



Appeal Decision

Site visit made on 14 November 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2023

Appeal Ref: APP/W0734/D/23/3331783

24 Lodore Grove, Middlesbrough TS5 8PB

- 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 N Ahmed against the decision of Middlesbrough Council.
 - The application Ref 23/0365/FUL, dated 4 July 2023, was refused by notice dated 1 August 2023.
 - The development proposed is single-storey rear extension, two-storey side extension and removal of boundary wall to front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the surrounding area;
 - highway safety; and
 - the living conditions of the occupiers of 26 Lodore Grove with particular regard to outlook and dominance.

Reasons

Character and appearance

3. Lodore Grove is characterised by similar pairs of hipped-roof, two-storey, semi-detached houses which are separated from one another by driveways at the side and have short front gardens enclosed by low boundary walls/fencing. The overriding character is a regular rhythm of building blocks and spaces between them in the street.
4. The proposal includes a two-storey side extension. The first floor of the extension would be set back from the front wall by around 1 metre with a corresponding lower roof height, as suggested in the Council's Urban Design Supplementary Planning Document 2013 (SPD). However, it is important to recognise that the SPD is guidance, not policy, and its strict application may not be appropriate in all circumstances.
5. In this instance, the regular spacing between the dwellings is a key feature of the street scene. Although there is a two-storey side extension at No 31, this dwelling sits some distance back from No 33, which together with a large setback of the extension at both ground and first floor, maintains a sense of separation between the buildings.

6. The proposed two-storey side extension would fill the width of the driveway at the appeal site, resulting in a significant reduction in the gap with No 26. This would appear markedly out of place in the context of the Lodore Grove street scene, with the potential to also cause a terracing effect if No 26 were to be similarly extended. In the particular context of this site, a first floor set back of 1m would be nowhere near sufficient to prevent a potential terracing effect. Indeed, at ground floor level the frontage would be unbroken. Consequently, the proposed two-storey side extension would harmfully disrupt the rhythm and spacing between the semi-detached properties in this part of the street.
7. Furthermore, the proposal would result in the removal of the front boundary wall and the entire front garden being hard surfaced for parking purposes. Even with the use of high-quality surfacing materials, the site frontage would have an uncharacteristically open and sterile appearance, to the further detriment of the character and appearance of the street scene. While there are other properties with hardsurfaced front gardens, they have at least retained the front boundary wall to ensure consistency with the street scene in that regard and provide some partial screening.
8. The Council did not raise any objection to the single-storey rear extension, and I see no reason to disagree. However, the wraparound nature of the extensions means that this element is not severable from the other harmful aspects of the scheme, and so, I am unable to issue a split decision.
9. I therefore conclude that the development would unacceptably harm the character and appearance of the surrounding area. This is contrary to Policies DC1 and CS5 of the Middlesbrough Core Strategy 2008 (the CS), which amongst other things, require that all new development delivers high quality design in terms of layout, form, and contribution to the character and appearance of the area.

Highway safety

10. The proposal seeks to meet the Council's off-street parking standards by providing three parking spaces within the front garden. However, it is difficult to ascertain from the site plan drawing whether the proposed bays are appropriately sized, including allowing for sufficient space to open doors and circulate around the vehicles, especially where they would be parked side-by-side. Moreover, I have no substantive evidence to demonstrate how the proposed parking arrangement would work in practice. In particular, it is unclear how the vehicles could manoeuvre safely and efficiently into and out of the two parallel spaces, even in a situation without a third vehicle being present on the driveway. Consequently, it has not been demonstrated that the proposal would make suitable provision for parking within the site.
11. I have considered whether any overspill parking could be met on the street. However, Lodore Grove leads to a school and is therefore likely to experience additional pedestrian and vehicle traffic, as well as parking demand, at certain times of the day. The end of the road near the school is also subject to parking restrictions, limiting the available extent for parking on the street generally. Even though my site visit did not coincide with the busiest parts of the school day, or the evening when most residents would be at home, there were already numerous vehicles parked on the street, all of which were partially obstructing the pavement. Therefore, without suitable provision being made for off-street parking at the site, the proposal would likely lead to further obstructive

on-street parking to the detriment of the free and safe movement of vehicles and pedestrians.

12. I therefore conclude that the development would adversely affect highway safety. This is contrary to the highway safety aims of Policy DC1 of the CS.

Living conditions

13. The two-storey side extension would introduce an expanse of brickwork closer to the side elevation of No 26, which contains a glazed door and two obscurely glazed first floor windows. However, as none of these windows would be classed as primary room windows, I am content that the extension would not have any significant overbearing impacts in relation to these openings.
14. The Council also refers to a potential tunnelling effect between the side extension and No 26, but given this would only be experienced along a short section of the neighbour's driveway, no significant harm would arise in this regard.
15. I therefore find that the development would not unacceptably harm the living conditions of the occupiers of 26 Lodore Grove in terms of outlook and dominance. Thus, the proposal complies with CS Policy DC1 where it seeks to minimise the effect on the amenities of neighbouring occupiers.

Other Matters

16. The additional living accommodation would benefit the occupiers of the appeal property, and I note that the proposal has been reduced in scale in the hope of achieving an acceptable outcome. Nonetheless, these matters do not outweigh the harm I have identified and the resultant conflict that arises with the development plan taken as a whole.

Conclusion

17. For the reasons given, the appeal should be dismissed.

A Caines

INSPECTOR