



Appeal Decision

Site visit made on 9 March 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: 17 March 2021

Appeal Ref: APP/W0734/D/20/3264049

0 Angle Street, Middlesbrough TS4 2JA

- 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 M Hussain against the decision of Middlesbrough Council.
 - The application Ref 20/0411/FUL, dated 15 July 2020, was refused by notice dated 18 September 2020.
 - The development proposed is bedroom extension¹.
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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 Issues

3. The effect of the proposal upon:
 - a) The character and appearance of the host property and the surrounding area.
 - b) The living conditions of the occupants of the host property with particular regard to outdoor amenity space and outlook, as well as living conditions of occupants of 2 Angle Street with regards to overbearing impact of the proposal.

Reasons for the Recommendation

Character and appearance

4. No. 0 is a two-storey end of terrace property located on Angle Street in Middlesbrough. It is located at the junction with Park Vale Road. The surrounding area is characterised by tightly knit two-storey linear terraced properties set close to the road. These properties have single storey offshoots at the rear within an enclosed garden area.
5. Though some of the properties on Angle Street have constructed larger extensions within the rear garden areas, except for the extension at no. 6, these are of a smaller scale than is being proposed at the appeal site. By and

¹ The Council's decision notice describes as Single storey extension at rear gives more context.

large, the rear yards and amenity spaces have been retained and these remain an important feature in the character of the area, notwithstanding that some of those spaces are poorly maintained.

6. The proposed bedroom extension would project to the boundary fence. Additionally, it would take up almost the entire width of the plot and would be significantly larger than the existing single storey rear extension and other minor single storey extensions to the rear of properties in the area. In combination with the existing offshoot, it would leave only a small area between the rear wall of the host property, the side elevation of the existing offshoot and the boundary at the side. It would not be subservient to the host property and would eliminate a substantial portion of the garden space significantly, resulting in a cramped appearance.
7. The proposed bedroom extension would have a combination of gabled roof at the rear end of the extension and hipped roof at the other end. It would be connected to the existing offshoot which has a shed roof design via a proposed flat roof porch. These variations in roof design would create a complex building form that would be at odds with the existing offshoot as well as the host property and would not be consistent with the simple character of the properties in the surrounding area.
8. Consequently, the design would not accord with guidance in Middlesbrough's Urban Design Supplementary Planning Document (2013) (the 'SPD'), which advises that proportions, pitch and design of the roofs match the existing and the extension should not look out of place in the site or in the street and should enhance, not detract, from the character of the area².
9. I acknowledge that the bedroom extension and dormer would barely be visible from the street. However, the character of the area comprises of all spaces whether seen at the principle elevation or at the rear. The requirement for good design is not limited to elements visible from public vantage points. The shared party walls on the boundary with 2 Angle Street, as well as at nos. 211 and 213 Marton Road at the rear are not high enough to completely screen the development therefore it can be viewed from neighbouring occupiers at the side and rear and would be likely to reduce the appreciation they have of the environment within which they live.
10. I find that by virtue of its excessive size and design, the proposed bedroom extension would be insubordinate and 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') which amongst other things seeks 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.

Living conditions

11. As previously stated in paragraph 6 above, the extension in combination with the existing offshoot would eliminate a substantial portion of the garden space,

² Section 5.4 (a) page 19

leaving only a thin strip of land adjacent to the boundary wall. Thus, the property would be left with no practical outdoor amenity space and residents would have no area to sit out, dry washing or for children to play. This would have a negative effect on the living conditions of any residents of the appeal property. I recognise that the yard is poorly maintained at present and does not appear to be used by the current occupants. However, I must also consider the living conditions of any future occupants and the removal of most of the external space would be severely detrimental for the reasons given.

12. I recognise that the proposal is intended to provide more living space to cater for an extended family, including elderly relatives. However, whilst there may be some benefit in terms of internal space, I am not satisfied that this outweighs the harmful effect of leaving the property without a usable outdoor garden/ yard which is an essential function of most residential properties in the area. Similarly, whilst I note reference to the pandemic, any short term needs in that respect do not negate the need to consider the future use of the property.
13. Also, based on the proximity of the side elevation of the proposed extension with the boundary wall, outlook and light would be restricted from the proposed window on this elevation. However, there is another window to the bedroom shown in view B of the submitted plans which would provide outlook and light to the bedroom.
14. The proposed extension would project to the rear boundary wall. This is also the full length of the boundary by the side which is shared with 2 Angle Street. Due to its depth and proximity, almost directly on the shared boundary, the proposal would have an unduly dominant appearance, which would be overbearing when viewed from the garden of the neighbouring property.
15. I find that the development would not have a materially harmful effect upon the living conditions of the occupiers of the appeal property with regards to outlook but would be unacceptable with regards to the loss of outdoor amenity space. This harm would not be offset by the increase in internal space. It would also have a materially harmful effect on the living conditions of no.2 and Angle Street. Accordingly, it would conflict with the objectives of the Framework and Policy DC1 of the CS which amongst other things seeks to ensure that the effect of new development upon the surrounding environment and amenities of occupiers of nearby properties will be minimal both during and after completion.

Conclusion and Recommendation

16. 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

17. 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