



Appeal Decision

Site visit made on 8 May 2024

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2024

Appeal Ref: APP/W0734/D/24/3339908

62 The Grove, Marton, Middlesbrough TS7 8AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Summersgill against the decision of Middlesbrough Council.
 - The application Ref is 23/0391/FUL.
 - The development proposed is described as: 'loft conversion with dormer extension to side'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies within Marton & The Grove Conservation Area (the CA). I have therefore had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the CA.

Reasons

4. The CA comprises of the surviving historic core of the pre-industrial village of Marton, and The Grove, which is an example of a pre-1939 suburb, illustrating a significant stage in the development of Middlesbrough as a town. Dwellings here comprise of substantial, detached and semi-detached houses to architecturally individual designs, located within large plots, to both sides of the road. The careful architectural composition of the semi-detached dwellings displays a high degree of symmetry, which in the most part has been retained to the present day. Mature trees and shrubs are prevalent within the extensive front gardens.
5. The significance of the CA, insofar as it relates to this appeal is derived from the surviving historical layout, the scale, age and architectural composition of houses, and their presence as part of an early twentieth century suburb. These elements result in an attractive suburban environment that contributes positively to the character and appearance of the CA as a whole, and thereby to its significance as a designated heritage asset.
6. 62 the Grove is a semi-detached dwelling located set back from the road on a large plot with a verdant front boundary. The pair of semis exhibit a high

degree of symmetry with similar fenestration pattern, matching bay windows, brick detailing, arched entrance door, projecting gables and unbroken, hipped roof. As a result of its form, layout and balanced front elevation, the appeal property, alongside its adjoining neighbour, 60 The Grove, reinforces the characteristics of the early twentieth century suburb and the CA.

7. The proposed dormer window to the hipped section of roof of the existing dwelling would be a highly visible alteration that would unbalance the careful composition of the semi-detached pair, eroding their symmetry. The dormer would occupy almost all of the hipped area, increasing the bulkiness of the roof, effectively turning the hip into a gable. Seen alongside the existing adjoining dwelling, this proposal would represent an incongruous addition at odds with the character and appearance of the pair. As the proposal would result in harm to a pair of semi-detached dwellings that makes a positive contribution to the character and appearance of the CA, the character and appearance as a whole would not be preserved or enhanced.
8. I acknowledge that the Council recently approved a similar dormer window at 72 The Grove, which I saw had been constructed. However, it made its reasons for doing so clear in its report, namely the presence of a similar dormer window at 74 The Grove, its adjoining neighbour, which it notes was an opportunity to re-introduce symmetry to the pairing. Given the lack of a dormer window at No 60, these do not reflect the circumstances of the appeal scheme and therefore this recent approval does not establish a precedent for such development at the appeal property.
9. Whilst a dormer window may have existed at No 74 for some time, I have not been provided with any record of its approval and therefore cannot be certain that it was installed with planning permission. This limits the weight I can give to this matter.
10. Whilst I accept that the installation of a dormer window is a relatively small alteration in the context of the CA, it is these incremental changes to buildings which contribute to and positively reinforce the character and appearance of a conservation area, that have potential to dilute and undermine an area's special interest.
11. For the above reasons, I therefore conclude that the proposal would fail to preserve or enhance the character or appearance of the CA. This is contrary to the requirements of section 72(1) of the Act. As such, the proposal would be harmful to the significance of this designated heritage asset.
12. With reference to Paragraphs 207 and 208 of the National Planning Policy Framework (the Framework), in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and nature of the proposed development, I find that the harm in this instance is 'less than substantial' but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
13. I have not been directed to any public benefits arising from the appeal scheme. I accept that there would be personal benefits to the appellant in terms of providing additional living accommodation, however, this is a personal, not public, benefit. Any economic benefits arising from the construction phase

would be inherently limited by the small-scale nature of the scheme. Overall, these limited public benefits do not outweigh the harm I have identified above.

14. For the above reasons, the proposal would fail to preserve or enhance the character or appearance of the CA and would be harmful to its significance. This is contrary to the requirements of section 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. The harmful impact is also contrary to Policies CS4 and CS5 of the Middlesbrough Core Strategy (2008) which together seek to conserve and enhance heritage assets and ensure new development is of a high-quality design that complements the local townscape.
15. There would also be conflict with the Middlesbrough Urban Design Supplementary Planning Document (2013) which, amongst other things, seeks to ensure new dormer windows respect the character of the existing dwelling and the streetscape.

Conclusion

16. For the reasons given, having considered the development plan as a whole, the requirements of the Act and the Framework, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR