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## APPLICATION DETAILS

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<b>Application No:</b>	23/0666/FUL
<b>Location:</b>	30, Woodvale, Middlesbrough, TS8 0SH
<b>Proposal:</b>	Two storey extension to side, part single storey extension to rear side and single storey extension to side, two storey bay extension to the front, including alterations to windows
<b>Applicant:</b>	Mr James Harker-Mason
<b>Agent:</b>	Andrew Bircham, Adapt Architectural Solutions Ltd
<b>Ward:</b>	Coulby Newham
<b>Recommendation:</b>	Approve with conditions

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## SUMMARY

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The application seeks approval for extensions to the property as well as alterations to windows and the existing materials. Approval is sought for the following extensions as set out below:

- Two storey side extension
- Single storey side extension
- Part single storey extension to rear/side
- Two storey bay extension to the front

Following the consultation exercise, objections were received from nearby residential properties. Concerns have been raised with regards to loss of privacy, overshadowing, loss of light, noise, the use of the property and the scale and appearance of the proposed works. The application was re-advertised following an amended description. The scheme has been amended during the application process to change the proposed materials and remove a second floor side window.

Taking into account all material considerations, it is considered that the proposed extensions and alterations to the property would not harmfully dominate the host property or wider street scene and would also have no significant detrimental impact on adjacent properties. Whilst there would be some impact, it would not be so significant as to warrant refusal of the scheme. As such the scheme is able to accord with relevant Local Plan Policies CS5 and DC1.

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## SITE AND SURROUNDINGS AND PROPOSED WORKS

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1. The application site is a large, two- storey detached dwelling with attached double garage which is located within the cul-de-sac of Woodvale. A property immediately adjacent to the application property is of similar in appearance in terms of materials

and general appearance however looking towards the rest of the cul-de-sac, properties are of a different design, therefore offering some variance within the immediate context. Further, it is noted that there is a mixture of building lines due to the orientation and layout of nearby properties. Plot sizes vary also. In the case of the application property, it is set within a more generous plot and is well set back from the road. The side of the property borders Stainton Way.

2. It is proposed to erect the following extensions:
  - Two storey side extension
  - Single storey side extension
  - Part single storey extension to rear/side
  - Two storey bay extension to the front
  
3. These are to be of matching brick however it is also proposed to clad the existing property to replace the existing tile, therefore changing the appearance of the dwelling.

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## PLANNING HISTORY

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4. None relevant

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## PLANNING POLICY

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In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

### Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).
- Stainton and Thornton Neighbourhood Plan (2022)

### National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

### **DC1 - General Development, CS5 - Design, CS4 - Sustainable Development, UDSPD - Urban Design SPD**

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.  
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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During the initial consultation process, five third party representations were received (four objections and one comment).

A further round of re-consultation was carried out to advertise a change in description. The plans had not been changed at this point; the original description given to the application did not fully explain the amount of works proposed. From this exercise, a further three objections were received from existing respondents.

Comments received are summarised below:

39 Woodvale

- Loss of sunlight from extension
- Overlooking

40 Woodvale

- Query raised as to whether property is to be used as an HMO

38 Woodvale

- Concern of noise
- Loss of light from development
- Loss of privacy from development
- Impact on traffic

26 Woodvale

- Overbearing scale compared to host property
- Materials are not in keeping
- Concern of noise/disruption
- Previous smaller extensions to nearby property have been refused

32 Woodvale

- Lack of neighbour notification
- Concern of property becoming HMO
- Impact on road and noise from construction
- History of noise complaints at this site

Additional comments made after re-consultation:

38 Woodvale

- Loss of sunlight
- Loss of privacy
- Increase in traffic
- Impact on house prices

39 Woodvale

- Changes to plans do not overcome previous concerns

26 Woodvale

- Changes to plans do not overcome previous concerns

**Public Responses**

Number of original neighbour consultations	6
Total numbers of comments received	1
Total number of objections	7
Total number of support	0
Total number of representations	8

Principle of development

5. The application site is within an established residential area and set in a generous plot within the cul-de-sac. The general principle of extensions to the dwelling is acceptable subject to detailed consideration of the specific scale, design, appearance and relative impacts of what has been proposed. Please note there is no change of use proposed and this application seeks approval for domestic extensions only.

Impact on the character and appearance of the area

6. The host dwelling comprises buff brick with existing hanging tile. There is an attached garage to the side, open frontage and hardstanding/driveway to the front.
7. The relevant local plan policies to be considered in determining this application are Policies CS5 and DC1. Policy CS5 aims to secure a high standard of design for all development, ensuring that it is well integrated with the immediate and wider context. Policy DC1 takes account of the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials. This is to ensure that they are of a high quality and to ensure that the impact on the surrounding environment and amenities of nearby properties is minimal.
8. The proposed extensions and alterations to the dwelling are considered individually and cumulatively below which takes into changes to the scheme since the application was submitted;

*Proposed Front Bay Extension*

9. The proposed front bay extension would utilise the position and appearance of the existing bay, extending upwards to the first floor and sitting under a hipped roof. The Council's Design SPD states that extensions at the front of houses are generally unacceptable in principle as they assume an extremely conspicuous and inappropriate appearance. A limited form of well-designed extension may be acceptable in certain circumstances.
10. It is noted that there is some allowance for a modest and well-designed addition to the front in the SPD. In this case, the front extension would reflect an existing design feature (bay window) as well as retaining the existing projection from the front elevation. It would also sit under a hipped roof, matching the roof form of the host property. Although it will be noticeable in the public realm, it does offer subservience and considering that the application property is much more set back from the road than its neighbours, it is considered that there would not be a notable interruption to the building line which would significantly harm the street scene.
11. With this in mind, this element is judged to be acceptable on balance, given it is of limited scale.

*Side/Rear Extensions to Dwelling (two storey/first floor)*

12. The application proposes a first-floor extension to the side above the existing garage. It is acknowledged that this would be a discernible change to the bulk/massing of the host which would also be noticeable in the public realm. There was initial concern from the Case Officer with regards to increasing the width of the property however it is acknowledged that this element is set back from the front elevation by 3.9m and inset from the side boundary by 2m in accordance with the Design SPD which requires a 1m set back distance. Further, it is also set down from the ridge and contains a pitched roof, therefore offering subservience and integration with the host. Due to spacing within the street, there would not be a concern of terracing as set out within the Design SPD, as a result of there being no common building line.
13. Further, considering the width of the garage which this property benefits from, it is judged that this allows for an extension as proposed in that it would not appear too squat or disproportionate overall to the host dwelling.
14. It is also proposed to extend at the rear of the dwelling both at ground floor and first floor height however the additional built form would sit flush with the existing rear building line. In this case, there is a modest footprint achieved by the proposed extension so no conflict with the SPD in this regard.
15. The additions to the rear would not be visible in the street scene but care should be still taken to ensure appropriate design even if not in public view. This element would be set down from the ridge and of a fairly modest footprint which would still retain sufficient rear curtilage.

#### *Side Extension (ground floor)*

16. It is also proposed to erect a single storey side extension to the property. The Council's SPD states that when such an extension requires permission, the main consideration is the height and design. Upon initial assessment, there was concern from the Case Officer that the extension would appear rather tall in context with the host dwelling when looking from the side and front. However in this case, it is also noted the extension would set back from street scene with screening provided by the boundary treatment. Further, due to the angle of the dwelling within the plot, this extension would not be overly prominent when viewing the dwelling from the street scene.
17. Taking the above into consideration, the individual extensions are, on balance, considered acceptable.

#### *Cumulative Impact*

18. It is noted that the cumulative impact would clearly change the appearance and bulk of the dwelling but the site-specific circumstances are relevant. In this case, given the position of the application property set back from the road, it is considered that the additions would not appear overly prominent as to cause significant harm to the street scene, nor would they dominate the original form and scale of the host property to a degree which would warrant refusal of the scheme.

19. The proposal would also result in a change of materials. As originally submitted, it was proposed to render the new built form and replace the existing tile with a dark, near-black cladding. Concern was expressed by the case officer that a contrasting material such as render would not allow the extensions to integrate appropriately with the host and street scene and that the originally proposed cladding would be too dark, therefore emphasising the amount of built form proposed. In response, amended plans were secured which showed the extensions as matching brick and a brighter shade of cladding was to be incorporated. This has helped to soften and tie in the built form with the host dwelling.
20. In light of the above, the proposal would result in notable additions to the dwelling, which are also visible in the public realm. The additional mass/bulking is noted as rather significant extensions are proposed but overall, the extensions would be of subservient form and scale. Also considering the orientation and position of the host dwelling which is set back from the road, the proposals would not notably harm the character and appearance of the area to a degree which would warrant refusal of the scheme in this case. On balance, the scheme is considered acceptable, being in accordance with the general principles of the adopted Urban Design SPD as well as Local Plan Policy CS5.

#### Impact on privacy and amenity

21. With regards to potential overlooking from the proposed extensions, new glazing at the rear would sit flush with the existing fenestration on the dwelling's rear elevation. Third party representations raised concern of overlooking from the rear but it is noted that the only additional window at first floor height serves an en-suite bathroom so by its nature would be obscure glazed. A roof light is proposed to the rear of the extension and given its proximity to the adjacent property could be obscure glazed. It is also acknowledged that rooflights are also proposed to the rear of the main dwelling but given their position and location it is considered that these views would be akin to existing mutual overlooking already achievable by the host property at the rear.
22. No new first floor windows would be added to the side elevations, therefore mitigating views from this vantage point. As such this complies with the Council's Design SPD which states that windows within two-storey rear extensions should look down over the site's garden area and not be on side elevations. Front facing windows would look out on to the public highway, resulting in an acceptable relationship.
23. In terms of potential overbearing and overshadowing to nearby properties, no. 29 Woodvale sits at a perpendicular angle to the south of the application property. It would be closest to the bay window extension and single storey side extension but given the neighbour's position in relation to these elements and the resultant separation distance, there is not considered to be a concern of notable overbearing or overshadowing to this neighbour.
24. Similarly, no. 31 Woodvale which sits to the north of the application dwelling is also at a distance to the built form facing this neighbour as it follows the curvature

of the road. As such, this neighbour is also at an inset position which would not receive significant overbearing or overshadowing from the extensions.

25. No. 40 Woodvale sits directly behind the application site. The side of this neighbouring property would be faced with the rear extensions. As mentioned above, the rear extensions would sit flush with the existing rear building line of the main dwelling. Therefore, there is not considered to be a significant overbearing or overshadowing impact as the separation distance is largely maintained.
26. No. 39 Woodvale is positioned to the side of the application dwelling but with the neighbouring property itself set back. The rear and side extensions at first floor level would sit forward of the neighbour's garden area. It is also noted that no. 39 sits within a smaller plot which directly abuts no. 30.
27. It is acknowledged that when looking at the path of the sun, there would be some impact on levels of light during part of the day due to the extensions but considering that the overall sunlight is already impacted by the height and position of the host dwelling in relation to the neighbour, it is not considered that this additional impact from the extension would be significantly harmful as to warrant refusal of the scheme.
28. Third party representations also raised concern with regards to noise. In terms of construction noise this is temporary and also subject to control by separate Environmental Health legislation.
29. In light of the above, the proposal is considered in accordance with Local Plan Policy CS5.

#### Other matters

30. In terms of parking provision, the existing parking arrangement at the front of the site will still be retained. As a result, adequate in-curtilage parking provision will still be achieved ensuring there will be no implications on the highway.
31. Third party representations also raised concerns regarding the property being used as an HMO however this does not form part of the proposal.
32. Impact on houses prices was also raised in the representations however this does not form a material planning consideration.
33. It was also highlighted how another front extension to a nearby dwelling had been refused by the Council and that sets a precedent. When considering an application, each application is assessed on its own merits and cannot be speculative of future development.
34. It is also noted that a number of trees border the site as shown on the plan however these are not protected. Supporting information with the application states that their removal is not required in order to facilitate the proposed works.



Conclusion

35. In view of the above, cumulatively the proposal will have some impact on the amenity of neighbouring properties as well as notable changes to the appearance of the dwelling in the street. However it is considered that the impacts would not be so significant as to amount to a notable harm which would necessitate the refusal of the application. This is due to the design and scale of the extensions in relation to the site-specific circumstances of the application dwelling being suitably in keeping.
36. Officer recommendation is to approve subject to the following conditions

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**RECOMMENDATIONS AND CONDITIONS**

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**Approve subject to the following Conditions**

1. Time Limit  
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
- Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Approved Plans  
The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:
- a) Location Plan - Received 22 December 2023
  - b) Block Plan – Received 22 December 2023
  - c) Proposed Ground Floorplan – Drawing no. 02 Rev B, received 22 December 2023
  - d) Existing and Proposed Elevations (inc Existing Floorplans) – Drawing no. 02 Rev C, received 21 March 2024
  - e) Proposed First and Second Floorplan – Drawing no. 03 Rev C, received 26 February 2024
- Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.
3. Materials - Approved Details  
The development hereby approved shall be carried out in complete accordance with the external finishing materials detailed in the approved plan (drawing no. 02 Rev C, received 21 March 2024). Thereafter the development shall be carried out in accordance with the approved details.
- Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.
4. Windows - Opaque

The rear facing rooflight within the extension hereby approved must be opaque glazed to a minimum of level 3. The opaque glazing must be implemented on installation and retained in perpetuity.

Reason: In the interests of the amenities of residents and to ensure a satisfactory form of development having regard for policy DC1 of the Local Plan

#### **Reason for Approval**

**It is considered that the proposal is in accordance with the Policies within the Local Development Framework Core Strategy and Development Policies document in that the scale, design and materials proposed are appropriate to the site location and there will be no demonstrable adverse impact on adjacent residential amenity. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including LDF Policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.**

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#### **INFORMATIVES**

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None

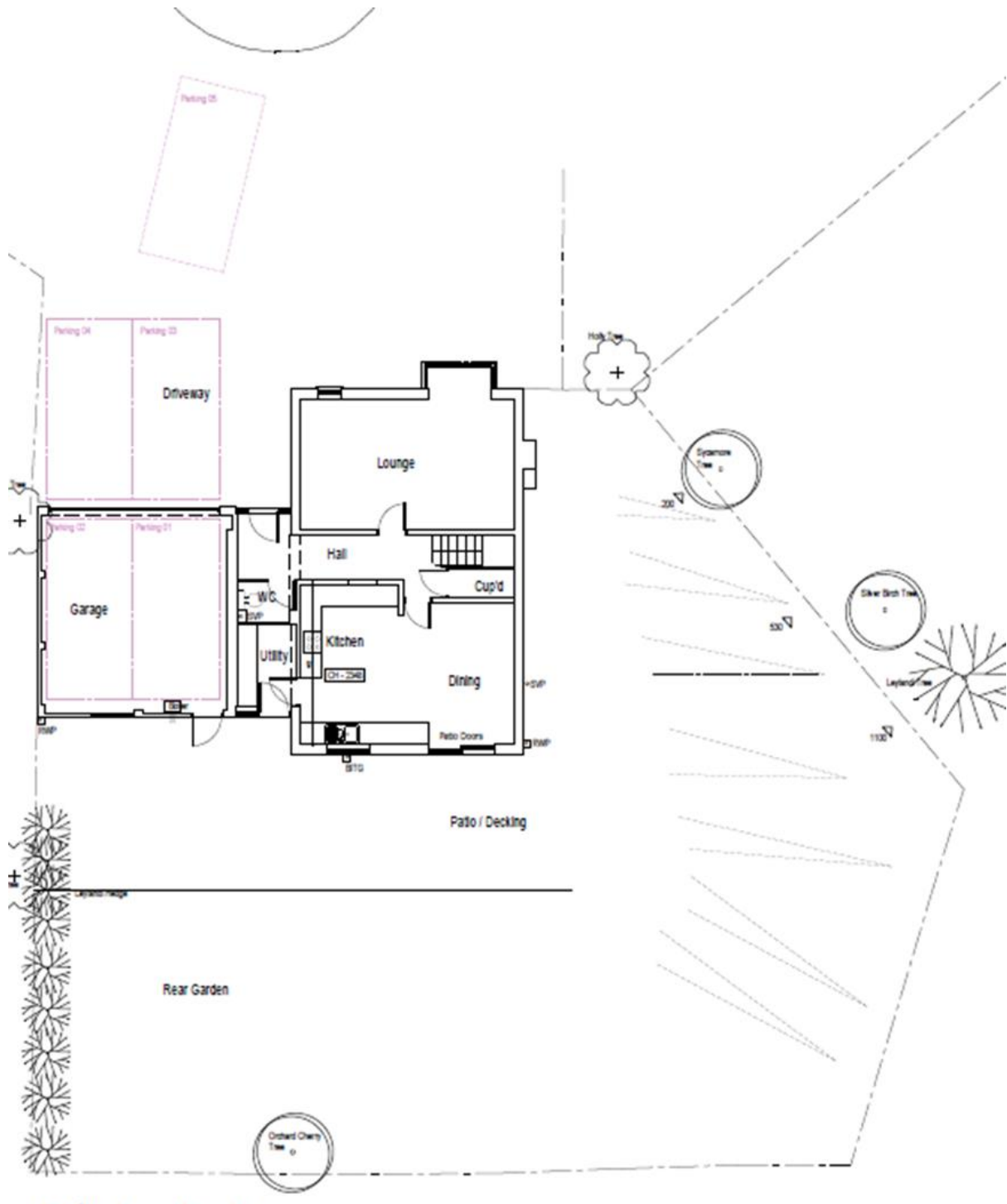
Case Officer: Victoria Noakes

Committee Date: 11 April 2024

Appendix 1. Location Plan

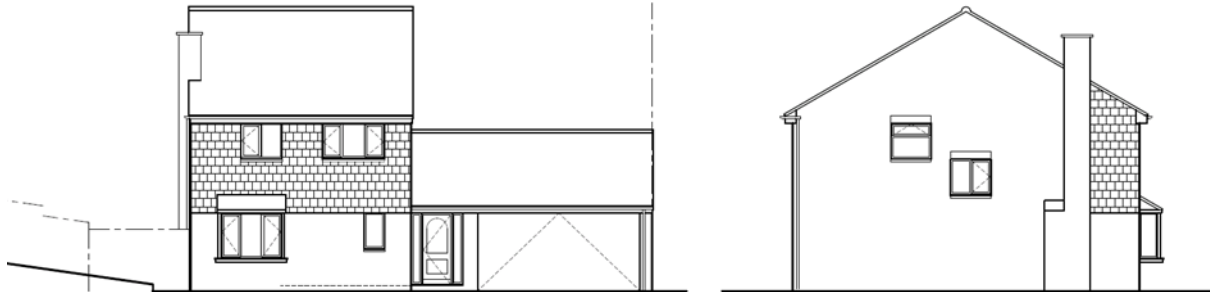


Appendix 2. Existing Site Plan



**Appendix 3. Existing Elevations**

**Front and Side**

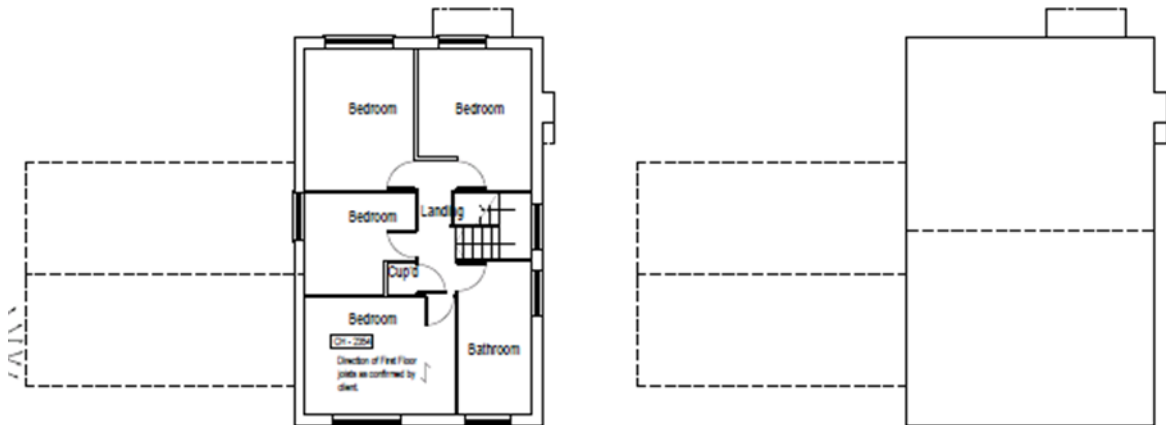


**Rear and Side**

Scale 1:100



**Appendix 4. Existing First Floor & Roof Plan**

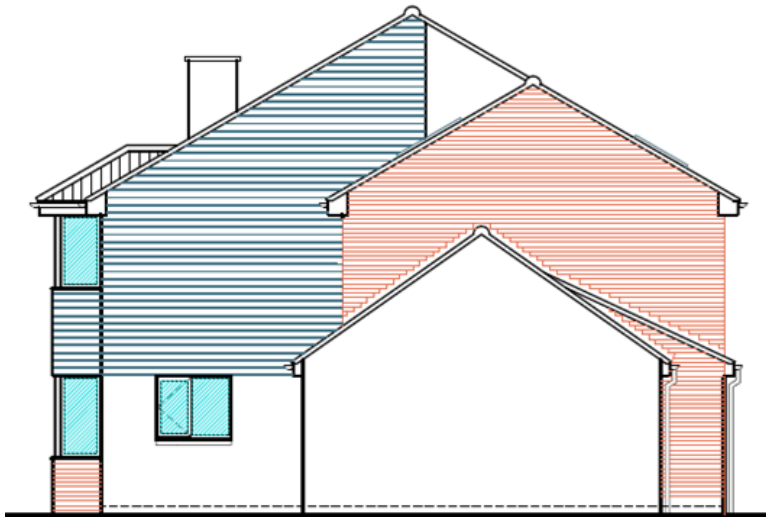


**Appendix. 5. Proposed Elevations**

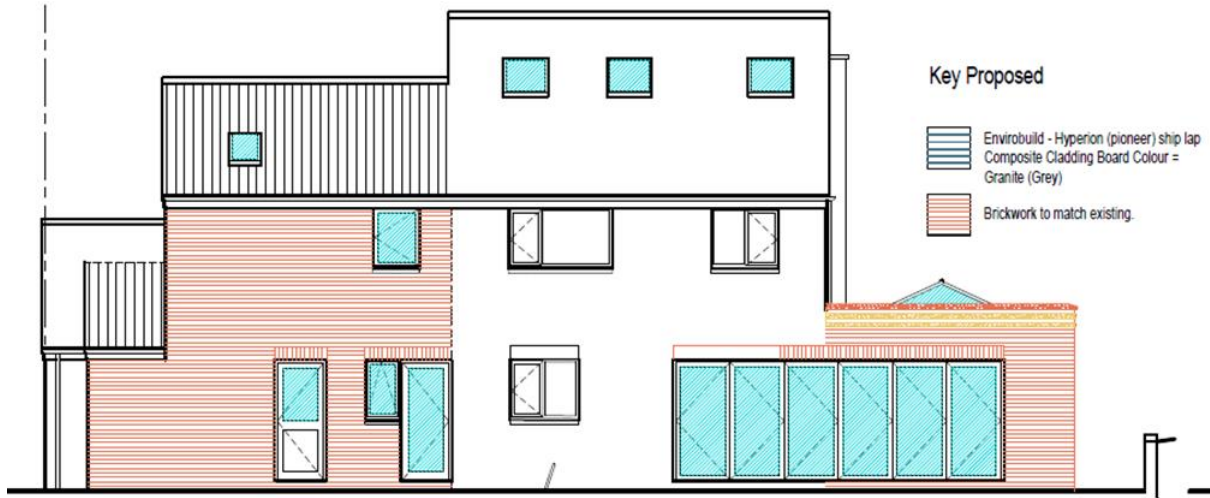
**Proposed Front**



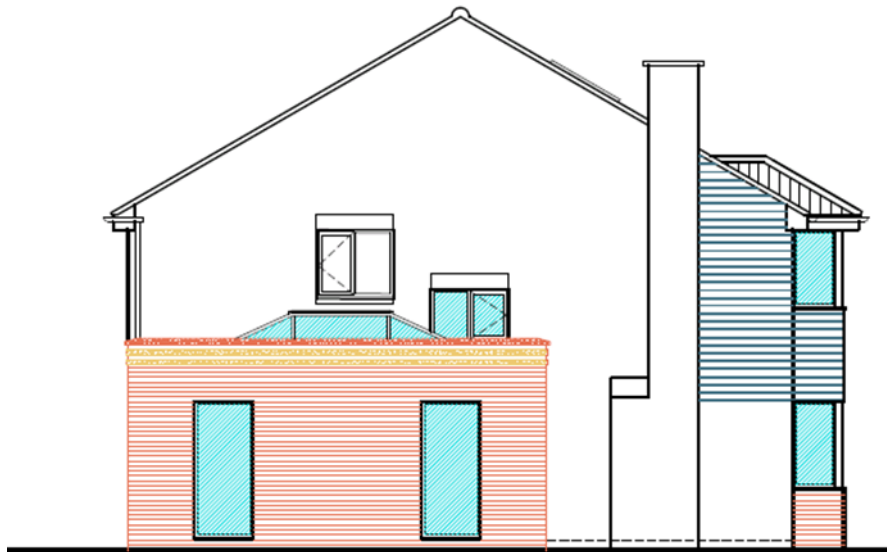
