



Appeal Decision

Site visit made on 29 June 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2020

Appeal Ref: APP/W0734/D/20/3250626

31 Thornfield Grove, Middlesbrough TS5 5LG

- 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 Mrs Hudi Muhammed against the decision of Middlesbrough Borough Council.
 - The application Ref 19/0683/FUL, dated 5 November 2019, was refused by notice dated 31 January 2020.
 - The development proposed is two storey extension to side and rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on:
 - The living conditions of residents of 29 Thornfield Grove with regards to outlook and light;
 - The character and appearance of the area; and
 - Highway safety with regards to parking provision.

Reasons

Living Conditions

3. The two-storey extension would be located in close proximity to the boundary with 29 Thornfield Grove. Due to the height and extent of the proposal along the boundary as well as the arrangement of the dwellings, the extension would lead to a significant loss of daylight and sunlight reaching the side and rear elevations of No 29, including a side window on the ground floor which serves a habitable room.
4. There are a number of windows on the side elevation of No 29 which would look directly onto the flank wall of the proposal, including one on the ground floor serving a habitable room. Due to the scale of the proposal and the proximity to the boundary, this would exacerbate an already close-knit relationship with the side of No 29. This would lead to an overbearing effect with subsequent harm to the outlook from the side of No 29, particularly in respect of the ground floor habitable room window.

5. The appellant submits that these effects may be due to No 29 lacking a driveway to the side which reduces the separation distance compared to other dwellings in the vicinity. However, whilst that may be the case, this does not diminish the harm that would arise to residents of No 29 due to the proposal.
6. I conclude that the proposal would lead to undue harm to the living conditions of residents of No 29 with regard to outlook and light. The proposal would therefore conflict with Policy DC1 of the Council's Core Strategy 2008 (the Core Strategy) in respect of the amenities of occupiers of nearby properties. The proposal would also be contrary to the National Planning Policy Framework (the Framework) with regards to providing a high standard of amenity for existing users of land and buildings. The proposal would also be contrary to the advice of the Council's Urban Design Supplementary Planning Document 2013 (SPD) with regard to the consideration of two-storey extensions and the effect on neighbouring properties.

Character and Appearance

7. The proposed two-storey extension would wrap around the rear and side of the host building. Although the 3m projection to the rear would not be excessive, the resulting extension would cover a significant area of the rear elevation and at first floor level and above would be of a width only slightly less than the original building. Due to this scale, the extension would appear as an overdominant addition. Although it is located to the rear, the extension would be visible from the public realm of Harrow Road as well as the rear gardens of nearby dwellings.
8. It is also proposed to remove the front wall and create a parking area to the front of the site. This would lead to a stark, open, car-dominated frontage to the property, which would contrast with the more suburban character of enclosed gardens with driveways which prevails in the vicinity of the site. I acknowledge that the removal of the wall and the creation of a hard surfaced area to the front may be undertaken without planning permission from the Council. However, these works would arise as a direct result of the proposal, including the loss of the garage, and therefore weigh against the appeal.
9. The Council has also expressed concern in relation to the design of a bow window on the front elevation of the extension. This bow window would not reflect the walk-in bay window of the host property or neighbouring dwellings. This would not sit comfortably with the established character and rhythm of the front elevations within the streetscape, and although this is a relatively minor matter it adds to my concerns in respect of character and appearance.
10. I therefore conclude that due to its scale, layout and design the proposal would lead to significant harm to the character and appearance of the area. The proposal would therefore be contrary to Policies DC1 and CS5 of the Core Strategy which seek to ensure that development is of a high quality in terms of layout, scale and design with regards to its relationship with the surrounding area. The proposal would also be contrary to the advice of the SPD in respect of the design of householder development.

Highway Safety

11. The proposal would involve the loss of the garage to the side of the dwelling. To address this, it is proposed to provide 3 off-street parking spaces to the

front in accordance with the parking provision for 5 bed houses set out in the Council's Design Guide and Specification Document (the Design Guide).

12. However, the length of one of these spaces is reduced by the bay window to the front of the property, and it would be less than the 5m minimum set out in the Design Guide. This would be likely to result in cars overhanging the footpath thereby causing an obstruction for pedestrians, especially those using buggies or wheelchairs. As well as restricting the movement along the footpath, this may also deflect pedestrians into the roadway with resultant potential for collisions with vehicles.
13. A bow window on the extension would also project into one of the parking spaces. Whilst this would not extend to ground level, this could also hinder the parking of vehicles and may lead to similar harm as the space affected by the bow window.
14. I conclude that the proposal would be harmful to highway safety due to the inadequate provision of parking spaces. The proposal would therefore conflict with Policy DC1 of the Core Strategy and the Framework due to an unacceptable impact on highway safety. The proposal would also conflict with the advice of the Design Guide in respect of the standards for in-curtilage parking.

Conclusion

15. I am mindful of the benefits that would arise from the proposal. The development would provide improved living accommodation for the appellant's family and I note that it has proved difficult to sell the property to enable a move to larger accommodation. However, these personal matters do not outweigh the significant harm that I have identified.
16. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR