



Appeal Decision

Site visit made on 6 February 2024

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2024

Appeal Ref: APP/W0734/D/23/3327063

7 Hartforth Avenue, Middlesbrough TS5 8SH

- 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 Adam Wright against the decision of Middlesbrough Council.
 - The application Ref 23/0057/FUL, dated 18 January 2023, was refused by notice dated 14 April 2023.
 - The development proposed is a "*single storey extension to front/side*".
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey extension to front/side at 7 Hartforth Avenue, Middlesbrough, TS5 8SH in accordance with the terms of the application, Ref 23/0057/FUL, dated 18 January 2023, 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 plans: Location Plans; Existing Elevations; Proposed Elevations; Existing & Proposed Layouts; Section through Extension (all plans unreferenced and undated).
 - 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 Council altered the description of the development during the consideration of the application to read "*single storey extension to front/side*". This is a more concise description of the proposal and removes superfluous text from that set out in the application form. From the evidence before me, I consider this to be an accurate description of what is proposed. I am satisfied therefore that the main parties would not be prejudiced by the use of the above description. I have determined the appeal accordingly.
3. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. This does not materially change the planning policy context in respect of the main issues, and I have determined the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposed development on:

- The character and appearance of the site and the surrounding area; and
- Highway safety and the freeflow of traffic.

Reasons

Character and Appearance

5. The appeal property is a semi-detached two storey dwelling on Hartforth Avenue. It is located within a residential setting in an area of other similar properties. Many nearby properties including its neighbours' benefit from extensions to the side and front which vary in size and design.
6. The proposal involves a modestly sized extension at ground floor which would extend the full length of the side elevation and create a porch on the front elevation which would also extend the garage forward of the existing building line. It would match the existing dwelling in both materials and style.
7. The design of porches and extensions within the avenue and on other streets nearby vary. Although the roof design of the proposal would contrast in appearance to that of the side extension on the adjacent property at 5 Hartforth Avenue, the proposal would not appear incongruous or out of place in its surroundings. Furthermore, the extension would not fundamentally alter the character or appearance of the host property.
8. The Council refers to conflict with the Middlesborough Design Guide Supplementary Planning Document 2013 (SPD) with regard to extensions on the front of properties. However, porches are commonplace extensions on the front elevation of residential properties. The garage extension, in this instance would be modest in size and would reflect the design, proportions and materials of the existing dwelling. As the appeal property lies within a row of properties, its side elevation would not be prominent, and the proposal would be generally in keeping with the wider street scene.
9. For these reasons, I conclude that there would be no harm to the character or appearance of the appeal property or the surrounding area. Consequently, I find no conflict with Policies DC1 and CS5 of Middlesborough's Local Development Framework Core Strategy 2008 which, amongst other things, seek to ensure that development is well integrated into its context and enhances the built environment. However, I find no conflict with the guidance set out in the SPD and the proposal would still comply with its overall amenity and design aims and those contained within the development plan as a whole.

Highway Safety

10. The proposal involves the conversion of the existing garage to create a storage space with living accommodation behind. The garage door would be stepped forward of its existing position by approximately 1 metre.
11. The length of the resultant driveway is disputed between the parties with lengths of 4.7 metres and 5.5 metres stated. Although the Council's officer report states that residential driveways should be no less than 5 metres in length, I have not been provided with any policy or guidance which compels

this. From what I observed on site, the driveway would be similar to others on the street. It would be adequate in length to ensure that a vehicle would not overhang onto the highway, and therefore highway safety and the freeflow of traffic, particularly close to a school, would not be compromised.

12. Accordingly, I conclude that that the proposal would not have any adverse effect on highway safety and the freeflow of traffic. Therefore, there would be no conflict with Core Strategy Policy DC1 which, amongst other things, seeks to ensure that new developments do not impact on highway safety.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans and a condition that requires the external materials to match the existing dwelling. These conditions are required for clarity and to protect the character and appearance of the host building and wider area.

Conclusion

14. For the reasons given above, having considered the development plan when read as a whole and all other issues raised, I conclude that the appeal should be allowed subject to the conditions set out above.

KL Robbie

INSPECTOR