

DELEGATED

AGENDA NO .

**PLANNING COMMITTEE
8th August 2007**

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

07/1800/FUL

232 Oxbridge Lane, Stockton-on-Tees, TS18 5AA

Revised application for two storey extension to side and single storey extension to rear (demolition of existing garage)

Expiry date 8th August 2007

SUMMARY:

The application site is a two storey semi-detached property situated on the corner of Oxbridge Lane and Chelmsford Avenue.

The property has been subject to two previous applications for extensions. The first application (04/0877/FUL) proposed a two-storey extension to the side and rear and was refused as the extension would have imbalanced the pair of semi's and also due to the lack of parking provision. The second application (06/3119/FUL) again sought planning permission for the erection of a two-storey extension to the side and single storey extension to the rear and was again refused on similar grounds.

Planning permission is sought for the erection of a two-storey side extension and single storey extension to the rear.

The application is put before members of the Planning Committee due to an objection being received from a Council Employee.

RECOMMENDATION

It is RECOMMENDED that application 07/18003/FUL be refused following reason(s):

- 01. In the opinion of the Local Planning Authority, the proposed two storey extension to the side of the property will, as a result of its significant width and design, cause significant imbalance to a pair of semi-detached dwellings and become an incongruous addition within the street scene which currently has a prominent vernacular character. It is therefore considered that the proposed development would be contrary to Policies GP1, HO12 and Supplementary Planning Guidance Note No.2 of the adopted Stockton on Tees Local Plan which requires extensions to dwellings to be in keeping with the property and street scene in terms of style, proportion and materials.**

02. In the opinion of the Local Planning Authority the siting of the proposed parking area by virtue of the loss of private garden to No. 232 Oxbridge Avenue and through noise and disturbance to No. 1 Chelmsford Avenue, would harm the existing residential amenity of both No. 232 Oxbridge lane and No.1 Chelmsford Avenue contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

**Adopted Stockton on Tees Local Plan (June 1997)
GP1 General Principles and HO12 Extensions and Other Domestic
Development**

BACKGROUND

1. The property has been subject to two previous applications for extensions to provide additional space.
2. The first application, 04/0877/FUL proposed a two-storey extension to the side and rear and included the provision of 7no. bedrooms, two of which were in the loft space. The application was refused as the extension would have imbalanced the pair of semi's and also due to the lack of parking provision.
3. A further application (06/3119/FUL) again sought planning permission for the erection of a two-storey extension to the side and single storey extension to the rear. The application was again refused on design grounds as the extension would have imbalanced the pair of semi's and due to the lack of parking provision.

THE PROPOSAL

4. The application site is a two storey semi-detached property situated on the corner of Oxbridge Lane and Chelmsford Avenue. The property has vehicular access from Oxbridge Lane with a hardstanding area to the front and attached garage to the side.
5. Planning permission is sought for the erection of a two-storey side extension and single storey extension to the rear. The two-storey side extension would measure 4.3m (wide) x 8.3m (long), the single storey extension to the rear would be a maximum width of 3.6m (wide) x 10.5m (long).
6. The extensions would provide an additional lounge, playroom, enlarge kitchen and living room at ground floor and two additional bedrooms at first floor.

CONSULTATIONS

The following responses have been received from departments and bodies consulted by the Local Planning Authority

Head of Technical Services

Landscape;

We have no objection to the removal of the laburnum tree as this is a tree of very low amenity value. We would wish to see the hedge retained or where it

has to be removed replaced with the same species to maintain the quality of the street scene and screen any parking which includes the van.

Engineers;

In curtilage car parking should, where possible, be at 90o to the highway. Therefore the proposed bays 1 & 2 as indicated on the plans will need to be amended to show as such. Given that the requisite car parking spaces can be achieved to Design Guide standard and without detriment to highway and pedestrian safety, I have no objection to this application. The applicant will need to speak to Direct Services regarding the installation of a dropped kerb crossing at the new vehicular access point onto the highway.

7. The local residents and occupiers have been individually notified of the application. The latest neighbour consultation period expired on the 29th June 2007. A total of nine (9) letters of objection have been received, objecting to the proposals as summarised below:
 - Parking area to the rear would not be in-keeping with the three bedroom semi-detached properties of the area.
 - Impact on the hardstanding area of amenity or neighbouring properties
 - Concerns over on-street parking and pedestrian and highway safety
 - Size of the extension is too large for the area and out of character
 - Over-development of the site
 - Previous refusals on design grounds
 - Width of the opening to the drive
 - Loss of garden area to the rear of the property
 - It is set out of the building lines of Chelmsford Avenue
 - Would be overbearing on adjacent residents

PLANNING POLICY CONSIDERATIONS

8. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, 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).

