
Appeal Decision

Site visit made on 8 January 2026 by A Morrison MTCP MRTPI

Decision by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th March 2026

Appeal Ref: APP/H0738/D/25/3374802

19 Curlew Lane, Norton, Stockton-on-Tees TS20 1NB

- 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 Neil Shepherd against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 25/1201/FUL.
 - The development proposed is originally described as roof alterations, including raising of ridge height, gable end fenestrations, extension to provide second-floor accommodation and installation of roof lights.
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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.

Application for costs

3. An application for costs was made by Mr Neil Shepherd against Stockton-on-Tees Borough Council. This application is the subject of a separate Decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and area, taking into account the benefits for the appellant's family.

Reasons for the Recommendation

Character and appearance

5. 19 Curlew Lane is a two-storey detached dwelling located within a well-established residential area. The appeal dwelling possesses a single storey rear extension and a subordinate two storey hipped roof side extension. It sits centrally within a run of properties of the same original design, some of which have also been enlarged to the side with flat or hipped roofs. Despite these additions, the retention of their uniform height and consistent wall materials helps the building group retain a coherent appearance and distinctive sense of rhythm that positively contributes to the attractiveness of the street. More widely, the character of the surrounding neighbourhood is strongly defined by its prevailing two storey scale of development, with which the dwelling comfortably accords.

6. The proposed raising of the roof to create second floor accommodation would result in the dwelling appearing conspicuously taller than those of the same design to either side. By breaching the regular two storey building height which helps define Curlew Lane and the wider neighbourhood, the increased height would be acutely at odds with the characteristic scale of development in the locality.
7. The vertical extension would give rise to an inharmonious, unbroken expanse of upper-level wall between the dwelling's first floor windows and newly raised eaves. I appreciate that the property's front gabled form would remain, albeit noticeably elongated, and that the use of modest front and rear windows, along with rooflights, represents an attempt to moderate the increase in height. Nevertheless, this substantial additional height would fail to respect the dwelling's straightforward existing proportions and appearance, in doing so fundamentally altering its characteristic two storey scale.
8. The incongruous effect of this enlarged massing would be furthermore intensified by the considerable bulk of the side gabled element when set against the lower neighbouring property. This would create a visually overbearing relationship between the buildings, thereby aggravating the scheme's disruption of the group's overall coherence. Furthermore, the use of composite weatherboard cladding, a material absent from the host dwelling and its immediate surroundings, would emphasise its incompatibility.
9. Overall, through its unduly dominant height on its surroundings, as exacerbated by its combined bulk and unsuitable materials, the proposal would create a plainly discordant presence in the locality. As a result, it would have a significantly harmful effect on the character and appearance of the host dwelling and surrounding area.

Benefits for the appellant's family

10. The appellant resides in the three bedroom dwelling with his wife and four children, alongside his mother-in-law who lives in a one bedroom annexe contained within the existing side extension. The four children, two of whom have lifelong conditions which affect their day to day lives, occupy the front two modest sized bedrooms.
11. It is clear from the information provided that the existing situation with shared bedrooms causes difficulties for the whole family. In support of this, two GP letters from a local NHS Medical Centre have been submitted, outlining aspects of the children's medical conditions and the associated behavioural and sleeping challenges.
12. As supported by the recommendations of an Occupational Therapy Report, the appellant proposes to address the situation by providing two additional bedrooms with adjoining sensory rooms, along with an extra bathroom. Such an extension would provide space for all the children whilst retaining the benefits of the existing accommodation in terms of family support, including from the grandmother residing in the annexe, supportive neighbours and access to schools. An off-site, modular approach to the construction is proposed in order to minimise the time and impacts of the development upon the family as well as neighbouring occupiers.
13. I have considerable sympathy for the family's circumstances and attach significant weight to the personal factors presented. However, as explained above, the proposed extension would cause significant harm to the character and appearance of the area.

14. The dwelling has already been significantly extended and sits within a modest sized plot, and there is limited scope to make further additions without causing some degree of harm. That said, I am not convinced that there are no other viable ways of extending or altering the property involving a reduction in bulk, that couldn't materially reduce the extent of visual harm, whilst still delivering the key benefits for the family.
15. Taking all the evidence before me in the round, the benefits do not outweigh the identified harm. The proposal would conflict with Policies SD3 and SD8 of the Stockton-on-Tees Borough Council Local Plan 2019 (Local Plan). Taken together, amongst other things, these policies seek for development to be of high standard of design through taking into consideration its context, and for residential extensions specifically to be in keeping with the host property and streetscene in terms of style, proportions and materials. In addition, the proposal would fail to comply with the Council's Householder Extensions and Alterations Supplementary Planning Document 2021, which advises that the scale and proportions of development should be subservient to and not over-dominate the house or neighbouring properties.
16. Although Local Plan Policy SD8 provides support for the scheme insofar as seeking inclusive and accessible design, including for disabled persons, this is not of sufficient weight in the context of this appeal to overcome the policy's overarching requirements in respect of high standards of design.

Conclusion and Recommendation

17. I recognise the appellant's motivations for the development and have no doubt that it would give rise to considerable benefits for the family, including all of the children. However, I have found that the adverse effects of dismissing the appeal on the family would be justified in the wider public interest, namely in preventing significant harm to the character and appearance of the area.
18. In coming to this view, I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 (the Act), which sets out the need to eliminate unlawful discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who don't. Disability is a protected characteristic to which the PSED applies.
19. I have also considered rights under Article 3 of the United Nations Convention on the Rights of the Child, Article 8 of the Human Rights Act 1998 and Article 19 of the UN Convention on the Rights of Persons with Disabilities. Article 3 provides that in all actions concerning children, the best interests of the child shall be a primary consideration, Article 8 affords the right to respect for private and family and life and Article 19 affords the equal right of all persons with disabilities to live in the community. These are qualified rights, and any interference may be justified where it is in accordance with the law and is necessary in a democratic society, applying the principle of proportionality. In this case, the interference with the duty under the Act, and the above Articles, is proportionate and necessary.

20. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations of sufficient weight to indicate a decision other than in accordance therewith. I therefore recommend that the appeal be dismissed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

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

R Morgan

INSPECTOR