



Appeal Decision

Site visit made on 20 July 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/W0734/D/20/3251710

6 Malvern Drive, Middlesbrough TS5 8JB

- 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 Lee Wilson against the decision of Middlesbrough Borough Council.
 - The application Ref 20/0081/FUL, dated 10 February 2020, was refused by notice dated 27 April 2020.
 - The development proposed is described as "Double storey side extension."
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Decision

1. The appeal is allowed and planning permission is granted for double storey side extension at 6 Malvern Drive, Middlesbrough TS5 8JB, in accordance with the terms of the application, Ref 20/0081/FUL, dated 10 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 2020/LW3/01; 2020/LW3/02; 2020/LW3/03; 2020/LW3/04; 2020/LW3/05; and site location plan.
 - 3) 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.

Main Issue

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

Reasons

3. The surrounding area is characterised predominantly by semi-detached residential properties. A number of properties in the area have additions and the built form of the street is not uniformed.
4. The proposed extension would be set back from the front building line of the original property and have the roof set down from the existing roof line, so whilst the proposal would be built up to the boundary with 4 Malvern Drive (No 4), it would not create an adverse terracing effect.

5. The proposal extends approximately 10.6 metres along the boundary of the site, however due to its position and design including hipped style roofs, it would not appear overly dominant. The scale of the proposal would be sympathetic and in keeping with the existing extensions in the area including those on the appeal property and at No 4. The proposal would not be overdevelopment and would reflect the character of the surrounding built form.
6. I am familiar with the development scheme at No 4 that was dismissed under planning appeal ref: APP/W0734/D/18/3200232. I do not consider this scheme to be directly comparable with the proposed extension, particularly in regard to size and design. In any case I have determined this appeal on its own merits.
7. Accordingly, I find that the proposal would not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Policies DC1 and CS5 of the Middlesbrough Local Development Framework Core Strategy 2008, the Middlesbrough's Urban Design Supplementary Planning Document 2013 and the National Planning Policy Framework which seeks development proposals to secure a high standard of design and ensure integration with the immediate and wider context.
8. I have had regard to the Council's Officer Report and correspondence from local residents which includes comments on privacy, overshadowing, boundary encroachment, parking and property valuations. I have given careful consideration to all these matters when reaching my decision, but they do not lead me to a different overall conclusion on the main issue.

Conditions

9. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of the character and appearance of the area, a condition is imposed to ensure the materials used in the construction of the proposed extension matches the existing building.

Conclusion

10. For the reasons set out above, I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR