



Appeal Decision

Site visit made on 4 April 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st April 2022

Appeal Ref: APP/W0734/D/22/3293173
74 Heythrop Drive, Middlesbrough TS5 8QN

- 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 Rashid Mahmood against the decision of Middlesbrough Council.
 - The application Ref 21/1129/FUL, dated 9 December 2021, was refused by notice dated 8 February 2022.
 - The development proposed is single storey extension to rear.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension to rear at 74 Heythrop Drive, Middlesbrough TS5 8QN in accordance with the terms of the application, Ref 21/1129/FUL, dated 9 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; AHD 01; AHD 02; AHD 03D; AHD 04C.
 - 3) 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.

Preliminary Matter

2. For the sake of brevity and clarity I have used the description of development from the Council's decision notice.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and surrounding area.

Reasons

4. The area surrounding the appeal site is characterised predominantly by semi-detached residential properties of various built form. There is a mixture of design elements in the area, in particular with various alterations and structures to the buildings, especially to the rear of properties. It is this varied built form that contributes to the character of the area.

5. The proposal would remove a shed and covered decking area, being replaced by a sensitively designed, small scale rear extension. The appeal property has been extended previously however, the size and form of the proposal would be subservient to the property and not appear overbearing within the surrounding area.
6. The proposed roof would be a shallow pitch and this would not be at odds with the various roof forms visible to the rear of the properties in the area. Due to the proposals design, scale and form, it would not appear as an incongruous structure that would unbalance the pattern of development in the area or be overdevelopment within the immediate setting.
7. Accordingly, the proposal would not have a detrimental effect on the urban grain of the area and would not have a harmful effect on the character and appearance of the appeal property and surrounding area. The proposal would not conflict with Policies DC1 and CS5 of the Middlesbrough Core Strategy 2008, the Middlesbrough Urban Design Supplementary Planning Document 2013 and the National Planning Policy Framework (the Framework) which seeks all development to demonstrate a high quality of design.

Conditions

8. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. In the interests of the character and appearance of the area, a condition relating to materials is also necessary.

Conclusion

9. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
10. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR