



Appeal Decision

Site visit made on 9 February 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2021

Appeal Ref: APP/W0734/D/20/3263147

4 Ruskin Avenue, Middlesbrough TS5 8PJ

- 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 Ms Katie Bannister against the decision of Middlesbrough Council.
 - The application Ref 20/0473/FUL, dated 17 August 2020, was refused by notice dated 15 October 2020.
 - The development proposed is single storey side extension to include double garage and utility/WC (Demolition of existing prefab single detached garage).
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal upon the character and appearance of the host property and the street scene.

Reasons for the Recommendation

4. No. 4 is a two-storey semi-detached dwelling located around the beginning of Ruskin Avenue in Middlesbrough. It is symmetrically paired with no.6. The surrounding area is residential and is predominantly characterised by pairs of symmetrical two-storey semi-detached dwellings with driveways to the side, either leading to detached garages at the rear or separating the detached garage at the side from the host property.
5. There are a few examples on the street and wider area, where extensions to the side have been located on part of the existing drive and extend to the shared boundary effectively blocking off the separation with the garage. Nevertheless, the majority of houses on the street are devoid of any extensions to the side and this results in a neat, unified, street scene with regular spacing between dwellings providing a sense of spaciousness and allowing the interesting and attractive original form of the properties to be viewed.

6. The proposed side extension would extend across the entirety of the driveway and would completely erode the separation with the adjacent property at No.2. It would also fail to accord with guidance in Middlesbrough's Urban Design Supplementary Planning Document (2013) (the 'SPD') because it would extend to more than half the width of the original property.
7. The height at the ridge of the side extension would be almost at the eaves of the host property and would be above the sills of first floor windows. Having regard to its height, width and scale the proposal would not be a subordinate addition to the host property. Given its position on the street, it would appear dominant and would substantially erode the gap between the neighbouring property which is a notable characteristic of the area. Overall, the proposal would diminish the contribution the host property and symmetrical pair make to the quality of the street.
8. Though a lapsed planning permission was given in 2015¹ for a side extension which would have reduced the separation from the neighbouring dwelling, the scale and design of that extension was different to that before me. The proposal was for a single storey study which, of itself, was less than half the width of the original property. It would have linked to the side garage to cover much of the driveway but the height would have been less than the current proposal and there was a distinction in appearance between the residential element which contained a front window and the garage. In contrast, the current proposal is of a greater overall scale and contains two garage doors which would dominate the front façade. For the reasons given, the scale and width of the current proposal fails to comply with the aims of the SPD. The lapsed planning permission no longer represents a fall-back position and does not amount to a reason to grant permission in any event on account of the difference in scale and design.
9. There are other examples large side extensions on the street and wider area. They have referred to no.2 Ruskin Avenue, which is just adjacent, as well as nos. 83 and 85 Ruskin Avenue and 32 Lodore Grove. No. 32 Lodore Grove is at the end of the street, next to an open green lawn which leads to the school. As such, the side extension does not diminish the space between paired properties and the context is notably different to the appeal site.
10. The extension at no.2 Ruskin Avenue is of some vintage² and pre-dates the publication of the SPD and the adoption of current local policies. It is of substantial scale and extends across the property, up to the boundary with the appeal site. It would not comply with current guidance and policy for those reasons. Similarly, it is not clear when the 2 storey extensions at Nos. 83 and 85 Ruskin Avenue were constructed or gained planning permission. However, the combination of such structures side by side significantly reduces the gap between those properties, resulting in a terracing effect which fails to reflect the character of the wider estate. It is that type of development that the current SPD seeks to avoid. Consequently, the presence of historic examples elsewhere does not justify further harmful design or set a precedent for the current proposal which must be considered in the present policy context.
11. Taking the above arguments altogether I find that by virtue of its excessive size, design and location, the proposed extension would be insubordinate and

¹ M/FP/1052/15/P

² (M/FP/0346/97/P)

disproportionate to the host property, amounting to an incongruous addition that would be harmful to the character and appearance of the dwelling and the surrounding area. Consequently, it would conflict with the aims and objectives of the National Planning Policy Framework (the Framework), Policies DC1 and CS5 of Middlesbrough's Local Development Framework Core Strategy (2008) (the 'CS').

12. These amongst other things seek to ensure that the visual appearance of new development and its relationship with the surrounding area in terms of scale, design and materials is of a high quality.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR