

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**DATE 12<sup>TH</sup> MARCH 2008**

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

**07/3129/FUL  
10 Redland Close, Stockton-on-Tees  
Two storey extension to side**

**Expiry Date 19<sup>th</sup> March 2008**

**SUMMARY**

Planning permission is sought for the erection of a two-storey extension to the side of 10 Redland Close, which is situated within a residential cul-de-sac.

Initial concerns were raised with regards to design of the development and the substandard car parking for a 4 bedroom property. The applicant subsequently submitted revised drawings addressing the design issues of the extension and replacing the 4<sup>th</sup> bedroom with a games and study room. This amended scheme is to be considered for determination.

The original plans generated 4no objections from neighbouring residents, 2no anonymous objections and an objection from Urban Design Engineers. Following the consultation from the amended plan a further 4no objections were received (3 letters being from previous objectors), 1no anonymous objection and an objection from the Ward Councillor. On this basis the application is required to be determined by the Planning Committee.

It is considered that the proposal is an acceptable form of development and will not detract from the character of the property or the streetscene in terms of scale, design and proportion. The design and layout is considered to maintain the privacy of the occupants of the neighbouring dwellings and will not have an adverse impact in terms of overbearing or loss of light. It is considered that the proposed development will retain sufficient amenity space and that the requisite car parking spaces can be practically achieved.

The application is considered to accord with policies GP1 and HO12 of the Stockton-on-Tees Local Plan and principles contained within Supplementary Planning Guidance Number 2: Householder Extension Design Guide. Following this, it is recommended that the above application be approved subject to conditions.

**RECOMMENDATION**

**Planning application 07/3129/FUL be Approved subject to the following conditions:-**

**01 The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.**

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>SBC 0001</b>	<b>19 November 2008</b>
<b>0906.001 A2</b>	<b>26 February 2008</b>

**Reason: To define the consent.**

**02. The external finishing materials shall match with those of the existing building**

**Reason: In the interests of visual amenity and to ensure a satisfactory form of development**

**03. Prior to the development hereby approved, being brought into use, a roller shutter garage door shall be installed in accordance with a scheme to be approved in writing by the Local Planning Authority. The approved door shall then be retained for the life of the development.**

**Reason: In the interests of highway safety.**

**The proposal has been considered against the policies below and it is considered that the scheme accords with these policies and the proposal is in keeping with the property and the street scene in terms of style, proportion and materials and does not involve any significant loss of privacy and amenity for the residents of the neighbouring and host properties, there are no unresolved issues relating to access and highway safety considerations, and there are no other material considerations which indicate a decision should be otherwise.**

**Adopted Stockton on Tees Local Plan (June 1997)  
GP1 General Principles  
HO12 Householder Extensions**

**Supplementary Planning Guidance Number 2: Householder Extension Design Guide  
Supplementary Planning Document 3: Parking Provision for New Developments**

## **PROPOSAL**

- 1. The applicant seeks the permission for the erection of a two-storey extension to the side of 10 Redland Close. The existing detached garage will be retained and incorporated into the design of the extension; therefore the proposal will not project out to the side beyond that point.**
- 2. The total projection width of the extension will be approximately 4.000m, the total length is to be 6.200m, which is 400mm shy of the rear building line due to the position of the rainwater pipe. Part of the development will be stepped back at first floor level by 1.000m with the roof lower in height than the host property in order to appear subordinate.**
- 3. The proposed fenestration of this application will be sited to both the front and rear elevations only, leaving the side gable blank.**

4. As part of this application documents, plans show that the applicant has installed a pedestrian access gate to the rear elevation of the fencing. This however, is permitted development and does not form part of the proposals.

## **CONSULTATIONS**

5. The following Consultations were notified and any comments received are set out below:-

### **Urban Design Manager**

#### *Highway comments*

6. I have reviewed the information submitted by the applicant.
7. A 4-bedroom property requires 3 incurtilage car parking spaces. The garage will count as 1 incurtilage car parking space. However the driveway measures a substandard length of 4.67 metres, therefore it cannot accommodate the requisite car parking spaces. The driveway must be a minimum of 5 metres to accommodate a vehicle and to be provided to Design Guide standard.
8. I do not believe the requisite spaces can be achieved to Design Guide standard within the curtilage of the property and as such I object to this application on the grounds that it would be detrimental to highway and pedestrian safety and the free flow of traffic on Redland Close.

### **Urban Design Engineers – Updated comments following revised scheme**

#### *Highways Comments*

9. Following the receipt of additional information. The plan indicates that the proposed extension will not increase the number of bedrooms. Therefore the current parking provision is acceptable subject to installation of a roller shutter garage door.

