
APPLICATION DETAILS

Application No:	21/0109/FUL
Location:	3 Marton Moor Road, Middlesbrough
Proposal:	Erection of detached domestic garage building to rear
Applicant:	Chloe Brodrick
Ward:	Nunthorpe
Recommendation:	Approve with Conditions

SUMMARY

The application site is a mid-terraced two storey residential property located to the north side of Marton Moor Road and the proposal is to remove the existing rear boundary which is made up of brick pillars with roller shutter door and construct a detached, pitched roof garage. The scheme has been amended since its initial submission which included a higher roof and an additional floor with 2 windows within the 1st floor. The amendment has reduced the height of the proposed building and for it to be single storey only.

The proposed garage will be at the end of the rear garden adjacent to the rear lane / track which provides this terrace of properties with rear access. The dimensions of the proposed garage are 5.46m by 5.5m in footprint, eaves height of 2.3m and ridge height of approx. 4.2m.

The private rear garden is enclosed by a boundary fence to the sides (approximately 1.8m high) and a roller shutter door used as a fence to the rear. There are neighbouring dwellings on each side and on the other side of the back lane. Whilst the proposed garage is relatively large and will have some impacts on adjacent properties, in view of the reduced height of the proposal, the presence of adjacent garage buildings, officers consider the proposal is acceptable, being in keeping with the site and immediate surroundings.

Objections relate mainly to the scale of the building and its close proximity to the adjacent properties and the resultant loss of light and the general overbearing impact.

The proposed garage is considered to be of good design and of a scale which will not unduly affect adjacent properties or the character of the area. The officer recommendation is to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is a mid-terraced two storey residential property located to the north side of Marton Moor Road. There is a back lane serving the rear of properties within the terrace with a church on the opposing side of the back lane.

The application site already has a large steel roller shutter door on the rear boundary. This proposal seeks planning approval for the erection of a detached domestic garage (the roller shutter door would then be removed after construction of the new garage). The proposed building would be situated at the bottom of the rear garden adjacent to the back lane where vehicular access is currently obtained. The dimensions of the proposed garage are 5.46m by 5.5m and a maximum height (from ground level) of approx. 4.2m and eaves height of 2.3m. The garage is shown having a pitched roof and being constructed with brick walls and concrete roof tiles.

The garage was initially proposed having a higher roof and room within the roof space albeit with a smaller footprint. Officers considered the scale of the initially proposed scheme would be overbearing and requested the building size be reduced. The revised plans have removed the first floor and removed two windows which were intended to serve the 1st floor.

The private rear garden is enclosed by a boundary fence to the sides (approximately 1.8m high) and open to the rear. There are neighbouring dwellings on each side and on the other side of the back lane.

PLANNING HISTORY

Previous planning permissions for the property include:-
20/0708/PNH – Single storey extension to rear, dealt with in December 2020.

M/FP/0696/15/P - Single storey extension at side/rear (demolition of existing extension), approved July 2015.

M/AMD/0819/12/P - Non-material amendment to M/FP/0819/12/P for additional window to side elevation, approved in September 2013.

M/FP/0819/12/P - Single storey extension to side (demolition of existing conservatory), approved in October 2012.

PLANNING POLICY

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).

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:

CS5 - Design
 DC1 - General 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>

CONSULTATION AND PUBLICITY RESPONSES

The following comments have been received from the statutory consultees:-

Parish Council

No responses received.

Number of original neighbour consultations	4
Total numbers of comments received	7 (from 3 properties)
Total number of objections	7
Total number of support	0
Total number of representations	7

Following consultation 7 responses were received. The following issues were raised:

- an overbearing impact,
- impacts on privacy,
- loss of light,
- commercial use,
- impact on historical character of the area,
- drainage,
- not in keeping;
- height (two storey),
- issues with the construction of an extension to the house; and,
- not being consulted on the application.

Comments were received from the following addresses:

- 1 Marton Moor Road
- 5 Marton Moor Road
- 7 Marton Moor Road

PLANNING CONSIDERATION AND ASSESSMENT

1. The main considerations with this proposal are the impacts on the character and appearance of the dwelling, street scene, the impacts on the privacy and amenity of the neighbouring properties and the impact on highway provision/safety. These and other matters are considered as follows;

Character and appearance

2. The property is sat with a terrace of six on the north side of Marton Moor Road, adjacent to Nunthorpe railway station. To the rear of the property is, a back lane with a church to the north of that. The dwellings are red brick at ground floor with render to the first floor, with small front gardens with boundary hedges adjacent to the footpath. The properties have no vehicular access to the front, this is taken off the back lane to the rear accessed via Rockwood Road.
3. There are five garage buildings to the rear of the group of six terraced houses, all separate from the houses at the bottom (north end) of the respective gardens. No.3 (the application property) is the only property within the terrace group without a garage to the rear. The existing garages are a mixture of pebble dash, and red brick, but all

have metal doors and are flat roofed. The application site currently has a roller shutter vehicle door in the rear boundary wall.

4. The proposed garage building would be detached and abut the rear lane as per the other garages serving this group of terraced properties. The garage is shown having a pitched roof and although this is contrasting with the other garages in the immediate vicinity, it accords with the principles of the Middlesbrough design guide which in general doesn't support flat roofed additions. Following discussions with the agent the height of the building has been further reduced to 4.3m (2.3m to the eaves).
5. The proposed detached garage building is modest in comparison to the main dwelling and garden plot, is of acceptable design and will be constructed of appropriately matching materials that will not affect the street scene. It is set back from the host dwelling, to the bottom of the rear garden and will not be visible from the Marton Moor Road. It will be constructed from materials reflective of those used in other garages serving the group of properties, and a condition can be added to any approval to ensure that finishing materials are approved by the Local Planning Authority prior to commencement.
6. It is therefore felt that the proposed garage will not have a harmful impact upon the character and appearance of the dwelling, the street scene, or the neighbourhood. The development is considered to be in accordance with the requirements of policy CS5 and the Middlesbrough Design Guide in these regards.

Impacts on privacy and amenity

7. The proposed garage has been designed with a garage door on the north elevation (out to the lane) and a window on the south elevation, which faces down the rear garden. There are windows proposed on the east and west elevation, facing no 1 and no 5. As there is a boundary fence in position and no windows facing into neighbouring gardens, there should not be the potential for overlooking to either neighbouring property.
8. The proposed garage is close to the northern boundary of the garden plot, similar to that of the neighbouring garages. As the detached garages are more or less in a row, east to west and separated from their relative host dwellings, any potential loss of sunlight and overshadowing would be onto a neighbouring garage, rather than the terrace of dwellings or their gardens. The proposed extension is considered not to have a notable overbearing impact on immediate neighbouring properties, amenity space or loss of sunlight.
9. It is considered that the size and siting would not have an overbearing upon neighbouring properties. The development is considered to be in accordance with the requirements of policy DC1.

Highways

10. The proposal will not create anymore bedrooms and the vehicular access arrangements are unchanged. The parking arrangements of the back road are not changing, so a garage in the place of a parking space should not cause any negative effects on parking or access (including those of the emergency services). The development will not result in any notable impact on the local highway network in relation to safety or capacity. The development is considered to be in accordance with the requirements of policy DC1.

Other issues

11. With regard to the potential for the building being used for commercial purposes, the LPA are careful to describe the development as 'domestic garage' to overcome this issue and make it very clear the site is not for business use. In addition should the proposed garage be used as a dwelling, planning permission would need to be sought.
12. Issues with the extension to the existing dwelling (application 20/0708/PNH) cannot be considered as part of this application.

Conclusion

13. Taking all of the above into account it is considered that the proposal will not cause significant harm to the amenities of the neighbours or the appearance of the dwelling or the surrounding area. The application is therefore recommended for approval.

RECOMMENDATIONS AND CONDITIONS

Approve with 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: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990

2. **Materials**
The development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development.

Reason: To ensure the use of satisfactory materials.

3. **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) Proposed site plan, received 27 May 2021
- b) Proposed elevation and floor plan 01 Rev A, received 27 May 2021

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

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.

INFORMATIVES

Building materials on highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Deliveries to site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

