



# Appeal Decision

Site visit made on 21 June 2010

**by Graham Edward Snowden BA BPhil**  
**Dip Mgmt MRTPI**

**an Inspector appointed by the Secretary of State**  
**for Communities and Local Government**

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**Decision date:**  
**24 June 2010**

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## Appeal Ref: APP/W0734/D/10/2128568

### 39 Baldoon Sands, Middlesbrough, Cleveland TS5 8TN

- 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 Mark Ramsey against the decision of Middlesbrough Borough Council.
- The application Ref M/FP/0112/10/P, dated 22 January 2010, was refused by notice dated 22 March 2010.
- The development proposed is a two storey side extension and single storey rear extension.

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## Decision

1. I allow the appeal, and grant planning permission for a two storey side extension and single storey rear extension at 39 Baldoon Sands, Middlesbrough, Cleveland TS5 8TN in accordance with the terms of the application, Ref M/FP/0112/10/P, dated 22 January 2010, and the plans submitted with it, 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 nos 1, 1A, 1B and 1C, dated April 2009, which accompanied the application.
  - 3) The brick and roof tile to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

## Main issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the wider area.

## Reasons

3. The appeal property is located in a large modern housing estate, of very little distinction. The layout is typical of its period with circular distributor roads off which take small culs-de-sac. Baldoon Sands is one of the former and is fronted by mainly semi-detached properties interspersed with the gable ends of similar properties in the adjacent culs-de-sac. No 39 is one of a pair of semi-detached properties, but occupies a larger end site.
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4. The proposal is to extend the frontage with a two storey side extension and to provide a single storey rear extension along the full length of the property. The Council appears to have no objection to the latter element.
5. My attention is drawn to Policies CS5 and DC1 in the Middlesbrough Local Development Framework Core Strategy but these are general policies requiring new development to respect its context in terms of scale design and materials. I consider that the proposal before me does that.
6. In the Council case officer's report, I am informed that it is Council practice to ensure that two storey side extensions are no more than half the width of the existing dwelling and that the first floor is set back by one metre and failure to comply with this practice appears to be the Council's principal objection to the present proposal. However, no adopted policy guidance is cited in support of this and, whilst I am familiar with such design practice, I consider that it has to be interpreted and applied in context. Such an approach is usually adopted in order to prevent a "terracing" effect in areas of semi-detached housing and to maintain the rhythm of existing street facades. Implemented rigidly this can often result in clumsy design solutions, such as that, which I noted in the immediate area between 3 and 5 Wigton Sands.
7. The potential creation of "terracing" does not apply in this instance, as the appeal property occupies an end site. In such circumstances, I consider that continuing the ridge, eaves and building line is not necessarily an objectionable solution. Any symmetry the pair of semi-detached properties might have would be, to some extent, maintained by the use of brick facing on the extension, in contrast to the tile hanging, used at existing first floor level. A similar approach has been adopted at nearby 1 Wigton Sands, in my view, with a reasonable degree of success. There are other examples in the area (e.g. 2 Blackhall Sands and 2 Gayton Sands) where semi-detached end properties have been extended more than 50% of the width of the existing dwelling and without any first floor setback. Whilst the circumstances surrounding these cases are not before me, they all seem to be of recent construction and I can see little reason to resist a similar approach in the present case.
8. The proportions and detailing in the appeal proposal would, in my view, respect the existing property and overall I consider that the proposed extensions would not have a detrimental effect on the character and appearance of the host dwelling and the wider area.
9. The Council has suggested standard conditions relating to timescale for development, matching materials and conformance to submitted plans. Subject to those conditions, for the reasons set out above, and having regard to all other matters raised, I conclude that then appeal should be allowed.

*Graham E. Snowdon*

INSPECTOR