#### *Landscape and Visual Comments*

10. We understand, following a site visit from the Council's assistant tree officer, that the resident does not wish to have the birch tree growing on council land adjacent to his house removed. He has been advised to monitor any root trespass and speculative damage to the block paving in his garden and if necessary prune roots on his side accordingly. The council will be carrying out some work to the tree (crown reduction/selective branch removal).
11. As this tree will be retained we offer no objections to this application. The foundations of this extension should be constructed with regard to the existing tree to NHBC standards.
12. Any damage to our land must be made good e.g. grass damage and the root zone of the tree must not be affected. All material storage should be on the owner's property unless agreed with the council.

### **Councillor K A Lupton**

13. Further to our recent conversation may I express my concern that the amended plan though indicating that the fourth bedroom is now a games room still increases the floor space sufficiently to warrant 3 off street parking places.

14. As ward councillors we have received complaints from neighbours that the occupier of this property regularly parks a vehicle on the adjacent grass verge and the proposed new rear entrance directly on to a turning point in the cul-de-sac behind this property is likely to generate additional parking problems.

## **PUBLICITY**

Neighbours were notified and comments received are summarised below:-

### F Burnison 11 Redland Close, Stockton-on-Tees

15. In reply to the application details I would like to make an objection on the grounds that its far too large and will close down the space in Redland Close with it being a small corner plot. This property does not have to take on much more than it has. I also have fears that if this happens the owners will try and make a new back entrance and further add to a real bad parking problem which we already have. My fears are they would use the turning point to park, which was allocated for residents by Council Planning when the close was built and I would not like this to happen we just have not got the space.

### *Further comments received following the amended plan*

16. I would like to say that I still object the new plans that have been submitted dated 25 01 08. The new plans are more a nuisance factor by a gate in the side which will turn out to be more parking problems than there are now and cause more obstruction to the residents in the close concerned. As for making the excuse for the bin there's access already through the garage on the plans. My bins in the garage I just have to live with that like everybody else, there are other properties in Redland that have no access to their back fence so they put it in their garage also so no 10 could do so also.
17. And as to the new proposal on the games room I find that has been changed because a 4 bed house requires proper parking for more cars, so now its been carefully changed for now to a games room. I do think again this extension is far too big for such a small close. To look at a garage end wall like this is foul and insensitive.

### Mrs Eileen Gravestock 15 Redland Close Stockton-on-Tees

18. Whilst I am not against Mr Denial improving and extending his house, I will object strongly if this will be to the detriment of our part of Redland Close. For years now myself and neighbours have prided ourselves on keeping our cul-de-sac free from litter. We look after our houses and gardens, unlike some parts of Redland Close where litter is often strewn, there is broken glass and graffiti in the cut and some residents seem to show a general lack of interest in their surroundings.
19. No 10 Redland Close uses our part of the close for parking a car or motorbike most days. We regularly find cigarette ends and spit on the ground in the area. Recently two of their cars have been parked on the grass area in our cul-de-sac showing lack of respect for us.
20. This extension will have less space for parking which will no doubt mean them encroaching on our space even more. Redland Close simply does not have the space for a three car family with a motorbike plus motorbikes and cars belonging to friends who regularly visit.

### D Blackman 12 Redland Close' Stockton-on-Tees

21. The size of the proposed extension will result in the outlook from my property being restricted and give the close a claustrophobic feel.
22. The owners already use the grass area to the side of the property as their own personal parking space, which in my opinion is a breach of local bylaws, also showing no respect for other residents in the close. In all the time that the owners have lived there, no car has ever been parked in the garage. They have used the social grassed area and driveway. There is a gross lack of parking space to this property for the number of cars owned.
23. There would be no side access to the property, this leading to the refuse bin being left to the front of the property. Due to no side access my fear is that the owner of the property would later try to make a rear access to the property, this would be totally unacceptable.

*Further comments received following the amended plan*

24. This will greatly impinge on the general demeanour and peace of the close and create a nuisance. Prior to this application the rear corner of the property was used as a congregating point for one of the Denials sons and friends with motor scooters. Creating a nuisance by depositing litter by ways of drinks cans, plastic bottles and cigarette ends this mess having to be cleared up by other residents of the close. Not to mention the revving of the motor scooters. I think that by allowing the creation of a rear access this would exacerbate this behaviour. Also by creating this access I believe this would become the main access to the property for the residents who would be tempted to use the turning point at the rear of the property as a parking bay for one or more of their cars. All the properties in the close are outward facing into the close, by allowing this application it will greatly affect the aspect from all of the properties having to look at this access. If access is required this provision should be provided either through the garage area or by reducing the width of the extension, thus allowing side access.

Mrs Margaret Clarke 16 Redland Close' Stockton-on-Tees

25. I think the size of extension is out of order, also with it being blocked in it will spoil the look of our lovely close. We all do our best in our section of close to keep it looking good. I would not like to see them open back wall for exit after any extensions. They have 3 cars, they park on green on corner and corner at back of house. Where will cars go and building materials when work starts. Please keep tree it has been there longer than most residents in close.

*Further comments received following the amended plan*

26. I would like to point out a gate at rear of property will not be needed, take bin through utility room then garage. I also think 4 to 3 bedrooms is getting around the problem of parking space.

Mr J McDonald 17 Redland Close' Stockton-on-Tees

27. It sounds as if the side elevation, although being set back, will still be a plain brick wall. As I live directly opposite, I don't want to look directly onto a huge area of brick. I still have reservations about the tree which has stood there for the past 30 years and also now the new plans are incorporating a rear exit, this will cause problems as the occupants of the property will use the turning point in the cul-de-sac as a parking point for all their vehicles. I will then not only look directly at a side elevation wall, but also a car parking plot. I now strongly oppose this amended application.

Anonymous

28. I, a resident of Redland Close object to the above application for Mr Christopher Denial. The parking issues of this family already cause many problems, they park on the corners, on the paths and also on the green belt at the side of them, they have no considerations for others. Looking at the plans for this I also have concerns that they will erect a gate at the back of the house adjacent to the path at the back of the garage so they could park there, these spaces are turning points and not parking places, which will also cause us problems reversing out of our drives. They also bring friends round with motorbikes and one of their sons has a motorbike and parks on the path where the turning point is and also on the corner at the front of the house.
29. I hope my objection will be taken into consideration as this will cause a lot of problems for the residents in Redland Close as their parking already causes problems and there could be a 4th car in the family if their other son decides to get one.

Anonymous

30. I am putting in writing my concerns against the above extension. Views on side elevation from opposite properties (wall too large and too bland to look at) Silver Birch tree should not be affected in any way because of extension. Property holders have 3 vehicles, which are already parked on Council grass verge, where will they go once extension is built? Need prior planning. Refuse bin...will it be in full view on front of property 24/7? No planning to have path from rear to front to accommodate it.

Anonymous

31. I am writing to you in connection with recent proposed changes to the above address. If a gate is put at the rear next to the turning point for cars in that bit of the cul-de-sac they will use it to park one or more cars there as they already park a car at the side of the green belt and on the pavement at the front of their house, never in their garage. So since they don't use the garage for parking anyway they do not need a rear access gate to their property.
32. Nothing has been looked at or changed as to a 4<sup>th</sup> bedroom except the name of what they have called it on paper because if you wanted this extension for a bedroom originally, then that is what it will be used for, not a games room and study. It's only changed because you rejected it as a 4<sup>th</sup> bedroom so they just changed the name.
33. It will be an eyesore to look at coming into the close, partially blocking the view and day light to some properties. Most residents in these properties have lived there since these houses were built, so it would be terrible to spoil the view and outlet of the cul-de-sac.
34. I would also like to know where they intend to put wagons, building materials, vans, other trades peoples cars/vans? If this was given the go ahead, also where friends and family will park when it is going on, as they already cause a nuisance when visiting the house now. The problems this extension will cause outweighs the pro's for letting it go ahead.

**PLANNING POLICY**

35. The relevant development plan in this case is the adopted Stockton on Tees Local Plan. 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:-

#### 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

### **SITE AND SURROUNDINGS**

- 36. The application site is located in Hartburn, Stockton-on-Tees. The applicant seeks the permission for the erection of a two-storey extension to the side of 10 Redland Close.
- 37. This semi-detached property is located on a staggered building line, amongst similar style and size dwellings. The property benefits from a corner plot location, with a grass strip abutting the side boundary of the property curtilage. The side gable wall of the property faces onto the frontage of surrounding neighbouring properties.
- 38. Running parallel with the side gable of the dwelling is the highway, which concludes to the rear of the property, forming a turning area.
- 39. The property has a detached garage to the eastern side of the dwelling, which abuts the boundary, forming part of the treatment of the property curtilage. The remaining side/rear enclosure is a combined treatment of a dwarf wall with fencing above approximately 2.000m in total height. The front of the property is enclosed by a low-level wall with open access to the driveway.

## **MATERIAL PLANNING CONSIDERATIONS**

40. Taking into account planning policy, the location of the development and the neighbouring properties concerns, the main planning considerations of this application are the impacts on the character of the property and the area, the impact on amenity and privacy of surrounding properties and access and highway safety.

### **Impact on Property and Streetscene**

41. Following a detailed examination of the design, scale and materials of the proposed two-storey extension as shown on the revised scheme, it is considered that the proposal is an acceptable form of development and will not detract from the character of the property.
42. Given the location of the development in relation to the property and surrounding dwellings, it is considered that the proposal is in keeping with the area and will not detract from the character of the streetscene. A visit to the site has shown similar two-storey alterations within the locality; therefore a precedent has been set for this type of development.

### **Residential Amenity**

43. Residents have objected to the application due to the detrimental outlook the extension will create. It is noted that the side gable wall is blank and prevents direct overlooking from occurring thus retaining privacy levels between neighbouring properties.
44. The neighbours to the south east of the site are approximately 23.m away from the existing side gable of the property. The distance from the garage side elevation to the front of these properties is approximately 19.m and will not alter as part of this application. SPG2: Householder Extension Guide suggests that usually 21.m distance is required to prevent direct overlooking however as the side gable is to be blank, it would be unreasonable to refuse this application on these grounds alone.
45. In order to avoid a terracing effect, SPG2: Householder Extension Guide suggests that a two-storey extension, particularly for semi-detached properties such as the host property, should be set back from the front building line by at least 1.m or should be 1.m away from the side boundary. The extension should also appear subordinate to the host dwelling.
46. In this instance, it is considered that the development will appear subordinate to the host property as the applicant has set the extension back at first floor level and has reduced it in height from the host properties ridgeline. Given the location of the property in relation to the streetscene and the staggered building line of the neighbouring dwellings to the north, it is not considered that a terracing effect will occur.
47. In light of the above, it is considered that given the location of the proposed windows within the two-storey extension, neighbours would not be detrimentally affected in terms of privacy and overlooking.
48. Although the extension is quite large, it is considered that the proposal will not be overbearing on the neighbouring properties, given the location of the dwelling and orientation of the proposed extension. Again, due to the location of the property and extension, the proposed development is not considered to constitute a loss of light to occupants of the neighbouring properties.
49. Furthermore, it is considered that the proposed extension will not be over development of the site as there is sufficient amenity space would be retained.



## **Access and Highway Safety**

50. In terms of highway safety it is considered that the proposed development accords with principles contained within Supplementary Planning Document 3: Parking Provision for New developments, and is subsequently considered acceptable.
51. SPD3: Parking Provision for New Developments suggests that 2no incurtilage car parking spaces is required for a 3-bedroom property. The 2no car parking spaces can be practically achieved by means of the garage and driveway to the front of the property.
52. Highway Engineers consider the scheme to be acceptable in terms of car parking provision and offer no objections to the proposal providing a roller shutter garage door is installed. This has been conditioned as part of this application.

## **Landscape**

53. Comments have been received from residents concerning the damage of the Birch tree, which is sited within the grassed area, adjacent to the site boundary. The tree is located on Council owned land and there is therefore no need to formally protect the tree by means of a Tree Preservation Order. As the tree is not protected the applicants are permitted to trim branches, which encroach onto their land but they have confirmed that they do not wish to see the tree removed.
54. The Landscape Architects have not objected to the application as the tree is to be retained. The Council will be carrying out some work to the tree (crown reduction/selective branch removal). However the applicant will need to construct the extension with care and consideration for the tree and to make good the land e.g. grass damage etc, The foundations of this extension should be constructed with regard to the existing tree to NHBC standards. However, these matters will be dealt as part of the necessary Building Regulation approval.

## **Residual Matters**

55. In terms of the proposed gate, which is to be erected to the rear fencing, this could be installed as a permitted development right and therefore cannot warrant the refusal of this application.
56. Comments have been received in terms of littering, anti-social behaviour, residential parking control and construction traffic and disturbance. However these matters are not matters are generally outside of planning control and are dealt with under other legislation. If such problems do occur they would need to be referred to other statutory bodies of the authority such as Environmental Health and Highway Engineers.
57. Residents have raised concerns that the games and study rooms will be used as a bedroom, however that is a matter of speculation and cannot reasonably warrant refusal of planning permission on that basis.

## **CONCLUSION**

58. Overall, the development is in keeping with the property and the street scene in terms of style, proportion and materials, and does not involve any significant loss of privacy for the residents of neighbouring properties. There will remain sufficient amenity space for residents and there are no unresolved issues relating to access and highway safety considerations.

59. The application is considered to accord with policies GP1 and HO12 of the Stockton-on-Tees Local Plan and principles contained within Supplementary Planning Guidance Number 2: Householder Extension Design Guide and Supplementary Planning Document 3: Parking Provision for New Developments. Following this, it is recommended that the above application be approved subject to conditions.

**Corporate Director of Development and Neighbourhood Services**

**Contact Officer Miss Jill O'Donnell**

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**Financial Implications**

As report

**Environmental Implications**

As report

**Legal Implications**

As report

**Community Safety Implications**

As report

**Background Papers**

Stockton on Tees Local Plan (June 1997)

Planning Application Reference Number 07/3129/FUL

**Human Rights Implications**

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

**WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Hartburn</b>
<b>Ward Councillor</b>	<b>Councillor Laing</b>

<b>Ward</b>	<b>Hartburn</b>
<b>Ward Councillor</b>	<b>Councillor K.A. Lupton MCIEH</b>