



Appeal Decision

Site visit made on 14 June 2022

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd June 2022

Appeal Ref: APP/W0734/D/22/3297701

7 Cotcliffe Way, Middlesbrough TS7 0RS

- 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 Adrian Woodger against the decision of Middlesbrough Council.
 - The application Ref 22/0082/FUL, dated 4 February 2022, was refused by notice dated 11 April 2022.
 - The development proposed is a single storey rear orangery/conservatory extension with extension and alterations to garage including raising of roof height and installation of windows.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear orangery/conservatory extension with extension and alterations to garage including raising of roof height and installation of windows at 7 Cotcliffe Way, Middlesbrough, TS7 0RS in accordance with the terms of the application, Ref 22/0082/FUL, dated 4 February 2022, and the plans submitted with it, 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 plan: P01.
 - 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.
 - 4) The extension to existing garage hereby permitted shall not be used other than as part of and for purposes ancillary to the use of the dwelling known as 7 Cotcliffe Way.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

3. 7 Cotcliffe Way is a detached house located in a new residential development where construction of properties remains ongoing. No 7 is located on a main thoroughfare through the new development. The house and adjacent detached garage are set back from a footpath and there is a grass verge between the footpath and the carriageway. The immediate neighbouring properties to either

side, 5 and 9 Cotcliffe Way, have a similar arrangement. On my site visit I found the variety in built form, housetype, roof form, materiality and approaches to garaging within the residential development appreciable.

4. The effect of the proposed extension to rear, in regard to character and appearance, has not drawn objection from the Council and is not referenced within the reason for refusal (RfR). I have no reason to disagree.
5. The extended garage has been designed to a high standard. The approaches proposed to window, head, cill and dentil course detailing are drawn from the existing property and would ensure sympathy with it. No 7 and the neighbouring No 9, each have a projecting feature gable, centrally positioned incorporating a first floor window and the proposed extended garage would reflect these elements.
6. Though the garage would increase in height, both the ridge and eaves would remain noticeably below that of the house itself. The existing recess of the garage behind the front building line of the house would remain. Given its detached nature and the size of front and rear garden areas serving it, the development would remain appropriately scaled for the plot. The extended garage would be set back quite significantly from the footpath and more so from the carriageway, whilst a space would remain between it and the neighbouring No 9. This would all lessen the effect of the increase in size of the garage building on Cotcliffe Way. The proposed extended garage would therefore preserve a subservience to the host dwelling, No 9 adjacent and retain a sense of spaciousness on this part of Cotcliffe Way.
7. As a new residential development, the immediate area has a character of a deliberate design. However, due to the aforementioned variety which the area also incorporates and the high standard of design of that proposed, the extended garage would represent a change but ultimately a further congruous addition to the area as opposed to something out of keeping with it.
8. On my site visit I viewed existing garages with first floor accommodation elsewhere within the development including on Sinderby Lane and Ellerbeck Avenue. The examples I witnessed were all clearly visible from the public highway and they share commonalities in appearance with that proposed. While the similar structures might be positioned differently relative to the estate roads and dwellings, for the reasons given, the proposed arrangement would not be harmful.
9. While allowing this appeal could encourage other residents to pursue similar proposals, each case must be considered on its own merits. Circumstances may well differ between sites and the development proposed and it does not follow that another development nearby, even one of a similar nature, would necessarily be acceptable.
10. Middlesbrough's Urban Design Supplementary Planning Document (SPD) includes design advice in respect to householder development, including that which is quite prescriptive. I have had regard to this content but, for the reasons given, find that the development represents good design which in turn accords with the overall aims of the SPD. Accordingly, I find that the development would represent high quality design, would enhance the built environment and integrate well into the immediate and wider context in compliance with the content of Policies CS5 and DC1 of the Middlesbrough Core

Strategy (2008) and the advice at paragraph 130 of the National Planning Policy Framework.

Other Matters

11. The Council's RfR includes a reference to a detrimental effect upon the living conditions of the occupiers of adjacent properties. However, the discussion within the Council's Officer Report (OR) gives specific reasons why the proposed relationships to neighbouring properties would be acceptable and concludes that no detrimental effects which would warrant refusal of the development would result. The recommended RfR at the bottom of the OR corresponds with that on the Council's decision notice and I have no other evidence before me to explain why the Council may have an objection in respect to living conditions.

Conditions

12. I have had particular regard to the advice within the Planning Practice Guidance in respect to the inclusion of the conditions within the decision. A plans condition is needed in the interests of clarity. To protect the character and appearance of the area, a condition is needed to secure appropriate use of materials. A condition controlling use of the accommodation is necessary given its layout and degree of separation from the house itself. I have undertaken some minor amendments to Condition 4 from that provided by the Council in the interests of precision and clarity.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed.

H Jones

INSPECTOR