

DELEGATED

AGENDA NO .

**PLANNING COMMITTEE
15th November 2006**

**REPORT OF CORPORATE DIRECTOR
OF DEVELOPMENT AND
NEIGHBOURHOOD SERVICES.**

06/2939/REV

**7 Braeworth Close, Yarm, Stockton-on-Tees
Two storey extension to the rear and single storey extensions to the front and side.**

Expiry date: 15th November 2006

Summary:

The application site is a detached dwelling located on a residential cul-de-sac.

The applicant seeks permission for the erection of a two-storey extension to the rear and a single storey extension to the front. The applicant is also proposing to link the existing detached double garage to the main property with a single storey side extension.

Seven letters of representation have been received, objecting to the proposal.

The main planning consideration in respect of this proposal is the impact on the streetscene and visual amenity and any impact on the amenity of the occupants of neighbouring properties.

It is considered that the proposed extensions are of a scale, design and proportion that complement the existing dwelling, and would not have an adverse impact on the streetscene. The design and layout would maintain the privacy of the occupants of existing dwellings, would not dominate or overshadow those properties. It is considered that the proposed development would retain sufficient amenity space at the existing dwelling.

The concern of neighbours in respect of noise, disturbance and highway safety issues have been taken into account. However, in light of the above assessment it is considered that the proposed development accords with adopted policy and guidance and is therefore acceptable.

It is considered that the proposal accords with adopted local plan policy and guidance in SPG 2 and recommended that planning permission be granted.

RECOMMENDATION

It is recommended that the application (06/2939/REV) be approved subject to the following conditions:

- 01. *The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.
Drawing Number(s): -SBC0001, Drgs 01, 02 04, 10.***

Reason: To define the consent.

- 02. *Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.***

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 03. *The side windows of the proposed rear extension, in the elevation nearest to No.9 Braeworth Close, Yarm; shall be glazed with obscure glass, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences and shall be installed before the building hereby permitted is brought into use and the type of glazing agreed shall be employed in those windows during the life of the building.***

Reason: In the interests of the amenity of the occupiers of the adjacent property.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Structure Plan and Stockton on Tees Local Plan Policy/Policies: GP1 and HO12 and Supplementary Planning Guidance Note 2: Household Extension Design Guidance

BACKGROUND

1. In 2005, planning permission (application reference number 05/0490/FUL) was refused under delegated powers for the erection of a two-storey rear extension, single storey extensions to the front and side, and single storey side extensions, to link the existing house to the detached garage and also extend the detached garage towards the road. This application included extensions and alterations to link No.7 Braeworth Close and No.9 in order to form one large dwelling. This application was refused for the following reasons:

- 01. *In the opinion of the Local Planning Authority the proposed development by virtue of its size and projection beyond the building line towards the highway would constitute as a prominent and dominant feature in the street scene, to the detriment of the visual amenity of the surrounding area, contrary to policies GP1 and H012 of the adopted Stockton on Tees Local Plan.***

02. *The development proposed is unsatisfactory having regard to the adverse effect it would have on the amenities of the occupants of No. 12 Busby Way by reason of its proximity to both the dwelling and the garden, contrary to policies GP1, H012 and Supplementary Planning Guidance No.2.*
2. Planning permission was also refused in 2006 (application reference number 06/2055/FUL) for proposals to provide a two-storey rear extension. Other elements of the scheme included a single storey link to the existing garage, single storey extensions to the side and front, and an extension to the side of the existing double garage to provide a four bay garage. This application was refused under delegated powers for the following reasons:
 01. *In the opinion of the Local Planning Authority the proposed development, by virtue of its size and location, would constitute a prominent and dominant feature within the street scene, to the detriment of the visual amenity of the surrounding area and contrary to policies GP1 and HO12 of the Stockton on Tees Local Plan.*
 02. *By virtue of its size, the proposed development would lead to an over development of the plot leaving an insufficient level of amenity space, contrary to the principles contained within Supplementary Guidance Note 2.*

THE PROPOSAL

3. The current application proposes a two-storey rear extension for the full width of the house, projecting 3.55m to the rear. This would necessitate the demolition of an existing rear garden room.
4. A single storey front extension is proposed which would project 1.5 metres from the front of the dwelling and will serve to form ground floor extension abutting both sides of an existing two-storey projection. This element of the proposal would have a monopitch, lean to style roof.
5. The proposed single storey side extension will project up to approximately 7m from the side of the dwelling and will link the existing detached garage to the main house.
6. The proposed external materials are to match existing, and existing parking and access arrangements are unaffected

PUBLICITY

7. The neighbours have been notified individually. The neighbour consultation period expired on the 17th October 2006. Seven letters of representation have been received to the proposed development, objecting to the proposals, and the grounds are summarised below:

Gordon and Julie Hewling, 8 Braeworth Close

8. The proposal to link the garage is similar to the previously refused applications and impacts adversely upon the street scene as viewed from our property. We understand the revised plans bring forward the front elevation of the house to line with the existing porch. This is contrary to planning

guidance. The whole scale of the proposal is still out of keeping with the remainder of the street and contrary to planning guidance. Finally, we note that the revised proposals will require major re-building of the property, leading to excessive disruption to the neighbourhood.

Mr and Mrs Cowling, 12 Busby Way

9. The new application will seriously affect our privacy, as we will be directly overlooked by the two-storey extension, which comes within 2-3 metres of our property. This is in contravention to policies GP1 and HO12.
10. With the present application being two-storey and extending into the rear garden and the single storey extension on the side, the proposal will dramatically affect the natural light available to our property. The two-storey extension will be within 2-3 metres of the property boundary, which is totally unacceptable. The single storey extension will be right up to our boundary. Both elements will directly affect our property with regard to amenity, light and privacy.
11. Both the size and positioning of the proposal will be far too large for the plot. The revised proposal is out of keeping with the remainder of properties with the development and will detract from the overall visual amenity. We feel that if the plan were to be accepted there would be total disruption to all properties around the building site.

Mr and Mrs Moorhouse – ccmoorhouse@ntlworld.com

12. Due to the large number of vehicles and young children on this development, it would be detrimental. The revised proposals would require major rebuilding, which would lead to an access problem to our property that is at the end of the cul-de-sac. We are concerned that the overall visual amenity of the surrounding area will be out of keeping with the remainder of the properties and an acceptance of this proposal could set a precedent.

R Beeton, 17 Braeworth Close

13. The proposed extension will link the house to the garage, creating a visually imposing structure, which would not be in keeping with the scale of other properties within the street. The link extension will also have windows that directly face my property, which would lead to a loss of privacy.

Mr P Stephenson, 9 Braeworth Close

14. The proposed development will contravene SPG2, GP1 and HO12 of the Stockton on Tees Local Plan. A two-storey extension to the rear would cause a loss of light to both the kitchen and garden of No.9. The open aspect would reduce the open aspect and impinge upon our privacy.
15. The proposed development is out of keeping with the street scene and would be intrusive into our space. The extension at the front of the property would reduce the amount of light into our front room. Due to the garages and house being connected, this will extend the property towards the road and will render it visually obtrusive.

16. It is also felt that the property would be out of proportion with the other properties in the street and as such would have a negative impact on the street scene. This property would appear overbearing and may also leave an inadequate amount of amenity space. The two-storey extension will reduce the rear separation distance to 16m.

Dr and Mrs Gowland, 15 Braeworth Close

17. We refer to our objections to the previous scheme. The revised extension will still link the existing garage to the main dwelling, forming a visually obtrusive structure within the street scene, especially from the front of our house. The full length windows within the link will be directly opposite our house. The proposal to bring the house forward in line with the existing porch, combined with the link, will result in an unacceptable invasion of our privacy. At present the existing ground floor window is obscured by a pillar. By extending the house forward, the ground floor window will be in direct vision with our front window and will invade our privacy.
18. The whole planning proposal, by virtue of its size and location, will still produce a dwelling, which would be out of scale and proportion with the surrounding properties. It would still create a dominating property in the street scene detracting from the visual amenity of the area, contrary to the policies of the Stockton on Tees Local Plan.

