
Appeal Decision

Site visit made on 9 August 2022 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2022

Appeal Ref: APP/W0734/D/22/3300735

29 Oxford Road, Middlesbrough, TS5 5DY

- 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 Abdul against the decision of Middlesbrough Council.
 - The application Ref 22/0051/FUL, was refused by notice dated 4 April 2022.
 - The development proposed is loft conversion including dormer extension to rear and 2no new roof lights to the front.
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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 Issue

3. The main issue in this case is the effect of the proposal upon the host property and whether it would preserve or enhance the character or appearance of Linthorpe Conservation Area (the 'LCA').

Reasons for the Recommendation

4. The LCA derives some of its significance from its predominantly residential character, with mainly well-proportioned brick-built 19th century terraced dwellings with two storey bay windows with stone mullions. These are set back from the road behind front garden areas and low boundary walls with stone topped gate pillars and wrought iron gates. The rear is characterised by modestly sized walled gardens and properties have subservient two storey rear outriggers of varying depth. As I saw at my site visit, although some properties have rooflights on both front and rear roof slopes, there were no dormer extensions in the immediate vicinity of the appeal site.
5. No.29 is a two-storey mid-terraced dwelling located on Oxford Road which lies within the LCA. The Council has raised no objection to the proposed rooflights in the front elevation, and I see no reason to disagree with that assessment. However, the proposed rear dormer would occupy almost the full width of the rear roof slope and would be only slightly set in from the existing eaves. Contrary to guidance within Middlesbrough's Urban Design Supplementary

Planning Document 2013 (the 'SPD'), it would be of a scale which would dominate the roofscape.

6. The scheme includes a double-pitched dormer in order to comply with the SPD's guidance that flat roofs should be avoided. This would, however, still be a top heavy and incongruous addition to the roofscape of the host property, as well as within the terraced row where there are no other similar features. For this reason, the development would appear unduly dominant and conspicuous which would be harmful to the character and appearance of the host property and the LCA.
7. I have considered that the rear elevation would be the least visible part of the development from public vantage points, but it would nonetheless be visible from the back street as well as from vantage points to the rear of properties on Rockliffe Road. In any event, the requirement for development proposals to preserve or enhance the character or appearance of the LCA applies irrespective of whether or not the development would be prominent, or in public view. Furthermore, that requirement applies to all parts of the LCA, including rear elevations.
8. The harm to the significance of the LCA would be classed as 'less than substantial', but that is nevertheless a matter of considerable importance and weight. In terms of countervailing public benefits, the proposal would create additional living space at the host property, enabling the appellant's family to continue living in the area. However, this is a benefit that is private to the appellant and can be given only limited weight in favour of the appeal. As such, I find that there are insufficient public benefits that would outweigh the harm that would be caused to the character and appearance of the host dwelling and the LCA.
9. To conclude on this matter, the development would harm the character and appearance of the host property and would not preserve or enhance the character or appearance of the LCA. Thus, the proposal conflicts with Policies DC1, CS4 and CS5 of Middlesbrough's Core Strategy 2008 (the CS), which among other things, require development proposals to produce an acceptable visual appearance and relationship with the surrounding area, with a high quality design and seek to preserve or enhance the character or appearance of Conservation Areas. It would not comply with the advice in the SPD that full width flat roof dormer extensions should be avoided and would also fail to meet the provisions of the Framework with regard to the conservation of designated heritage assets.

Conclusion and Recommendation

10. 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

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Sarah Housden

INSPECTOR