



Appeal Decision

Site visit made on 6 August 2024 by J Reed MPlan

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2024

Appeal Ref: APP/W0734/D/24/3345352

266 Acklam Road, Middlesbrough TS5 8AA

- 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 Sabir Hussain against the decision of Middlesbrough Council.
 - The application Ref is 24/0084/FUL.
 - The development proposed is a single storey rear extension and alterations to existing garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issues

3. The above description is taken from the decision notice since the proposal has been amended during the time it was with the Council. I have proceeded on this basis since it was the scheme they determined. In addition, the Council do not object to the garage alterations, and I have no reason to disagree with their conclusions. My recommendation therefore focusses on the single storey rear extension and specifically its effect on a) the character and appearance of the area; and b) the living conditions of the occupants of No 264 Acklam Road with specific regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The residential area in which the appeal building is located consists of, amongst other things, pairs of two storey semi detached units set well back from and facing the road with relatively long rear gardens. This lends a pleasant open feel and strong sense of spaciousness to the area which contributes positively to its character and appearance.
5. The single storey extension would occupy a large portion of the dwelling's width and project quite far into the rear garden, leaving very narrow gaps between built form, the side boundaries of the garden and the existing garage. This would result an overly large and bulky addition to the rear which, by virtue of its positioning and land take, would significantly erode the openness of the garden and accordingly reduce the quality of the area's spaciousness.

6. The appeal scheme would be to the rear and thus well screened from public views, but it would still be visible from a number of neighbouring gardens. The use of similar materials and a matching roof design would be positive aspects of the proposals, but this would not be sufficient to make up for the harm caused by the extension's size and location which would, by virtue of the above, detrimentally affect the character and appearance of the area. Thus, it would be in conflict with Policies DC1 and CS5 of the Middlesbrough Local Development Framework, Core Strategy 2008 (CS) which requires, amongst other things, development to be of high-quality design and compatible with the host property and the surrounding area.

Living Conditions

7. The appeal scheme would result in a very long wall against the shared boundary with No 264 Acklam Road owing to the extent of the proposed development's projection from the rear of the appeal building. This, coupled with its height and blank, featureless appearance would dominate views from the conservatory on the rear of No 264, due to both its proximity to the shared boundary and the abundance of glazing to its elevations. This visual dominance would unacceptably reduce the quality of the outlook from the neighbouring conservatory to the detriment of the living conditions of its users.
8. There is a close boarded timber fence separating the gardens of the appeal building and No 264 but it would be much lower than the eaves and total height of the extension and thus it would not sufficiently mitigate its adverse effects as I have explained them. The occupiers of No 264 have not objected to the appeal scheme but this would not obviate the need for an assessment as to its effects in the context of the main issues.
9. The proposed development would therefore be unacceptably harmful to the living conditions of occupants of 264 Acklam Road with particular regard to outlook. As such it would fail to comply with Policy DC1 of the CS which requires development to consider the effect upon the surrounding environment and amenities of occupiers of nearby properties amongst other things.

Other Matter

10. In regard to the allowed appeal at No 234 Acklam Road, I have not been passed any further details of the case or made aware of its specific circumstances. I cannot therefore be sure there are sufficient similarities with that extension or its context and the same of the scheme before me such that it would alter my conclusions on the main issues.

Conclusion and Recommendation

11. The proposals would conflict with the development plan and there are no material considerations worthy of sufficient weight to indicate a decision other than in accordance therewith. I therefore recommend the appeal is dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR