



Appeal Decision

Site visit made on 24 January 2022

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 8th March 2022

Appeal Ref: APP/W0734/D/21/3287531
633 Marton Road, Middlesbrough TS4 3SE

- 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 Nicko against the decision of Middlesbrough Council.
 - The application Ref 21/0514/FUL, dated 9 July 2021, was refused by notice dated 21 October 2021.
 - The development is a proposed carport and first floor extension to side and rear with balcony at first storey front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring properties at 631 and 635 Marton Road, with respect to light and outlook.

Reasons

Character and appearance

3. Marton Road consists of a single row of two-storey semi-detached and detached dwellings. The properties have spacious front and rear gardens, and the buildings have a variety of architectural details and finishes. The majority of these have hipped roofs. Many of the properties are well separated by side driveways which are either open or infilled with single storey extensions or garages. There are limited examples of two-storey side extensions.
4. Forming part of a semi-detached pair with 631 Marton Road, the two-storey appeal property has a large L-shaped single storey extension which extends out from the rear elevation and into the garden. The main building has a hipped roof while the extension has a mix of flat, pitched and mono-pitched roofs. The property has a driveway to the side elevation, a side bay window and large gardens to the front and back. The adjoining house, at No 631, has a large rear single storey extension with a small conservatory and the garden is from the appeal property by a high close boarded fence. The separated neighbouring property, at No 635, is slightly elevated and is of a similar construction with side bay windows, a driveway to the side elevation and large gardens to the front and rear. A high close boarded timber fence runs along the boundary with the appeal property.

5. The proposal would add a two-storey extension to the side of the property, up to the boundary with No 635, a first-floor rear extension and a loft conversion. The existing hipped roof would be changed to a pitched roof and the extensions would have a mix of hipped and flat roofs. The ground floor side extension would provide a carport with an open frontage while the first floor extension would provide bedrooms.
6. Guidance on appropriateness and design standards for extensions is detailed in Middlesbrough's Urban Design Supplementary Planning Document 2013 (SPD).
7. While I note that the proposed development would not result in a terracing effect and that there would be sufficient parking and garden space maintained, the proposal would significantly increase the building's size and scale, especially along the boundary with No 635. The width of the side extension would exceed the SPD's guidance by being more than half the width of the original dwelling and would create a long and high expanse of brick walling on the boundary. This would create an overbearing and dominant extension which, even with the front setback of 3m and lowered roofline, would not appear subservient to the host property. Furthermore, the proposal would necessitate parts of the extension and access for maintenance to be within No 635's land which would be against the guidance.
8. Changing the host building's roof to a pitched form not only would increase the roof's dominance in the skyline but also would create an unbalanced appearance with the adjoining property's hipped roof at No 631. When adding the various extensions' lower hipped and flat roofs, the proposal would look unsymmetrical and uncharacteristic. The appellant suggests that the hip to gable element of the roof would be permitted development. Whilst this may be the case, the appeal before me follows the refusal of planning permission for all elements of the proposal and therefore the combined effect should be considered.
9. I appreciate that the houses vary along the row in appearance, however the inclusion of a carport, balcony and a replacement pitched roof to the host building would not be common in the area and would therefore be out of character. Loss of the attractive side bay window, which is repeated on the neighbouring properties, by enclosing it within the carport would add to the proposal's impact on the character of the area.
10. Whilst it is acknowledged that there are examples of two-storey extensions along Marton Road, namely at Nos 629, 637 and 643, these are in the minority. No 629 is not comparable to the proposal as the extension is set to the rear and retains the open side space and hipped roof. Nos 637 and 643 do not have a similar design to the proposal but are comparable in terms of how the extension would affect the space between properties. Details of their planning status and, whether they predate the SPD, have not been provided and as such, I have only given limited weight to them in my decision.
11. The appellant has drawn my attention to the National Planning Policy Framework July 2021 (the Framework) with regard to the presumption in favour of sustainable development, and Section 12 on achieving well-designed places, particularly paragraphs 130 and 134. However, the Framework must be considered as a whole and the proposal would fail to reflect local design policy or be sympathetic to the local character of the area. On this basis the proposal would conflict with the Framework.

12. During the application process, there were discussions about amendments to the proposal. However, these would not address the appellant's needs. I have therefore assessed the proposal on the plans before me.
13. In conclusion the proposal would significantly harm the character and appearance of the area. This would be contrary to Policies DC1 and CS5 of the Middlesbrough Core Strategy 2008, the SPD and the Framework which seek to ensure, amongst other matters, that all new development delivers high quality design in terms of layout, form and contribution to the character and appearance of the area.

Living conditions

14. The SPD recommends, to limit the impact of rear extensions on neighbours, that two-storey extensions should be restricted to no more than 3m in length and set in off the common boundary by 2.5m. Although the proposal would be longer than 3m, it would be offset from No 631's shared boundary by approximate 3.6m and therefore would have negligible impact on light to the occupiers of this property. Furthermore, the offset to the shared boundary with opposite corner positioning ensures that the proposal's rear extension would not be overbearing and would not harm the occupants at No 631's outlook.
15. In relation to No 635, even with the natural overshadowing of this area by the building orientation, the substantial separation presently provided by the driveways creates an open and light aspect to the space. No 635 has a side bay window which is part of a habitable room, and this faces the driveways, boundary fence and the appeal property. The space allows this window to have a reasonable outlook and level of light. Due to the proposal's scale, dominance and position up to the boundary, it would have a significant effect on this space and would reduce and harm the occupiers' light and outlook.
16. In conclusion, although I do not find harm to light or outlook to the occupants at No 631, there would be harm to the living conditions of the occupants at No 635 with respect to light and outlook. This would be contrary to Policy DC1 of the Middlesbrough Core Strategy 2008, the SPD and the Framework. These seek to ensure, amongst other matters, that all development integrates sympathetically into its surroundings in physical and visual terms and contributes positively to the quality of life.

Conclusion

17. Whilst I have not found harm to light and outlook to the occupants at No 631, there would be harm to the character and appearance of the area and to the occupants of No 635's living conditions with respect to light and outlook. For the above reasons, having regard to the development plan as a whole, the approach in the Framework and all other relevant considerations, I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR