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## Appeal Decision

Site visit made on 16 March 2018

**by C L Humphrey BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22<sup>nd</sup> March 2018**

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**Appeal Ref: APP/W0734/D/17/3190336**

**196 Guisborough Road, Middlesbrough TS7 0JG**

- 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 Singh against the decision of Middlesbrough Borough Council.
  - The application Ref 17/0467/FUL, registered on 14 August 2017, was refused by notice dated 6 November 2017
  - The development proposed was originally described as a loft conversion.
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### Decision

1. The appeal is allowed and planning permission is granted for 1no. dormer window to front at 196 Guisborough Road, Middlesbrough TS7 0JG in accordance with the terms of the application, Ref 17/0467/FUL, registered on 14 August 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site & Location Plans, Drawing No.01  
Existing Plans & Elevations, Drawing No.03  
Proposed Plans & Elevations (Scheme 1), Drawing No.05 Rev.A
  - 3) Unless otherwise specified on the approved plans, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Procedural Matter

2. Notwithstanding the description of development set out in the banner heading, which is taken from the application form, the Council's decision notice describes the proposed development as 1no. dormer window to front and the appellant uses this description on the appeal form. This more appropriately describes the proposal and therefore, since no party would be caused any injustice by me doing so, I have considered the appeal on the basis of the revised description as set out in the formal Decision above.

### Main Issue

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

## Reasons

4. The appeal property is a generous 2 storey semi-detached house which, like others along the south side of Guisborough Road, is set well back behind the tree-lined street frontage within a substantial plot. The adjoining house has a sizeable side extension which, together with some variation in the fenestration pattern, unbalances the appearance of the pair. There is considerable diversity in the architectural design, form and materials of neighbouring properties and dormer windows are an existing feature in the street scene.
5. The proposed dormer would be modest in scale, set down below the ridge line and up from the eaves with the cheeks set well in from the edges of the roof. It would have a hipped roof form in keeping with the main house, would be faced in vertical hanging tiles to match the existing roof and the window would reflect the design and proportions of others in the front elevation. As a result, the dormer would be a sympathetic and proportionate addition to the house.
6. I therefore conclude that the proposed development would not have a harmful effect on the character and appearance of the area, and would accord with the design aims of Policies DC1 and CS5 of the Middlesbrough Local Development Framework Core Strategy and paragraph 5.11 of Middlesbrough's Urban Design Supplementary Planning Document.

## Other Matters

7. Interested parties, including residents and Nunthorpe Community Council and Parish Council have raised wider matters including the quality of the plans, whether other elements shown on the drawings are permitted development, the effect on neighbours' privacy and issues of highway safety arising from construction traffic movements. The plans are clear and show the proposal in sufficient detail to enable a proper assessment. In the context of this appeal it is not a matter for me to determine whether other works would be permitted development. Given the substantial spacing between the front of the appeal property and the nearest houses, the dormer would not overlook neighbours or cause any loss of privacy. There is ample space within the appeal site to enable construction vehicles to park and turn, and I have no evidence that traffic generated during the construction phase would prejudice highway safety. References have also been made to the erection of a boundary wall, works to trees, the planting of a new hedge and installation of garden ornaments and external lighting; these matters do not form part of the scheme before me and therefore have no bearing upon my determination of the appeal. Accordingly, I have given these matters little weight.

## Conditions

8. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings in the interests of certainty and a condition relating to materials to ensure the suitable appearance of the development.

## Conclusion

9. For the foregoing reasons I conclude that the appeal should be allowed.

*CL Humphrey*

INSPECTOR