 2016.
 - The development proposed is front & rear two storey extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of 39 Marlborough Avenue with particular regard to any dominating effects and/or effects upon outlook from the first floor rear windows.

Reasons

Character and appearance

3. The appeal proposal relates to 41 Marlborough Avenue, a semi-detached dormer bungalow with flat roof dormers to the front and rear, spanning almost the whole width of the pair of dwellings. I saw at my site visit that there is some variety in the style, design and appearance of dwellings in the street, with both single storey and two storey properties evident. The appeal proposal includes the provision of a first floor front gabled extension above an existing front projection and a first floor rear gabled extension above an existing rear extension.
 4. The eaves of the proposed first floor front extension would be at a similar height to the top of the front dormer, with the ridge of the roof extending back into the roof of the dwelling. This would give rise to significant expanses of two storey projecting flank walls visible when viewed from the street to either side of the dwelling, thereby introducing a bulky and incongruous feature into the street scene. Additionally, whilst the pair of dwellings has already been unbalanced by the addition of the front extension to No 41, the provision of the
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proposed first floor extension would only serve to unbalance the properties further. Whilst I note that matching materials would be used, this would not mitigate the harm found.

5. During my site visit, I saw the two storey gabled front extension referred to me by the appellant at 100 Churchill Drive. I noted that the development at No 100 relates to a different style of dwelling than the appeal property, being a two storey dwelling rather than a dormer bungalow. I also saw the development at 62 Marlborough Avenue which I understand has a full width two storey front extension. However I have few details of these developments and do not consider that they provide examples which should be followed in this case, given the harm found.
6. To conclude on this matter, I consider that the appeal proposal through the provision of the front first floor extension would give rise to harm to the character and appearance of the area. The proposal is contrary to Redcar and Cleveland Local Development Framework Core Strategy DPD 2007 (Core Strategy) Policy CS20 which is concerned with promoting good design and includes that development proposals respect the character of the local area. The proposal also conflicts with Policy DP2 of the Redcar and Cleveland Local Development Framework Development Policies DPD 2007 (DPD) which includes that development will be permitted where it minimises any adverse impact on the overall character of the streetscape. The appeal proposal also conflicts with DPD Policy DP3 which is concerned with sustainable design and includes that development will be expected to respect or enhance the character of the site and its surroundings. Additionally, the appeal proposal does not accord with the guidance for front extensions set out in the Redcar and Cleveland Local Development Framework Development Residential Extensions and Alterations SPD 2013 (SPD).

Living conditions

7. I saw at my site visit that the neighbouring 39 Marlborough Avenue has a rear dormer window close to the common boundary with the appeal property. The rear extension would, in spanning the width of the host dwelling, give rise to a significant expanse of projecting flank wall in close proximity to the neighbouring window. The new flank wall would lead to a significant reduction in the outlook from the neighbouring window and due to its proximity and height, give rise to dominating effects for the occupiers of No 39.
8. I also observed the two storey flat roofed rear extension at 117 Churchill Drive to the rear of the appeal property referred to me by the appellant. I noted that the rear dormer windows in the property adjoining No 117 are set in and away from the common boundary and do not consequently consider that the circumstances and effects of that development to be sufficiently similar to that before me so it presents an example which should inevitably be followed, given the harm found. In this regard I have also considered the references to rear dormer extensions at 88 and 90 Churchill Drive but do not have sufficient details of these schemes to consider whether they are sufficiently similar to the proposal before me.
9. The appeal proposal would give rise to harm to the living conditions of the occupiers of 39 Marlborough Avenue contrary to DPD Policies DP2 and DP3 which include that development should not cause a significant adverse impact on the amenities of occupiers of nearby properties.

Other matters

10. I note the comment that sufficient car parking would be provided at the property, but that does not lead me to a different conclusion.

Conclusion

11. For the reasons given above and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR