



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: 22 March 2021

Appeal Ref: APP/V0728/D/20/3264191

5 Tyne Street, Loftus TS13 4LR

- 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 Richard Pearson against the decision of Redcar and Cleveland Borough Council.
 - The application Ref R/2020/0485/FF, dated 2 September 2020, was refused by notice dated 6 November 2020.
 - The development proposed is first floor rear bedroom extension.
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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 the character and appearance of the surrounding area, and the living conditions of occupants of nos. 4 and 6 Tyne Street with particular regard to overbearing impact and the living conditions of the occupants of Tees Street with regard to overlooking.

Reasons for the Recommendation

Character and appearance

4. No. 5 is a two-storey mid terraced dwelling with a one storey rear offshoot located on Tyne Street in Loftus. Tyne Street is a narrow street characterised by terraced blocks of two-storey dwellings with single storey rear offshoots of non-matching material with the main building, which extend to the rear boundary wall. The narrow alley at the rear is shared with the rear of terraced dwellings on Tees Street and provides access to the rear of the dwellings. The rear of dwellings on the street are enclosed with high walls of either traditional brick, rendered or a combination of brick and timber.
5. Despite the high walls at the rear, the proposed first floor bedroom extension at the rear of no.5 would quite visible from the rear lane and first floor windows at the rear of dwellings on Tees Street. Though the proposed extension would not extend to the full length of the existing single storey offshoot, it would

- extend to the full width of the host property which is almost twice the width of the offshoot and one end would be supported by a single perpendicular column.
6. Sitting partially astride the existing offshoot, the proposed extension, particularly the awkward arrangement of the overhanging section supported by the column, would appear as an alien addition to the host property. The full width extension would also be at odds with the general scale of rear off-shoots in the area and would represent a dominant addition. It would be at odds with the simple form and architectural design of the existing property and offshoot and would be an incongruous addition to the area.
 7. The appellant has presented pictorial evidence of properties in the area which have either first floor extensions above the offshoot or two storey extensions at the rear. They however have not specified where these are located and most appear to be of some vintage such as the two-storey extension to the rear of 2 Tyne Street as observed on visiting the site. Different planning considerations would have applied at the time. I also observed what might appear to be a more recent first floor rear extension at 12 Tyne Street. However, these examples as compared with the proposal do not span the full width of the host properties. Due to the bulk of the proposed extension it would be an imposing structure which would detract from the quality of the rear street.
 8. I find that by virtue of its excessive bulk and design, the total built form of the proposed extension would be disproportionate to the host property. It would be an incongruous addition to the property and would be harmful to the character and appearance of the host property and the surrounding area. Consequently, it would conflict with the aims and objectives of part j and k of policy SD4 of the Redcar and Cleveland Local Plan (2018) (the 'LP') which amongst other things seek to ensure that new development is designed to high standard and respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features.

Living Conditions

9. The Redcar and Cleveland's Local Development Framework Residential Extensions and Alterations SPD (2013) (the 'SPD') advises that two storey rear extensions on terraced properties are not generally acceptable on terraced properties but may be acceptable if they do not appear overly dominant from neighbouring dwellings and do not impinge on daylight or cause overlooking.
10. There are single storey extensions at the rear of both nos. 4 and 6 Tyne Street. These project to a depth further than the proposed extension and I am satisfied that the arrangement would avoid any undue overshadowing, loss of daylight or overbearing impact when viewed from neighbouring windows. Even though the proposal would extend to the boundaries on both sides, some degree of separation from the rear yards of the neighbouring dwellings would be maintained and it would not appear overbearing when viewed from the outdoor space.
11. Additionally, as stated in paragraph 9 above, the proposed extension would not project to a depth which would afford overlooking from the window on the rear elevation into the rear of neighbouring properties on Tees Street. Indeed, the extension at the rear of 12 Tyne Street projects to a similar distance as proposed and has a rear window with obscure glazing. A condition which would

require the rear window to be glazed to mitigate any harm to privacy of occupants of dwellings on Tees Street could be imposed if this was the only concern with the proposal.

12. Accordingly, the proposed first floor rear bedroom extension would not by reason of its projected depth have a materially harmful effect the living conditions of occupants of nos. 4 and 6 Tyne Street by having an overbearing appearance, neither will it have a materially harmful effect on the privacy of occupants of Tees Street. Given that it is concluded the proposal would not harm amenity, the proposal does not conflict with policy SD4 of the LP in this regard.

Conclusion and Recommendation

13. The proposal would not cause harm to neighbouring living conditions for the reasons set out above. However, all development is expected to comply with policy SD4 in that respect and lack of harm does not amount to a benefit in favour of the proposal. On account of the harm to the character and appearance of the area the proposal would conflict with the development plan as a whole. There are no material considerations to indicate that a decision should be made other than in accordance with the Development Plan. Therefore, 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