



Appeal Decision

Site visit made on 15 October 2014

by **M Seaton BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 November 2014

Appeal Ref: APP/W0734/D/14/2224726

101 Park Road South, Middlesbrough, Cleveland, TS5 6LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Hussain against the decision of Middlesbrough Borough Council.
 - The application Ref M/FP/0246/14/P, dated 21 February 2014, was refused by notice dated 23 June 2014.
 - The development proposed is a two storey rear and side extension, and a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development preserves or enhances the character or appearance of the Albert Park and Linthorpe Road Conservation Area.

Reasons

3. The appeal site is situated on the south side of Park Road South which is a predominantly residential street, and is occupied by a semi-detached dwelling. The street exhibits variation in type and style of dwellings, although semi-detached properties appear prevalent. The appeal dwelling is set back from the road frontage, with a driveway providing access along the side of the house to a detached single-storey garage building set within the rear garden.
4. Park Road South is identified within the Albert Park and Linthorpe Road Conservation Area Appraisal and Management Plan 2013 (the Conservation Area Appraisal) as comprising inter-war housing with large front gardens, and the retention of many traditional and characteristic features. The Conservation Area Appraisal indicates that extensions within the conservation area should generally be at the side or the rear and be subordinate to the building to which they are attached, should use similar or complementary materials, and should reflect or complement the style and appearance of the host building.
5. The Council has not raised any objection to the proposed single-storey rear extension, and this element of the works is not a matter of dispute. The proposed two-storey rear extension would occupy a position partially offset from the rear of the appeal property, and would not extend forward to the side of the rear elevation of the host dwelling. However, whilst this would in

principle accord with the suggested positional subservience set out in the Conservation Area Appraisal, the overall size and design of the proposed extension would not complement the existing house. The footprint of the proposed extension would significantly increase the overall size of the dwelling, which when taken in combination with the proposed single-storey extension, would not amount to a subservient addition to the existing dwelling. The hipped roof design of the proposed extension would also not relate successfully to the roof of the existing dwelling, and as a consequence would result in an awkward design relationship between the two elements. Taken in combination with the position of the proposed development on site, it would appear more akin to a separate attached building rather than an extension, which would not be characteristic of residential development within the conservation area.

6. I have had regard to the appellant's observation that the proposed extension would be set back within the site, and that the use of a low roof profile and matching materials would reduce the visual impact of the proposed two-storey extension. However, whilst I acknowledge that this may be the case, this would not mitigate the impact of the proposals on the existing dwelling, and as a consequence, the character of the conservation area.
7. The appellant has also drawn my attention to the variety in the design and appearance of dwellings and other extensions within the street, and has cited this as precedent for the proposed development. However, whilst I observed other extensions in the area, no detailed information related to the circumstances and decision-making of the other developments has been submitted from which I would be able to make a conclusive judgement as to their similarities to the appeal site. In any event, I have determined the appeal on the basis of the material planning considerations and the evidence placed before me, from which I have reached my own conclusions.
8. In reaching my conclusion, I have had regard to the personal circumstances of the appellant as set out in their evidence. However, whilst I appreciate the circumstances and requirements related to the development of the additional accommodation, from the evidence submitted and my observations on the site, I am not persuaded that the development would be in accordance with paragraph 134 of the National Planning Policy Framework (the Framework), and that the less than substantial harm identified to the conservation area would be outweighed by any public benefit.
9. The development would fail to preserve or enhance the character and appearance of the Albert Park and Linthorpe Road Conservation Area. The development would conflict with Policies CS5 and DC1 of the Middlesbrough Core Strategy 2008, and guidance with the Conservation Area Appraisal. These seek to ensure the preservation or enhancement of the character or appearance of conservation areas, that the visual appearance of development is of high quality and relates to the surrounding area, and that extensions are subordinate to the building to which they are attached and complement its style and appearance. The development would also not accord with paragraph 132 of the Framework which highlights that great weight should be given to the conservation of heritage assets.

Other Matters

10. I have noted that the Council accepts that there would be unlikely to be an adverse impact on the living conditions of the neighbouring occupiers at Nos.

99 & 103 Park Road South, and has not articulated this matter in its reason for refusal. Furthermore, the appellant has pointed out the retention of parking areas to the side and front of the dwelling, and I have also noted that the Council's Highways team has not raised any objection to the proposal. In addition, the appellant has drawn my attention to the absence of any objections from neighbouring occupiers. However, whilst these are matters that would weigh in favour of the development, they would not be sufficient to outweigh the harm which I have identified in respect of the main issue.

11. The appellant has also raised concerns over the handling of contact with the Council and the application. However these do not have a bearing on the appeal before me.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

M Seaton

INSPECTOR