



## Appeal Decision

Site Visit made on 22 June 2021 by S Witherley CIHCM MRTPI

**Decision by Chris Preston BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 29 September 2021**

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**Appeal Ref: APP/H0738/D/21/3272476**

**18 Beech Grove, Maltby, Middlesbrough TS8 0BL**

- 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 Chris Milner against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 20/1850/FUL, dated 25 August 2020, was refused by notice dated 12 January 2021.
  - The development proposed in the application form is: New roof including loft conversion with side dormers and roof lights, extension to the rear and extension to the front. New windows and doors, whole property to be rendered.
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### Decision

1. The appeal is allowed, and planning permission is granted for alterations to existing roof to include the raising roof height and insertion of 3no. dormer windows to side and roof lights to front and side, erection of single storey extension to front and single storey extension to rear and application of render to the prop, at 18 Beech Grove, Maltby, Middlesbrough, TS8 0BL, in accordance with the terms of the application, Ref 20/1850/FUL, dated 24 September 2020, subject to the following conditions:
  1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, proposed floor plans 26.8.20 2020/cmhc/03, proposed elevations 24.9.20 2020/cmhc/04, existing and proposed 16.11.20 2020/cmhc/03a, floor plans existing and proposed 16.11.20 2020/cmhc/04a elevations.
  3. Notwithstanding any description, samples of the exact colour and finish of the render hereby permitted, should be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall thereafter be carried out in accordance with the approved details.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### **Preliminary Matters**

3. The description on the Council's decision notice and the appellant's appeal form has changed from what was originally stated on the application form. No statement confirming these changes has been submitted, however, I have used the description from these in the decision above as they more adequately describe the development.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication.

### **Main Issue**

5. The effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

### **Reasons for the Recommendation**

6. No. 18 is a detached bungalow located at the end of Beech Grove. The street has a number of similar sized bungalows with slight variations in design. A defining feature of the bungalows, however, is the staggered front facades with projecting forward facing gable. Whilst some bungalows in the street have been altered there remains very little alteration at roof level. This along with the prominent front gables provides an attractive and uniformed rhythm to the street.
7. The proposal seeks to carry out a number of alterations. These include the raising of the roof, insertion of roof lights on the east and rear roof planes, the insertion of three dormer windows upon the west side of the roof, along with front and rear single storey extensions and the application of render to the property.
8. Whilst the front elevations of the properties along Beech Grove have a staggered frontage, there appears to be consistency in the building lines of the forward projecting gables. Having said that, this is not the case with No. 18 as its frontage is set back from this distinct building line and also appears to be set down from its neighbour. This appears as a result of the slight incline within the topography of the street. As such, No. 18 is not as visible within the street scape as other properties. It is only when approaching it from the other side of the street or when directly in front of it is it entirely visible.
9. The proposed increase in roof height, insertion of roof lights and dormer windows would see the bungalow extend up beyond the existing eaves to provide additional living accommodation. Whilst this would change the roof profile in terms of its pitch and overall mass, it would retain the overall character and appearance of a detached bungalow, consistent with the wider pattern. Furthermore, as the site is stepped down from its neighbours, the increase in height would not appear incongruous within the street scape nor would it result in the bungalow appearing as a two-storey dwelling. Due to the position at the head of the cul-de-sac, the side facing dormers would not be prominent within the street scene.

10. The proposed front extension would not extend beyond the existing building line of No. 18, nor would it, as a result of its extended width, appear overly large in the context of the original dwelling or the neighbouring properties. It would retain the staggered frontage and prominent gable front. Whilst the proposal would result in a larger gable front, this in itself would not be out of keeping with the original dwelling, nor would it appear incongruous within the street scape.
11. On account of the proposal's design, scale, form and materials, the development as a whole would blend in well and respect the overall character and form of the existing dwelling and the wider street scape. As such it would accord with the guidance contained in the Supplementary Planning Guidance Note 2 Householder Extension Guide (2004) (SPG).
12. Whilst it appears that the rear extension would not have an impact on the living conditions of neighbours, it is not clear from the Officer's report whether the Council had concerns regarding the impact of the rear extension upon the character and appearance of the appeal property and streetscape. Having regard to the details before me and from what I saw on site, I do not consider that the rear extension as depicted in the drawings would impact on the character and appearance of No. 18 or the surrounding area.
13. In conclusion, the proposed development would be in keeping with character and appearance of the appeal property and the surrounding area. It would therefore comply with Stockton on Tees Borough Council Local Plan (2019) Policies SD3 and SD8 which seeks household development proposals to remain in keeping with the character and appearance of the host property and surrounding area, which is consistent with the aims of revised National Planning Policy Framework.

### **Other Matters**

14. The Council note that the proposal would not impact on the living conditions of neighbours subject to a condition securing the proposed and retained boundary treatments. The application details and drawings submitted show no proposed changes to the existing boundary treatments. From what I saw during my site visit, I do not consider that it would be reasonable or necessary to attach such a condition, particularly as the living conditions of the neighbouring occupiers would not be affected by the development given the separation distances involved and the existing boundary treatments.
15. Whilst comments from third parties note that a covenant restricts raising the roof, the Council have addressed this matter which is outside my remit. Deeds of covenant sit outside the planning system and any restriction that may apply does not amount to a material planning consideration.

### **Conditions**

16. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. The Council consider a condition is necessary to ensure the colour of the proposed render. I consider this reasonable in order to maintain the character and appearance of the area.

### **Conclusion and Recommendation**

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Witherley*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis,, I agree with the recommendation and shall allow the appeal.

*Chris Preston*

INSPECTOR