The following planning policies are considered to be relevant to the consideration of this application:-

SPG No.2 – Householder Extensions

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.

Permission for two-storey rear extensions close to a common boundary will not normally be granted if the extension would shadow or dominate neighbouring property to a substantial degree.

Permission for two-storey side extensions close to a common boundary will not normally be granted unless they are set back from the boundary or set back from the front wall of the dwelling

MATERIAL PLANNING CONSIDERATIONS

9. The main planning considerations of this application are the impacts on the character of the area, amenity of neighbouring occupiers and access and highway safety.

Impact on the character of the area

10. Although the roof style of the proposed extension is now in keeping with the style and design of the existing dwelling there remain concerns over the integration with the both existing property and the street scene.
11. The Council's Supplementary Planning Guidance on Householder Extensions (SPG No.2) states that extensions should blend in with the existing property in terms of siting, design, scale and materials and that they should be designed to compliment the main house, i.e. being smaller or set back. It goes on to state that side extensions should be of a particularly high standard of design.
12. Although the design of the roof now reflects that of the existing property it is considered that due to the width of the proposed extension it is not in keeping with the scale and proportion of the existing dwelling and this would still have an unbalancing effect to the pair of semi-detached properties. Furthermore, it would become an incongruous addition within the street scene which currently has a prominent vernacular character.
13. The proposal would also project out of the established building line of Chelmsford Avenue by approximately 1.5m further increasing the prominence of the extension within the street scene and extenuating the harm to the visual amenities of the locality. It is considered that a side extension of approximately 3m (wide) would help to overcome these issues.

14. Objections have been received from local residents on the visual impacts of the area. These concerns are noted and it is considered that they have been addressed above.
15. For the reasons outlined above the proposal is considered to be contrary to policies GP1, HO12 and the Council's SPG No.2.

Amenity of the neighbouring properties

16. Concerns have been raised from the residents at No. 230 Oxbridge Lane in terms of the development being overbearing on them. However, the rear extension projects only 3m from the rear of the dwelling and in accordance with the Council's Householder Extension Guide (SPG no.2), extensions of 3m or less are considered a suitable compromise and not subject to the 60 degree rule. On this basis the rear extensions are not considered to have a detrimental impact on the amenity of the neighbouring occupiers at No. 230 Oxbridge Lane.
17. The side extension proposes a ground floor window in the proposed 'play room' of the dwelling. Given that this would be 18.5m from the side of No. 238 Oxbridge Lane it is not considered that this would cause any significant loss of privacy to these residents.
18. Of concern however, to the Local Planning Authority (LPA) is the impact of the proposed hardstanding area to the rear of the property. Whilst this is normally permitted development it is required to accommodate sufficient parking for the extension and forms part of the application. The proposed parking area to the rear of the property would in the opinion of the Local Planning Authority result in insufficient amenity space for a family home of this size and harm the existing residents level of amenity.
19. Also of concern is the location of the proposed hardstanding area adjacent to No. 1 Chelmsford Avenue. It is considered that the proposed area would result in noise and disturbance to these residents particularly in late evenings from vehicles entering and leaving the premise and would have a detrimental impact on the level of residential amenity that could reasonably be expected to be enjoyed, contrary to Policy GP1 of the adopted Stockton on Tees Local Plan.
20. For the reasons outlined above the proposed hardstanding area is deemed to have an unacceptable impact on the existing residents and residents of No. 1 Chelmsford Avenue and in the opinion of the LPA should be resisted.

Access and Highway Safety

21. Concerns have been raised in relation to the impact of the development on highway safety and the number of cars that are parked on the highway at present.
22. The Head of Technical Services has commented that the parking standard required for the increase in the number of bedrooms can be accommodated although proposed bays 1&2 should be a 90 degrees to the highway. As this can be achieved to Design Guide standard and without detriment to highway and pedestrian safety, they have no objection to this application. There is

therefore no justification for a refusal on highway safety grounds in this respect.

CONCLUSION

23. In conclusion, it is considered that the proposed development would have an unacceptable impact on the character of the existing property and the street scene. It is also considered that the development would have a detrimental impact on the residential amenity of the residents of No. 1 Chelmsford Avenue and No. 232 Oxbridge Lane. For the reasons outlined within this report the application is recommended for refusal.

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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 Adopted Local Plan (1997)
Planning Applications 05/0239/FUL & 06/3484/FUL

Ward	Grangefield Ward
Ward Councillors	Councillor P Broughton Councillor A Cockrill