



Appeal Decision

Site visit made on 21 November 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 January 2024

Appeal Ref: APP/W0734/D/23/3327646

14 Southdean Drive, Middlesbrough TS8 9HH

- 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 Carl Colmer against the decision of Middlesbrough Council.
 - The application Ref 23/0315/FUL, dated 4 June 2023, was refused by notice dated 12 July 2023.
 - The development proposed is a first floor side extension over existing ground floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension over existing ground floor extension at 14 Southdean Drive, Middlesbrough TS8 9HH in accordance with the terms of the application, Ref 23/0315/FUL, dated 4 June 2023, 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: Site Location Plan Drawing 001; Block Plan Drawing 002; Existing Layout Drawing 003A; and Proposed Layouts Drawing 004.
 - 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 Matters

2. The Government published a revised National Planning Policy Framework (the Framework) in December 2023, replacing the version published in September 2023. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach. Where I have referenced sections and paragraph numbers, these refer to those set out in the December 2023 revision of the Framework.

Main Issues

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

Reasons

4. The appeal site comprises a two storey semi-detached house in a residential area where the properties within the area are of a similar design and character. The area is laid out with a meandering road pattern with pockets of open space, wide verges and street trees. The houses are relatively generously spaced, in this case set well back from the road and usually separated from each other by their drives and single-storey garages. The appeal property is situated at the end of a row of dwellings and is adjacent to a large corner grassed verge area, with the existing garage abutting a public path. There is also an area of open space at the rear of the garden and as such the dwelling is located within open surroundings.
5. The proposal seeks to construct a first floor side extension over the existing attached garage at the side of the property. The resultant scheme would create additional bedroom and bathroom space. It would be constructed from materials to match the host dwelling. Whilst the garage is set forward of the main front elevation of the dwelling the extension would be built in line with the main front and rear of the dwelling, and it would not be set down lower than the host dwelling roof.
6. The Middlesbrough Urban Design Supplementary Planning Document adopted January 2013 (SPD) in relation to side extensions states that the development should be no more than half of the width of the original dwelling. The Council states the proposed extension exceeds this due to the width of the existing ground floor property. The SPD also requires side extensions to be set back by 1 metre, with a reduction in roof height. As noted above the development would therefore not fulfil the development specific guidance for two storey side extensions within the SPD.
7. However, the SPD aims to ensure higher standards of design, but is not prescriptive. It falls to consider the proposal against the objectives of that guidance which insofar as is relevant to the appeal is to prevent terracing, overbearing impact on the streetscene and development that is in proportion with the host dwelling.
8. In this instance the appeal property is not within a row whereby a terracing effect could occur. Furthermore in this particular case the appeal property is at the end of the row of dwellings in the street and set back behind a wide verge and adjacent to a large area of open space to the side and rear. This open aspect would help assimilate the development within the area and streetscene without it appearing cramped or overbearing.
9. I acknowledge in terms of the host dwelling itself the proposal would not present a subservient addition within the terms of the SPD and would therefore conflict with this guidance. However, in the absence of specific dimensions from either the Council or the appellant, I could see from the plans, and my own observations on site, that although wider than the width of the host building the garage itself does not present as being overly wide in comparison.
10. I observed that there are numerous large single, and two storey side extensions close by within the same row as the appeal property and within the wider Southdene Drive and Kielder Rise area. Those evidenced by the appellant and the majority I observed did not have a reduction in roof height relative to the original roof or set back from the front elevation. Whilst I have no details

regarding if or when these were granted permission, they serve to demonstrate how such an integrated extension can be assimilated into the area in site specific circumstances as an acceptable part of the wider street scene. Furthermore the proposal seeks to utilise similar materials and windows to the host dwelling. Therefore the overall appearance of the front elevation and the design of the reordered dwelling would be cohesive.

11. Given the spacious setting of the dwelling at the end of a row of terraces which is set well back from the street and the considerable variety in the appearance of houses in the area ensures that the addition would assimilate without causing undue harm to the open spatial quality of the locale and would not be incongruous. I am satisfied that it would not result in a harmful massing detrimental to the host dwelling, streetscene or create a harmful imbalance to the pair of semi-detached dwellings.
12. Notwithstanding the conflict with the Council's SPD, I conclude that the scheme would not result in harm to the character and appearance of the host property and the area. It would meet Policies DC1 and CS5 of the of the Middlesbrough Local Development Framework Core Strategy 2008 which seeks to secure new development which integrates with the immediate and wider context. It would also be consistent with the advice in the Framework at chapter 12 which amongst other matters seeks to ensure development is visually attractive, functions well and optimises the potential of a site.

Other Matters

13. The Council has not raised any further issues in respect of neighbouring amenity. As such I concur with the assessment in the officer report in this respect.

Conditions

14. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

K Williams

INSPECTOR