Owner/Occupier, 10 Busby Way

19. An extension to the rear and side of the property would block the view from my property. The proposed extension would not be in line environmentally with existing buildings. The proposed plan would result in an increase in vehicles and an increase in noise level.

PLANNING POLICY CONSIDERATIONS

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).
21. The following planning policies are considered to be relevant to the consideration of this application:

Adopted Stockton-on-Tees Local Plan

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;

- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy HO12

Where planning permission is required, all extensions to dwellings should be in keeping with the property and the street scene in terms of style proportion and materials and should avoid significant loss of privacy and amenity for the residents of neighbouring properties.

Supplementary Planning Guidance Note 2: Household Extension Design Guide (SPG2)

MATERIAL PLANNING CONSIDERATIONS

22. The main planning consideration in respect of this proposal is the impact on the streetscene and visual amenity and any impact on the amenity of the occupants of neighbouring properties.

Rear Extension

23. The proposed rear extension will project 3.55 metres from the rear of the existing dwelling and will be the full width of the house. The proposal is to extend existing bedrooms at first floor, and provide a kitchen, utility room and family room extensions at ground floor.
24. The proposed extension will be adjacent to the blank gable wall of No.9 Braeworth Close, which is set further northwards and back from the main dwelling at No.7. There are two small windows proposed in this side of the rear extension serving a utility room at ground floor and bedroom 3 at first floor. In order to protect the privacy of the occupants at No 9 Braeworth Close, a condition would be imposed on any permission granted to ensure that these windows are obscurely glazed.
25. As extended, the dwelling at No 7 Braeworth Close would not protrude beyond the rear elevation of No 9 Braeworth Close. Whilst there may be some overshadowing of the garden and dwelling arising from the resultant building, it would not be to such an extent to warrant refusal of planning permission on those grounds.
26. The proposed rear extension will project northwards and towards No.12 Busby Way. This property is a detached bungalow, and has a set of French doors in the side elevation, which faces the application site. The representations received from Mr and Mrs Cowling, the occupants of No 12 Busby Way include a reference to the proximity of the extension to the common boundary of the two properties. However, the resultant rear elevation of No. 7 Braeworth Close, and as set out in the representation received from Mr Stephenson at 9 Braeworth Close, would be set some 16 metres south of the side elevation of No 12 Busby Way. This is considered sufficient to maintain privacy, and avoid that property being further overshadowed and dominated by the extended dwelling. It is, therefore, not

considered that the proposal will have a significant impact upon the privacy and amenity of the residents of No 12 Busby Way.

27. The occupier of No 10 Busby Way comments that the rear (and side) extensions would block the view from that property. Whilst the loss of a 'view' is not a material planning consideration in this instance: concerns in respect of dominance are relevant. The front elevation of No 10 Busby Way is located obliquely, to the north west at some 23 metres from the boundary of No. 7 Braeworth Close. Whilst the extensions would be visible to some extent from No 10 Busby Way, it is not considered that they would dominate that property.
28. It is considered that the scale and design of the rear extension is appropriate and whilst visible from Busby Way would not have an adverse impact on the streetscene. In light of this and the above assessment, it is considered that the rear extension accords with policy and guidance and is therefore acceptable.

Single storey 'link' extension

29. The proposed single storey extension to link the garage with the main dwelling is located to the south west of the existing dwelling, and would be adjacent to a very narrow section of the side garden of No 12 Busby Way. This section of the garden is an unusual shape - long and tapering and is bounded to the west by a footpath linking Busby Way and Braeworth Close.
30. However, this extension is adjacent to a public footpath and does not project towards the dwelling at 12 Busby Way. The existing dwelling at the application site is located to the south of No.12 and will already cause some degree of shading. It is not considered that the proposal will significantly worsen an existing situation.
31. The window in the front elevation of this element of the proposal would face an access drive shared by four properties and would be approximately 20 metres from the front elevation of No.15 Braeworth Close. Whilst acknowledging the concerns of Dr and Mrs Gowland, given the separation distance and that the windows faces the open frontage of a property and that this area cannot reasonably be expected to have the same degree of privacy as a rear garden, it is considered that this arrangement is acceptable.
32. The application site is located within a corner of the cul-de-sac and is set back from the main road. The existing detached garage, set in front of the property would afford some screening to the 'link' extension. However the bulk of the 'link' extension is to the rear, with a small section of the southeastern elevation (containing two windows) and roof visible from the streetscene. It is considered that the design and scale of the link element is such that it blends and complements the existing building, and account should be taken of the fact that there are examples of large detached garages located in front of dwellings within the street scene. The 'link' extension can be seen from Busby Way and Braeworth Close, and the concerns of neighbours are acknowledged, however, given the design and location, it is considered that the proposed link extension will not be an obtrusive feature in the streetscene. In light of this and the above assessment, it is considered that the rear extension accords with policy and guidance and is therefore acceptable.

