

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

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

**08/1912/FUL
17 Lulsgate, Thornaby, Stockton-on-Tees
Attached garage to side and canopy to front**

Expiry Date 29 August 2008

SUMMARY

This application seeks permission for the erection of an attached garage to the side (north west) and the erection of a lean to roof above an existing single storey flat roof extension to the front of No 17 Lulsgate, Thornaby, Stockton on Tees.

The application site is a two storey detached dwelling, located on a corner plot in a cul de sac of similar style properties along Lulsgate, Thornaby, Stockton on Tees. The site is bounded by No's 26-32 (evens) Lulsgate to the front (south east), to the south west is No 19 Lulsgate, to the north is No 24 Lulsgate and to the north west (rear) No 15 Lulsgate is present.

No letters of objection have been received from neighbouring properties following written consultation.

The main planning considerations in regard to this application are the impacts on the existing dwelling and street scene, the impact on the amenity of neighbouring properties and the impact on highway safety and access.

In accordance with the approved scheme of delegation, the application is being reported to the Planning Committee for determination as the planning application has been submitted by an employee of the Council.

It is considered that overall the proposed development will not have a significant detrimental impact on the amenities of the area and is in accordance with Policies GP1 and HO12 of the Stockton on Tees Local Plan. It is accordingly recommended for approval with conditions.

RECOMMENDATION

Planning application 08/1912/FUL be Approved with Conditions subject to

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.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>18 June 2008</i>
<i>LG0801</i>	<i>18 June 2008</i>

Reason: To define the consent.

02. Details of all external finishing materials shall be agreed with the Local Planning Authority before the development is commenced.

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

03. The high prunus tree to the front of the application site, which is indicated to be removed, shall be replaced with 2no. specimens or a types of tree and species to be agreed with the Local Planning Authority, before the removal of the tree and be planted within the first planting season following the removal of the tree. Should the replacement trees die, become damaged or diseased within five years, they shall in turn be replaced within the first planting season following their demise with species to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposal does not lead to a loss of privacy or amenity for neighbouring residents. It is also considered that the proposal does not create an incongruous feature within the street scene or impact on highway safety. There are no material planning considerations, which indicate that a decision should be otherwise.

The following policies of the Adopted Stockton on Tees Plan and associated documents are considered to be relevant to the determination of this application

Policy GP1 -General Principles

Policy HO12 -Domestic Development

HEADS OF TERMS

BACKGROUND

1. The application site has been subject to previous development, with the conversion of the integral garage into a habitable room in 2003. Works were carried out under permitted development but the relevant building regulation certificate was obtained (03/00808/BC).

PROPOSAL

2. This application seeks permission for the erection of an attached garage to the side (north west) of No 17 Lulsgate. The proposed garage will measure 6.065 in length x 3.15m in width x 3.8m with a pitched roof. The proposal will feature a garage door in the front elevation with the creation of additional hard standing in front of the proposal for access. The proposal also features 1no. window in the rear elevation.
3. This application also seeks permission for the erection of a lean to canopy roof above the existing single storey flat roof extension to the front of the dwelling, which ties into the proposed garage, which also has a 1.8m projection. The proposed roof will measure approximately 8.6m in length x 1.8 in width x 3.85m in height.

CONSULTATIONS

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

4. Councillors

No comments received.

5. Urban Design Engineers

General Summary

Urban Design raises no objections subject to the comments below.

Highways Comments

This application does not affect the number of bedrooms at this property and therefore leaves unchanged the number of car parking spaces required.

Generally it is preferable for a driveway crossing to be in line with a garage so that vehicles are able to drive in / reverse out without any additional vehicle manoeuvring being required. However this property is situated on a corner and the widening of the driveway access in line with the proposed garage would result in the access being further along radii of a bend which would not be acceptable.

That said there is sufficient space within the curtilage of the property to manoeuvre into and out of the garage space without widening or relocating the existing access. Therefore on balance I have no objection to this application on highway grounds.

Landscape & Visual Comments

I have reviewed the submitted documents and would not object to the application, subject to the comments below.

Although the proposal will result in the loss of a small tree, I do not feel that this is of sufficient size and amenity value given its size and species to warrant protection or recommend refusal. However the garden is of sufficient size to permit replacement tree planting as part of this application. I would suggest that two trees are planted, locations to be agreed but possibly one to the front and one to the side/rear.

I would recommend the following condition be attached to any approval –

LANDSCAPING – SOFTWORKS

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:

- a) commencement of the development
- b) or agreed phases
- c) or prior to the occupation of any part of the development

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high-quality planting scheme is provided in the interests of visual amenity, which contributes positively to local character and enhances bio diversity.

MAINTENANCE- SOFTWORKS

A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the

- a) development
- b) or approved phases.

Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. The landscape management plan shall be carried out as approved.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

PUBLICITY

6. Neighbours were notified and any comments received are below (if applicable):-

PLANNING POLICY

7. 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:-

8. 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.

9. 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

10. The application site is a two storey detached dwelling, located on a corner plot in a cul de sac of similar style properties along Lulsgate, Thornaby, Stockton on Tees. To the front (south east) No's 26-32 (evens) Lulsgate are present, to the south west No 19 Lulsgate is present, to the north No 24 is present and to the north west (rear) No 15 Lulsgate is present.
11. A 1.8m high closed boarded fence encloses the side and rear of the site, whilst a 1.6m high mature hedgerow is present to the front of the site.

MATERIAL PLANNING CONSIDERATIONS

12. The main planning considerations in regard to this application are the impacts on the existing dwelling and street scene, the impact on the amenity of neighbouring properties and the impact on highway safety and access.

Design, scale and appearance of development.

13. It is considered that the proposed garage extension to the side and canopy to the front will have a minimal impact on the existing building due to the matching design, mass and scale of the proposed scheme, which respects the proportions of the existing building.
14. In addition given that the proposed garage will be attached to the side of the dwelling, which is located on a corner plot, and given that there are similar examples of lean to roof canopies within the vicinity of the site at No's 19 (05/1065/FUL) and 45 (07/1688/FUL) Lulsgate, it is considered that the proposed scheme will not introduce an incongruous feature within the street scene.

Landscape issues

15. The Council's landscape architect has no objection to the application and has commented the loss of a small tree is not of sufficient size and amenity value, given its size and species to warrant protection or recommend refusal.
16. However he has further commented that 'the garden is of sufficient size to permit replacement tree planting as part of this application' and has suggested that two trees are planted, which have been agreed with the applicant and can be secured by planning condition.
17. The Landscape Architect has also recommended that a 5 year soft landscaping management plan be submitted, which can be secured by planning condition. However given the nature of the application site and that the applicants have agreed to the suggested planting of the 2no. trees, it is considered unreasonable and fails the tests set out in Circular 11/95 for the use of planning conditions.

Impact on the amenity and privacy of neighbouring properties.

18. Due to the proposed canopy and garage projecting no further than the existing single storey flat roof extension, which has a maximum projection of 1.8m, and given that the adjacent neighbouring property of No 19 Lulsgate is set forward of the application site by approximately 1m, it is considered that the proposed scheme will not significantly worsen the existing levels amenity that prevail in the area.
19. In addition due to the separation distance of over 17m between the proposal and the adjacent neighbouring property at No 24 Lulsgate (south east), it is considered that the proposal will not lead to a loss of amenity in terms of overbearing or overshadowing.
20. Due to the presence of a 1.8m high closed boarded fence along the adjacent boundary to No 17 Lulsgate (north) and the fact that the proposed extension is a non habitable room, it is considered that the proposed 1.no window located in the rear elevation of the proposed garage will not lead to a loss of privacy in terms of overlooking for neighbouring properties.

Highway safety issues

21. The Head of Technical Services (Urban Design) has no objections to the proposed scheme as it does not affect the number of bedrooms at this property and therefore leaves the number of requisite car parking spaces unchanged. He has, however, commented that 'it is preferable for a driveway crossing to be in line with a garage so that vehicles are able to drive in / reverse out without any additional vehicle manoeuvring being required'
22. A further comment is that the application site is situated on a corner and the widening of the driveway access in line with the proposed garage would result in the access being further along the radii of a bend, which would not be acceptable. However, the Head of Technical Services considers that there is sufficient space within the curtilage of the property to manoeuvre into and out of the garage space without widening or relocating the existing access.
23. It is therefore considered that the proposal will not lead to a significant detrimental impact on highway safety or access.

CONCLUSION

24. In conclusion, it is considered that the proposed development accords with the Council's adopted standards and Adopted Stockton on Tees Local Plan Policies GP1 and HO12 and is therefore acceptable.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Daniel James Telephone No 01642 528551**

WARD AND WARD COUNCILLORS

**Ward Stainsby Hill
Ward Councillor Councillor Mrs Sylvia Walmsley**

**Ward Stainsby Hill
Ward Councillor Councillor Eileen Craggs**