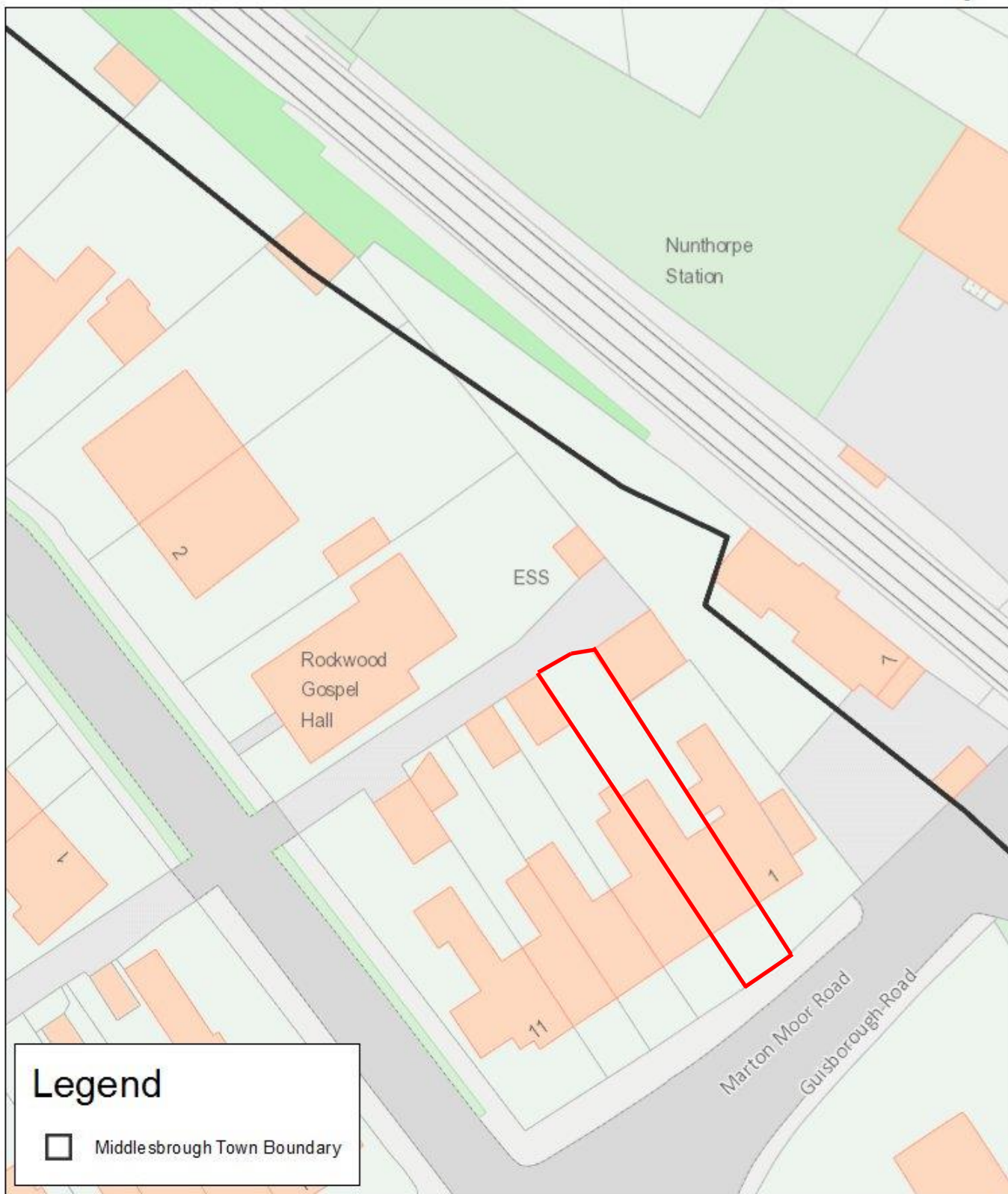
Rights of Access/Encroachment

This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.

Case Officer: Justine Forrest

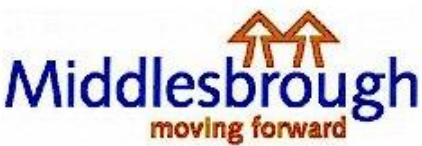
Committee Date: 11th June 2021

Location Plan - 3 Marton Moor Road



Legend

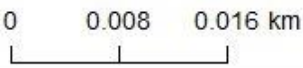
 Middlesbrough Town Boundary



Middlesbrough
moving forward

Middlesbrough Council
Civic Centre, Middlesbrough, TS1 2RH
Tel: 01642 726001

Scale: 1:500



0 0.008 0.016 km

Appendix 2: Elevations

PROPOSED GROUND FLOOR PLAN

DO NOT SCALE FROM THIS DRAWING

ALL DIMENSIONS TO BE GIVEN IN MILLIMETRES UNLESS OTHERWISE STATED AND DIMENSIONS IN THE DRAWING SHOULD BE REFERRED TO AS DIMENSIONS UNLESS OTHERWISE STATED.

IF DIMENSIONS/COORDINATES FROM THIS DRAWING ARE FOUND TO BE INCONCLUSIVE, THE ARCHITECT SHALL BE CONTACTED FOR CLARIFICATION.

NO.	REVISION	DATE	BY	CHKD BY

Q.K. HENDERSON ARCHITECTURE
 ARCHITECTURAL SERVICES
 151 OAK STREET
 WILSON, BC V9A 1G1

CLIENT:
 3 MARTON BROWN ROAD, NANTWORTH,
 T5T 0R6, ONT.

PROJECT:
 PROPOSED GARAGE
 WITH OFFICE ABOVE

**EXISTING AND PROPOSED
 PLANS, ELEVATIONS
 AND SECTIONS**

DATE: 2024-08-01
 DRAWN BY: [Name]
 CHECKED BY: [Name]

SCALE: 1/8" = 1'-0"