Single Storey Extension

33. The proposed extension to the front of the property will project 1.5 metres from the front of the dwelling and be flush with an existing two-storey projection at the front of the property. There are a variety of building styles within the street scene, and this is considered to blend in with the design of the existing dwelling.
34. SPG 2 advises that with the exception of modest porches, extensions to the front of a property would not normally be appropriate as they would be highly obtrusive. However, the guidance recognises that extensions to the front may be appropriate, but strong justification is needed. The single storey front extension has a modest projection of 1.5m and as explained in paragraph 33 would be flush with the existing two storey projection at the front of the dwelling. Taking into account the guidance given in SPG 2, which does not categorically preclude such developments, it is considered that this small scale front extension will not be out of keeping with the existing dwelling or surrounding area and accordingly would not have detrimental impact on the streetscene, and therefore accords with the intent of this guidance.
35. The proposal will replace existing ground floor bay windows that project forward from the front of the dwelling and will not include any glazing in the side elevation. Again, the concerns of Dr and Mrs Gowland are noted, however it is not considered that the proposal will make a material change in the existing impact in terms of privacy or amenity.
36. The existing dwelling at No.7 Braeworth Close is set further forward than No.9 and is located to the southwest. It is considered that the existing dwelling may cause some degree of shading to the front of No.9. It is not considered that this proposal will significantly worsen an existing situation.

Residual Matters

Noise and disturbance

37. The occupier of No 10 Busby Way alleges that the development would lead to an increase in vehicles and noise levels. The proposal will not lead to an increase in the number of bedrooms on the property and the existing double garage is to remain. It is not considered that the development would lead to noise and disturbance over and above that expected at residential properties. As set out in the representations received from the occupants of 8 Braeworth Close, it should be acknowledged that there would be some increase in noise and disturbance during construction works.

Access and Highway Safety

38. Again, the proposal will not lead to an increase in the number of bedrooms on the property and the existing double garage is to remain. There are no changes proposed to access and parking arrangements and the Head of Integrated Transport and Environmental Policy has not commented on the proposal. It is considered that the proposal accords with adopted policy in this respect and is therefore acceptable.

Overdevelopment of the Site

39. SPG2: Householder Extension Design Guide recommends that following any extensions to a property that approximately two thirds of a plot remains undeveloped. The development covers approximately 31% of the site, would retain sufficient amenity space, and is not considered therefore to be over development of the plot.

CONCLUSION

40. In conclusion, it is considered that the proposed extensions are of a scale, design and proportion that complement the existing dwelling, and would not have an adverse impact on the streetscene. The design and layout would maintain the privacy of the occupants of existing dwellings, would not dominate or overshadow those properties. It is considered that the proposed development would retain sufficient amenity space at the existing dwelling.
41. The concern of neighbours in respect of noise, disturbance and highway safety issues have been taken into account. However, in light of the above assessment it is considered that the proposed development accords with adopted Stockton on Tees Local Plan policies GP1 and HO12, and guidance set out in Supplementary Planning Guidance Note 2: Household Extension Design Guide, and is therefore acceptable.

Corporate Director of Development & Neighbourhood Services

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Financial Implications

As report.

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers

Stockton-on-Tees Local Plan

Supplementary Planning Guidance Note 2: Household Extension Design Guide

Planning Applications 05/490/FUL and 06/2055/FUL

Ward

Yarm

Ward Councillors

Councillor B Jones

Councillor Mrs J. Beaumont,

Councillor A B L Sherris