



Appeal Decision

Site visit made on 4 April 2024

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 5 June 2024

Appeal Ref: APP/W0734/D/24/3337619

234 Acklam Road, Middlesbrough TS5 7BN

- 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 Mohammed Siddique against the decision of Middlesbrough Council.
 - The application reference is 23/0601/FUL.
 - The development proposed is a first floor side extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. Whilst I have had regard to the revised Framework, the issues most relevant to this appeal remain unaffected by the revisions. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and this would disadvantage no party.

Main Issue

3. The main issue with the proposed development is its effect on the character and appearance of the surrounding area.

Reasons

4. The appeal site is located in a row of predominantly large two-storey semi-detached and detached properties along Acklam Road. Although there is some variation in design, the building line is fairly consistent, and most have front bay windows and hipped roofs. They are set in spacious plots, well set back from the road by a mix of paved/drives and gardens. Many have side driveways with a number connecting to rear garages which provide good separation between the plots. While some side extensions have been added in the past, a gap between the plots remains. The gaps provide a welcome break in the built form, allowing light and the skyline to be seen. This gives the row of properties a spacious and well-ordered appearance which contributes positively to its character.
5. The appeal site is reflective of the row of properties. It is a two-storey semi-detached hip-roofed property with bay windows and a side driveway that connects to a rear single-sized/single-storey garage. The detached neighbouring property, 236 Acklam Road (No 236), has a large two-storey side

- extension with a pitched roof which extends up to the common boundary with the appeal site.
6. The proposal would consist of a first-floor side extension on stilts with an open carport underneath. It would be set back from the front of the host property, extend to the rear and be set very close to the boundary with No 236. It would have a hipped roof which would tie into the proposed new gable end.
 7. The proposal would result in a significant loss of the visual gap to No 236 and would cause a terracing effect. The host property in combination with No 236 would become a large and overbearing building form which would unacceptably remove the openness of the street scene and harm the character and appearance of the area. The proposal's front set back, hipped roof and open structure of the carport, which would still be largely enclosed by the walls of the host property, No 236 and the garage, would not reduce its mass or limit the infill effect it would have. They would not reduce the overbearing and terracing effect with No 236 and its adverse effect on openness.
 8. It would also not accord with the design guidance and standards set out in Middlesbrough's Urban Design Supplementary Planning Document 2013 (SPD) for side extensions. This, amongst other matters, advises that two-storey extensions at the side can give rise to issues of overbearing impact on the street scene and the need to prevent terracing between pairs of semi-detached houses. The proposed extension would comply with the advice that it should be no more than half the width of the original dwelling. However, other recommendations advised to reduce overbearing and terracing effects such as offsetting the first floor from the boundary, reducing the extension's roof height or introducing a side access have not been included. In any event, due to the proximity of No 236's side extension, even if these other SPD recommendations were included, I am not convinced this would satisfactorily address the harm I have identified.
 9. The appellant draws my attention to several examples of similar two-storey side extensions in the area including extensions to properties at 236, 238 and 330 Acklam Road. Reference was also made to planning permissions given to side extensions at 242 and 355 Acklam Road (LPA Ref: 22/0222/FUL and 19/0432/FUL). However, notwithstanding that the examples are side extensions, the appellant provides little detail or evidence to show these justify the proposal. All the examples retain some form of gap with the neighbouring properties and therefore maintain breaks in the built form which allows light and the skyline to be seen. They retain the openness of the row of properties and do not cause a terracing effect. The examples are therefore not directly comparable to the proposal before me and do not change my findings detailed above. Moreover, I have considered this appeal proposal on its own merits and found harm to the character of the street scene.
 10. The appellant considers that it is unreasonable for the proposal to be limited by the existing large side extension at No 236. However, the proposal must be assessed, and the appeal determined, on the circumstances that currently exist and I have considered this accordingly.
 11. In conclusion, the proposal would harm the character and appearance of the area and would be contrary to Policies DC1(b) and CS5(c and f) of Middlesbrough Local Development Framework Core Strategy 2008 and the guidance set out in the SPD. These, amongst other matters, seek proposals to

take account of the visual appearance and layout of the development, secure a high standard of design and ensure that the built and natural environments are enhanced.

Other Matters

12. I note that the appeal site was the subject of a previous appeal (Appeal Ref: APP/W0734/D/21/3281822) which was related to a single storey rear extension. It has little direct relevance to the appeal before me and does not change my view on the harm I have found.

Conclusion

13. For the above reasons, and taking into account all other matters raised, I conclude that the proposal as a whole would not accord with the development plan for the area, or the Framework and the appeal should be dismissed.

J Symmons

INSPECTOR