

Appeal Decision

Site visit made on 20 July 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2020

Appeal Ref: APP/W0734/D/20/3251084

42 Cinderwood, Middlesbrough TS3 9RH

- 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 Mrs P Jaffray against the decision of Middlesbrough Borough Council.
 - The application Ref 20/0116/FUL, dated 25 February 2020, was refused by notice dated 8 April 2020.
 - The development proposed is described as "proposed single storey infill extension."
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Decision

1. The appeal is allowed and planning permission is granted for proposed single storey infill extension at 42 Cinderwood, Middlesbrough TS3 9RH, in accordance with the terms of the application, Ref 20/0116/FUL, dated 25 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: block/site plan; site location plan; proposed plans and elevations; existing plans and elevations.
 - 3) Notwithstanding details indicated on the approved plans, 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.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area and (ii) highway safety with regards to parking.

Reasons

Character and appearance

3. The surrounding area is characterised predominantly by residential properties of a uniformed style. The built form of the area is not traditional in style with flat roof garages and high fencing been located directly adjacent to the front elevation of the properties. It is this untraditional appearance which contributes positively to the character of the area.
4. The proposed extension, which incorporates the existing garage, would not be overly dominant due to its location and size. The extension would introduce a

flat roof extension that, whilst larger, would be in keeping with the existing flat roof garages which are visually prominent in the area. The flat roof extension would be a contrast to the pitched style roofing of the main properties however, given the proposal would be single storey, the flat roof style of the extension would be sympathetic and not be detrimental to the appearance of the appeal building and surrounding properties.

5. The Middlesbrough's Urban Design Supplementary Planning Document (SPD) states that extensions at the front of houses are generally unacceptable in principle. However, the SPD further indicates that a limited form of well-designed extension may be acceptable in certain circumstances. The proposed extension would be well-designed in terms of it being sensitive to the untraditional built form of the area.
6. I have had regard to the Council's Officer report, including comments regarding the potential for this type of extension being repeated on other properties. I do note that there is a reasonable prospect of similar development being repeated on neighbouring properties however, I do not consider the proposed extension would set an undesirable precedent. Nevertheless, my assessment is solely on the proposed development subject of this appeal and any further development would have to be assessed on their own merits.
7. I therefore find that the proposed extension would not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Policies DC1 and CS5 of the Middlesbrough Local Development Framework Core Strategy 2008 and the SPD which seeks all development proposals to contribute to the character and appearance of the area.

Highway safety

8. The proposal would result in the loss of the parking space in the form of the existing garage. The Council have indicated that two off street parking spaces are required for the appeal property. The submitted plans show two parking spaces located within the front yard area of the site. The Council are concerned that this parking arrangement is unsuitable as it would obstruct access and remove outdoor amenity space.
9. The appeal site has sufficient amenity space, including the rear garden, therefore the parking of vehicles in the front yard area would not adversely compromise the living conditions of the occupants in that respect. I also consider, given the width of the site, that there is sufficient space within the front yard area to allow for the parking of vehicles and access to the property.
10. There is an indication that parking may happen outside the site. I noted during my site visit that there were a number of vehicles parking on the surrounding streets. However, there are few parking restrictions in the area and there is likely to be opportunities for the appellant to park their vehicles on the street without creating any obstructions that would cause highways safety concerns.
11. The proposal would not create a situation where there would be a displacement of vehicles onto the highway that would result in harm to highway safety in terms of parking. The proposal would be in accordance with Policy DC1 of the Middlesbrough Local Development Framework Core Strategy 2008 which seeks development proposals to have no impact on highway safety.

Conditions

12. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of the character and appearance of the area, a condition is imposed to ensure the materials used in the construction of the proposed extension matches the existing building.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR