



Appeal Decision

Site visit made on 22 May 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2023

Appeal Ref: APP/W0734/D/23/3318339

21 The Grove, Brookfield, Middlesbrough TS5 8DT

- 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 Mrs Chambers against the decision of Middlesbrough Council.
 - The application Ref 22/0430/FUL, dated 20 June 2022, was refused by notice dated 19 December 2022.
 - The development proposed is proposed is single storey rear extension and single storey extension to front to extend garage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host building and the area; and
 - The effect upon the living conditions of neighbouring residents, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises a right-hand side semi-detached hipped roof bungalow at No 22 The Grove (No 22). It is positioned between similar properties which are set back from the road. The character of the area is predominantly residential with dwellings set in pleasant spacious plots, with several having been extended to the side and rear. The long gardens associated with the properties are a further important noticeable characteristic which adds to the generally overall ambient residential and suburban quality of the area.

5. The officer report evidenced highlights concerns that the proposal would by virtue of its scale, footprint and massing be excessive in scale and poorly designed appearing at odds with the host property. The adopted Middlesbrough Urban Design Supplementary Planning Document (SPD) Jan 2013, states that oversized extensions can completely change the character of an area and should be avoided.
6. The proposed rear extension would project further than the existing extensions, it would reorder the property removing the rear conservatory and smaller hipped rear offshoot. As such, the footprint spanning the full width of the property would appear similar in size to the original building and the resultant massing would be significantly greater than what it seeks to replace. It would not be subservient to the host building and out of character with it.
7. The existing flat roof garage would be extended; however, the officer report advises that the proposed garage would not have a dissimilar appearance. In addition, the hipped roof, and materials would be suitable in terms of the character of the existing dwelling. However, the overall scale and massing of the rear extension and garage would be a dominant addition, which would erode the spaciousness of the area.
8. The rear of the appeal proposal would not be overly publicly visible. However, it would be visible from neighbouring properties and gardens, and the Council's policies are not restricted to that which is within the public domain. Therefore, the development would harm the character and appearance of the host building and the area.
9. Consequently, the proposal would conflict with the Middlesbrough Local Development Core Strategy 2008 Policies DC1 and CS5. Combined these policies seek to achieve good design, which is well integrated with the immediate surroundings. Furthermore, it would not fulfil the guidance within the Council's SPD which identifies that extensions should not dominate the existing building or the area.

Living conditions

10. The appeal property is attached to No 23 The Grove (No 23). The attached property of No 23 contains a glazed patio door in the ground floor rear elevation sited close to the side boundary with the appeal site. This appeared to serve living accommodation into the garden area.
11. The appeal proposal is sited on the joint boundary. There is a relatively low boundary fence with the adjoining property and garden at No 23. Although No 23 has also been extended, the side elevation to the proposed extension would be higher, longer, more permanent and solid than the existing boundary fence and conservatory it would replace. The scale of the proposal would be stark and dominant to the occupiers of the neighbouring property presenting a mass of brick wall.
12. In addition to the above, at my site visit at approximately 3pm on a sunny day, I could see that existing outbuildings cast a shadow within the garden of No 21. Similarly given the height and orientation of the extension relative to No 23 the proposed development would also do the same. Combined with the overall projection and massing, this would create a tunnelling effect given that rear windows and garden area would be flanked by similarly long built development

on both sides. The proposal would ultimately make the living accommodation and garden area here less attractive areas to spend time.

13. The Council has not raised any issues in respect of the living conditions of the adjacent property nor properties opposite or at the rear of the site. Whilst I note comments from neighbouring residents, as I have dismissed the appeal it is not necessary for me to cover these matters further.
14. However, I conclude that the proposal would harm the living conditions of the occupiers of No 23 with regard to outlook. The proposal would therefore not accord with the Core Strategy Policy DC1. This policy seeks to protect the living conditions of neighbouring occupiers. The proposal would also conflict with the Council's SPD which supports the above policy. This similarly requires that extensions take into account the relationship with the occupiers of neighbouring properties.

Other Matters

15. Whilst I have been advised that the Council approved the extension at No 9 The Grove, this is attached to a different part of that dwelling and has a different form and massing to the appeal proposal. I did observe large extensions at neighbouring properties from the appeal site garden, referred to as No 24 and 25 by the appellant. Whilst some nearby examples appeared similar, I do not have the full details of these, or any other developments before me to compare, nor am I certain of their age or planning status. I am also not convinced that the relationship of the examples provided exactly replicate that between No 21 and No 23. I can therefore only attribute these examples limited weight, which would not outweigh the harm to neighbouring residential living conditions.
16. I note that the proposal would undoubtedly bring benefits to the appellant. However, these are largely private benefits, which do not outweigh the harm I have found.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, the proposal does not accord with the development plan when read as a whole. I therefore conclude the appeal should be dismissed.

K Williams

INSPECTOR