
Appeal Decision

Site visit made on 30 April 2015

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 8 May 2015

Appeal Ref: APP/W0734/D/15/3005702

90 Woodlands Road, Middlesbrough, Cleveland, TS1 3BP

- 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 A Mahmood against the decision of Middlesbrough Council.
 - The application Ref M/FP/1175/14/P, dated 11 November 2014, was refused by notice dated 29 December 2014.
 - The development proposed is 2nd storey rear bedroom extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the development proposed from the application form. On its Decision Notice, the Council describes the development as a first and second floor extension at rear. This provides a fuller description.
3. The application the subject of this appeal was originally submitted as an application for a first floor only extension to the rear. The application was subsequently altered to a first and second storey extension above the existing offshoot to the rear¹ and that proposal is the subject of this appeal.

Main Issue

4. The main issue in this case is the effect of the proposed development on the living conditions of neighbours, with regards to outlook.

Reasons

5. The appeal property is a two storey mid-terrace Victorian dwelling. It is located in a largely residential area, close to the University of Teesside. Surrounding properties are predominantly similar Victorian terraced dwellings and a number of these appear to have been converted from single dwellings into flats or houses in multiple occupation.
6. To the rear of the appeal property, an offshoot extends to its rear boundary, beyond which there is a narrow ginnel separating the rear of Woodlands Road and Acton Street. The offshoot drops in height from two stories, with additional

¹ As per plans dated 25 November 2014.

accommodation at roof level, closest to the rear elevation, to a single storey, adjacent to the ginnel.

7. During my site visit, I observed that the majority of properties along both streets appear to have rear offshoots extending to the ginnel. Many of these are single storey in height, although some extend to two storeys. I also noted during my site visit that a number of properties along Woodlands Road have relatively modern extensions and alterations to the rear.
8. The proposed development, were it to go ahead, would result in there being a three storey offshoot projecting from the rear elevation of the property to its boundary with the ginnel. The proposed development would face towards the existing rear offshoot of No 88 Woodlands Road and would be located in very close proximity to that offshoot.
9. During my site visit, I noted that a number of windows in No 88's rear offshoot faced directly towards the existing offshoot of the appeal property. I find that the sheer scale of the development proposed, combined with its close proximity, would result in the proposal towering over No 88, entirely dominating the outlook from the facing windows within that property's rear offshoot.
10. In addition, I consider that the proposal, due to its height, length and proximity to No 88, would introduce a tunnelling effect so severe as to dominate the outlook from the rear elevation of No 88, towards the ginnel.
11. Taking all of the above into account, I find that the proposed development would harm the living conditions of neighbours, with regards to outlook. This would be contrary to the Framework, to Core Strategy² policies DC1 and CS5, and to the Council's Urban Design Guide³, which together amongst other things, protect residential amenity.

Other Matters

12. The appellant draws attention to other developments in the area. Whilst I note above that a number of alterations and extensions exist in the surrounding area, none comprise three storey extensions extending to the ginnel to the rear of Woodlands Road in the same way as that proposed.
13. I acknowledge that there have been no objections to the proposal from neighbours. However, this could be for any number of reasons and does not equate to the same thing as support for the proposal.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

² Middlesbrough Local Development Framework Core Strategy (2008).

³ Middlesbrough's Urban Design Supplementary Planning Document (2013).