



Appeal Decision

Site visit made on 6 August 2024 by J Reed MPlan

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2024

Appeal Ref: APP/W0734/D/24/3346601

41 Acklam Road, Middlesbrough, TS5 5HD

- 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 Maqsood Hussain against the decision of Middlesbrough Council.
 - The application Ref is 24/0038/FUL.
 - The development proposed is the erection of a single storey rear extension to incorporate a new ground floor bathroom.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension to incorporate a new ground floor bathroom at 41 Acklam Road, Middlesbrough, TS5 5HD in accordance with the terms of the application, Ref 24/0038/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Proposed floor plans 1170/P/5, Proposed Elevations 1170/P/6, Proposed Site Plan 1170/P/7, Proposed Block Plan 1170/P/8 and Site Location Plan 1170-SLP.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

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.

Main Issue

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

Reasons for the Recommendation

4. The appeal site is a two-storey terraced property on Acklam Road. The surrounding area is predominantly residential and consists mainly of other similar terraced properties with small gardens to the front and yards to the rear.

5. I acknowledge that the existing rear extension would appear to have been erected without the benefit of planning permission. However, given its apparent age and the absence of any indication of intent to initiate enforcement action, it would appear to be an addition that must now be regarded as a part of the character of the area to be considered. The design of the proposed extension would be sympathetic to the existing rear extension in respect to roof design and the materials of the main dwelling.
6. Middlesbrough's Urban Design Guide Supplementary Planning Document (SPD) (2013) provides guidance on single storey rear extensions regarding design and form. I recognise that the proposal would conflict with advice set out on page 28 of the SPD as it utilises a flat roof design. However, I observed on my site visit that there are a range of different rear extensions and outbuildings with a variation of different roof types on Acklam Road. Notably, the neighbouring property next door also has a single storey rear element with a flat roof. As a result, the extension would be viewed in the context of the other extensions and outbuildings present in the rear yards of Acklam Road with the area characterised by a variety of differing architectural styles. Therefore, the addition of a further flat roof element would not have an adverse impact on the character of the host property and surrounding area.
7. The Council have referred to the impact of the cumulative built form from the existing and proposed extension. Whilst I accept that the introduction of the additional extension would increase the footprint of the dwelling this would not be so significant as to be unacceptable. The extensions to the rear of the appeal site are read as clearly subservient through the virtue of their single storey form and flat roof design. Therefore, the proposal would not cause demonstrable harm to the character and appearance of the appeal property.
8. For the reasons as set out, I conclude that the proposed extension would not have any adverse effect on the character and appearance of the host dwelling and the surrounding area. Whilst there would be some limited conflict with the SPD for the reasons set out, I find there to be no conflict with the Middlesbrough Local Development Framework, Core Strategy (2008) policies CS5 and DC1 which seek to ensure that development is well integrated into its context.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to conditions.

Martin Seaton

INSPECTOR