



Appeal Decision

Site visit made on 15 October 2018

by **Chris Baxter BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 November 2018

Appeal Ref: APP/W0734/D/18/3205395

71 Clevegate, Nunthorpe, Middlesbrough, Cleveland TS7 0LN

- 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 Steven Wilkie against the decision of Middlesbrough Borough Council.
 - The application Ref 18/0002/FUL, dated 15 January 2018, was refused by notice dated 22 May 2018.
 - The development proposed is described as front elevation bedroom extension above existing porch with pitched roof gable and internal ground floor alterations to provide a WC.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The surrounding area is characterised by a mix of modest properties, some with pitched roofs and some with gable roofs fronting onto the highway.
4. The Middlesbrough Local Development Framework: Nunthorpe Design Statement Supplementary Planning Document 2011 (NDSSPD) describes the qualities of the buildings of Clevegate and states '*roofs are in general hipped and low pitched with gable end often fronting the road.*' During my site visit however, I observed that the appeal property sits within a row of houses which have pitched roofs fronting the highway. The proposal would introduce a two storey form of development which would be at odds with this row of built development. The gable end design and the overall scale of the extension would be an unsympathetic addition that would have an unbalancing effect on the property and appear dominating with a large expanse of brickwork to the detriment of the character and appearance of the area.
5. There are a number of properties in the area that have single storey front additions which do appear subservient to their host property. The proposal however, is a bulky two storey structure which would not appear subordinate to the modest scale of the host property. Due to its size, bulk and design, the

- proposal would adversely detract from the character and appearance of the area.
6. The proposal therefore fails to comply with Policies CS5 parts (c) and (f), and DC1 part (b) of the Middlesbrough Local Development Framework Core Strategy 2008 (CS); paragraphs 5.4 (c) and 5.4 (i) of the Middlesbrough's Urban Design Supplementary Planning Document 2013 (MUDSPD) and policies CA1 part (a) and D5 part (a) of the NDSSPD which seek to secure high standard of design which will enhance the built environment, be subservient and not overbearing, and be sympathetic to the character of the street scene.
 7. In reaching these conclusions, I have had regard to the examples of other developments¹ which have been approved. These examples are not within close proximity to the appeal site and are set in different local contexts and do not affect the character and appearance of the area surrounding the appeal site. I have also had regard to the 2009 permission² relating to the appeal site, which the appellant claims is a similar development and the appellant is therefore critical of the Council in terms of inconsistency of decision-making. Whilst I do not have full details of the circumstances that led to this proposal being accepted, the MUDSPD and NDSSPD were adopted after this 2009 permission. These documents are material considerations and I have afforded significant weight to these when determining the appeal. In any case, I have determined the appeal on its own individual merits.
 8. I acknowledge the appellant's statement of case which states that the proposal is the '*best solution in terms of construction, access, ability to meet building regulations, impact on neighbouring properties (specifically the primary rooms), separation distances and aspect.*' Whilst this may be the case, this does not outweigh the harm I have identified to the character and appearance of the area.

Conclusion

9. For the reasons set out above, the proposal would not accord with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and the associated development plan conflict. Having regard to all other matters raised the appeal is dismissed.

Chris Baxter

INSPECTOR

¹ Local Planning Authority (LPA) Application References M/PP/0555/16/P; 17/0158/FUL; 17/0875/FUL

² LPA Application Reference M/FP/0224/09/P