



Appeal Decision

Site visit made on 17 December 2019

by E Symmons BSc (Hons), MSc

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/W0734/W/19/3235917

Park End Clinic, Overdale Road, Middlesbrough TS3 7EA

- 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 H Singh against the decision of Middlesbrough Council.
 - The application Ref 19/0080/FUL, dated 29 January 2019, was refused by notice dated 28 June 2019.
 - The development proposed is for siting of four containers and canopy roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During my site visit it was evident that the proposed canopy roof had been constructed and four storage containers were in place. A compound consisting of a grey palisade fence has been constructed to enclose the end wall of the store. Construction of the fence and compound do not form part of this appeal.

Main Issue

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

Reasons

4. The single storey convenience store which is the subject of this appeal forms around half of a converted former health centre building. The building sits in one corner of a large open space with children and young people's play areas to its rear. The convenience store has a parking area to the front, and this is separated from Overdale Road by a grass verge. The parking area is accessed from the adjacent side street which leads to Sandringham House some distance to the rear. The surrounding character is residential mainly comprising semi-detached and terraced two-storey dwellings. The open position of the building makes it particularly visible within the area from many aspects.
5. Directly attached to the end wall of the store is a canopy which has a sloping timber constructed roof. The structure is open at the sides and the fascia panel which fronts Overdale Road is metal however, the remaining fascia panels facing the open space and Oak Olney Walk are timber. Even if I were to consider the footprint acceptable, the structure, although of an appropriate scale, does not have a high quality appearance due to the mismatched fascia panels and materials which do not match the quality of those used in the convenience

- store. The resultant incongruous and temporary appearance harms the character and appearance of the area.
6. Four large metal storage containers have been placed within the compound and the canopy encloses the space between the side of the building and the end walls of the containers. The canopy appears to rest on the container roofs. The containers themselves are of different types and do not match one another with the two central containers sitting higher than those flanking them. They are also in various colours although the colour could be altered and secured by a planning condition. However, irrespective of their colour, the containers, due to their scale, mass and industrial appearance are an incongruous addition which contrasts with the surrounding residential character. The surrounding metal palisade fence provides some screening of the containers however, they are still clearly visible above and through the fencing.
 7. I have sympathy with the appellant and acknowledge that the substantial amount of storage provided by the containers will benefit the operation of the business. However, this does not outweigh the harm both the canopy and the containers cause to the local environment. The combined effect of the canopy and the containers is industrial and temporary which harms the character and appearance of the surrounding area.
 8. The development therefore conflicts with Policies CS5 and DC1 of the Middlesbrough Local Development Framework¹ 2008. These policies together and amongst other matters seek that development has high quality design which respects the character and appearance of the area.
 9. For the reasons stated above the appeal is dismissed.

E Symmons

INSPECTOR

¹ Middlesbrough Local Development Framework Core Strategy. Adopted February 2008.