**Proposed Side**



Proposed Rear

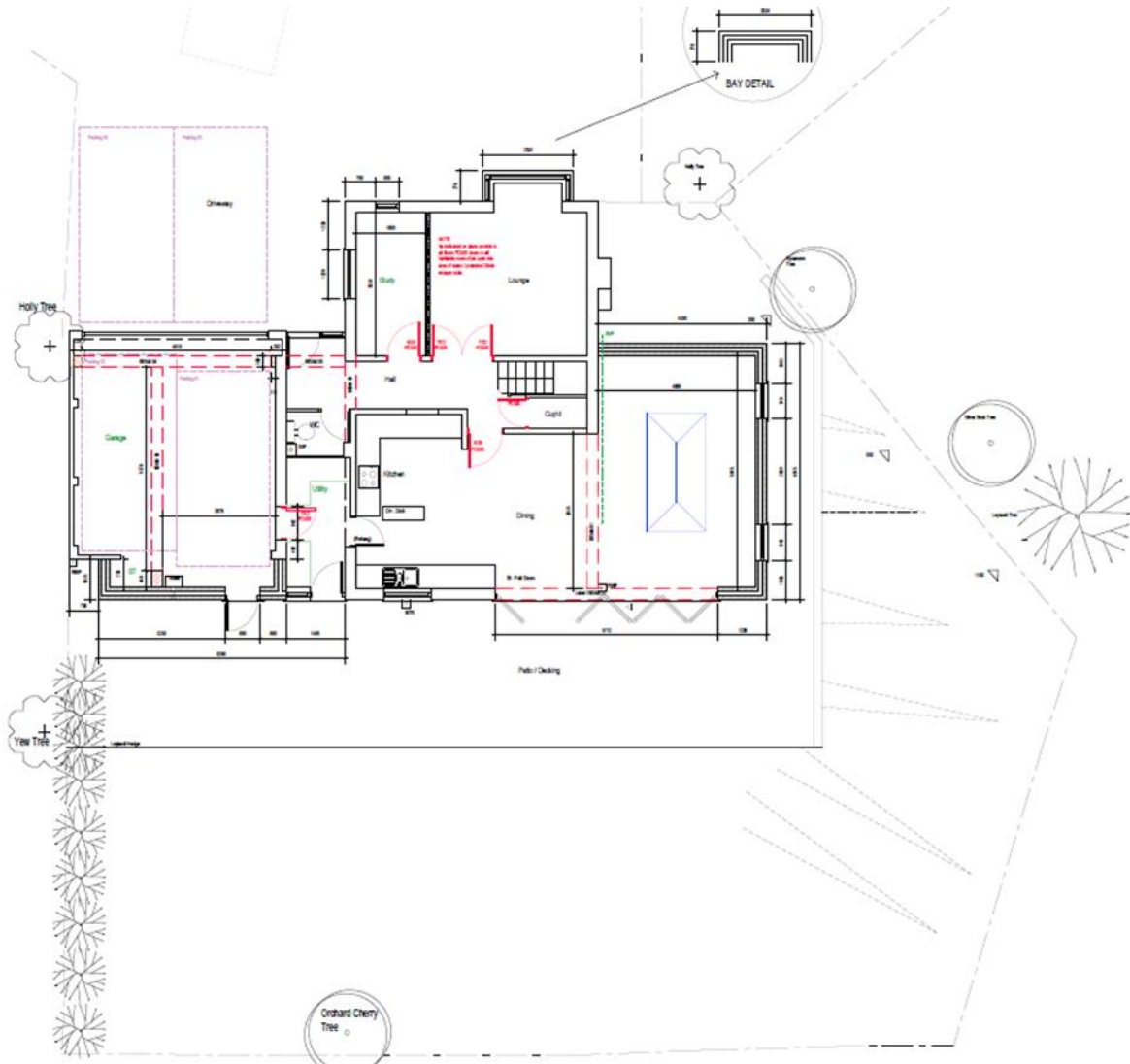


Proposed Side

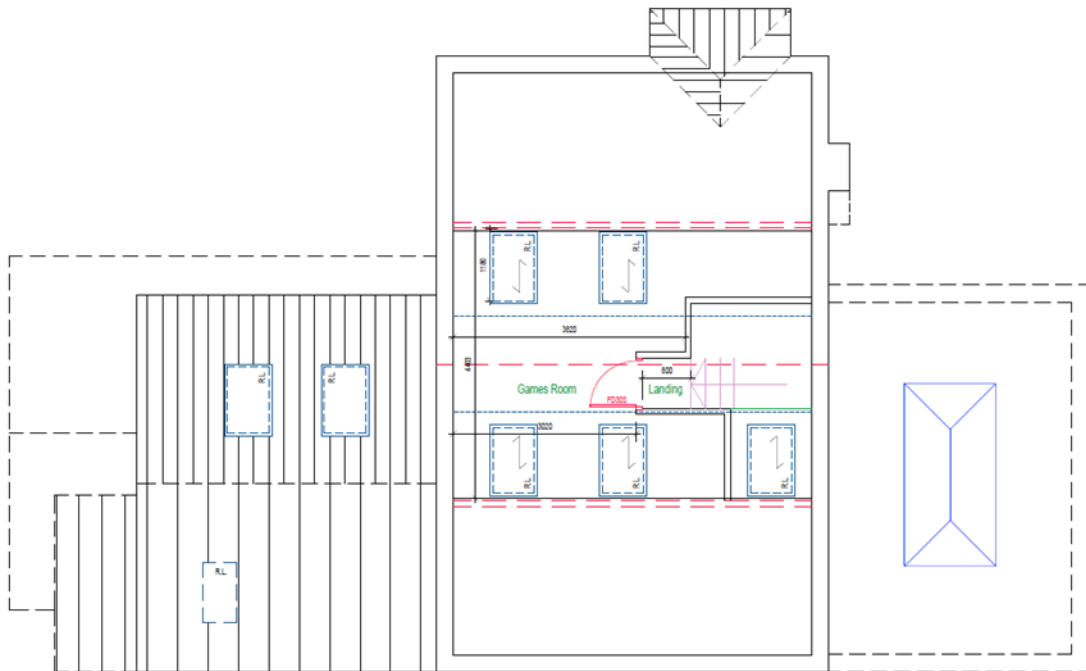
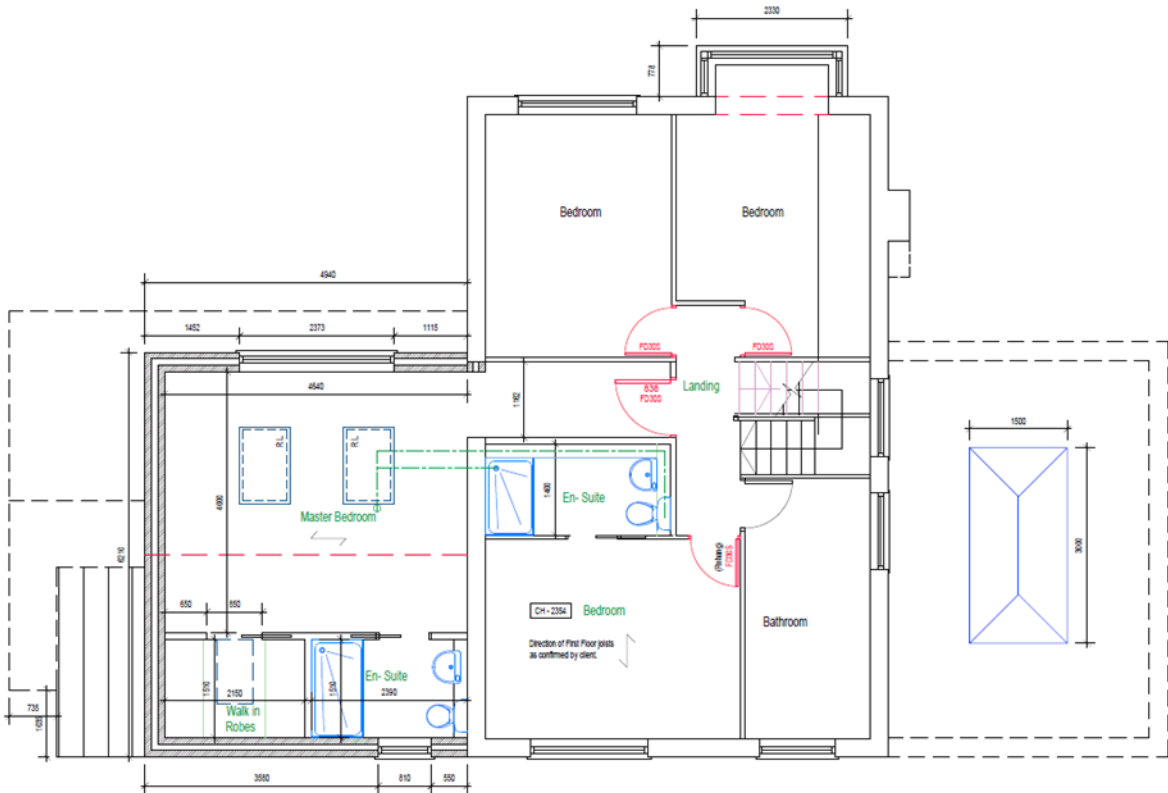




**Appendix. 6. Proposed Site Plan and Ground Floor Plan**



**Appendix. 7. Proposed First Floor and Roof Level Plans**



**Appendix. 8. Proposed Block Plan.**

