
Appeal Decision

Site visit made on 15 May 2019

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2019

Appeal Ref: APP/W0734/D/19/3223137

10 Rutland Avenue, Middlesbrough TS7 8JY

- 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 Carl Todd against the decision of Middlesbrough Borough Council.
 - The application Ref 18/0691/FUL, dated 23 October 2018, was refused by notice dated 14 January 2019.
 - The development proposed is described as a dormer extension to front.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Carl Todd against Middlesbrough Borough Council. This application is the subject of a separate Decision.

Main Issue

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

Reasons

4. The appeal property is a semi-detached property with an extensive sloping roof of a style and design of its age, situated in an area where similar properties predominant.
5. The proposed dormer extension is set down from the ridgeline, up from the eaves and in from the end of the roof as required by Middlesbrough's Urban Design Supplementary Planning Document (the SPD). However, as a result of the size of the proposed dormer extension and because it would project forwards of the existing first floor flat roofed window, the proposed development would not appear as subordinate to the existing dwelling contrary to guidance set out in the SPD.
6. The proposed dormer extension is wider and out of alignment with the ground floor window situated below the proposed extension and furthermore, the submitted plans show that the window in the proposed dormer extension would be of a square design, in contrast to the other windows in the front elevation of the appeal property that have a clear horizontal emphasis.

7. Consequently, the proposed dormer extension would appear as a prominent and incongruous feature harming the character and appearance of the host property and the surrounding area contrary to Policies DC1 and CS5 of the Middlesbrough Local Development Framework Core Strategy (2008) and the guidance of the SPD that, amongst other matters, seek to ensure that new development enhances the character and appearance of the local environment.

Other Matters

8. The Appellant states that the proposed dormer extension to the front is preferable to a similar scheme, or a ground floor extension, to the rear that could be carried out under Permitted Development rights but may impact on the living conditions of the occupiers of the properties to the rear. I have not been provided with any substantive details of this alternative scheme or the harm that it may cause to the occupiers of properties to the rear. Consequently, I afford this matter little weight.
9. I have some sympathy that the Appellant wishes to provide a larger bedroom for a family member. However, this is primarily a private benefit and does not outweigh the harm I have identified previously.
10. At my site visit I noted some other dormer window extensions to a small number of properties in the area surrounding the appeal property. The appellant has directed me to an unimplemented and now expired planning permission for very similar dormer extension at 16 Rutland Avenue. I have been provided with some details of the scheme but not the policies and circumstances that applied at the time that this scheme was approved. In any event each appeal must be determined on its own individual merits, as I have done.

Conclusion

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

Mark Brooker

INSPECTOR