

DELEGATED

AGENDA NO

PLANNING COMMITTEE

DATE 22 JULY 2009

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

09/1368/FUL

147 Ashton Road, Norton, Stockton-on-Tees

Single storey rear extension to provide bedroom and dining room

Expiry Date 5 August 2009

SUMMARY

Planning permission is sought to erect a single storey rear extension to provide bathroom and dining room to this semi-detached dwelling, which is located in a residential suburb of the Glebe Estate.

The application is to be determined by the Planning Committee as the applicant is directly related to a Member of the Council. One letter of objection has been received from neighbouring resident at No.149 Ashton Road, Norton on the grounds of loss of light, party wall issues, concerns of development affecting their property, construction times and would prefer a flat roof design to the proposal.

The main planning considerations are the impact of the proposal on the street scene in terms of scale, design and materials, the impact on the amenity of the occupants of neighbouring properties and access and highway safety considerations.

It is considered that the proposed developments is of a scale, design in keeping with the character of the host dwelling and which is not considered to have an adverse impact on the street scene. The design and layout would maintain the privacy of the occupants of existing dwellings and would not significantly dominate or overshadow neighbouring properties. It is also considered that the proposed development does not raise any highway safety concerns.

The proposal is considered to be in line with general saved policies set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATION

Planning application 09/1368/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.

Plan Reference Number Date on Plan
09.039.PP01 8 June 2009

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. No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00am on Saturdays nor after 6.00pm on weekdays and 1.00pm on Saturdays (nor at any time on Sundays or Bank Holidays).

Reason: To avoid excessive noise and disturbance to the occupiers of nearby premises.

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 properties or raise any highway safety concerns 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 Number 3: Parking Provision for New Developments

BACKGROUND

1. There have been no previous planning applications for this property.

PROPOSAL

2. The applicant seeks planning permission for the erection of a single storey rear extension at No.147 Ashton Road, Norton, Stockton. The proposal will consist of a dining room extension along the boundary to No.149 and an additional bedroom along the boundary to No.145, which will tie into the existing detached garage.
3. The proposed extension is to be located off the boundary to No.149 by 150mm and be in an 'L' shape design. It will project 2.9m along the boundary to No.149, have an overall width of 5.2m and be 4.0m in length along the boundary to No.145.

4. The proposed dining room extension will consist of a lean to roof design with the bedroom element consisting of a hipped roof design with the overall height of the extension being at 3.5m (approx.) there is to be French doors within the rear elevation of the dining room and 1no.window within the rear elevation of the bedroom.
5. A blank brick elevation to No.149 is proposed with no. window within the side elevation, which faces onto No.145 gable wall. 1no.Velux roof light would be within the plane of the roof of the dining room area proposed.
6. The proposal is to be constructed in materials to match the existing property.

CONSULTATIONS

The following consultations were notified and comments received are summarised below:-

Head of Technical Services

Highways Comments

7. In accordance with 'Supplementary Planning Document 3: Parking Provision for New Developments, November 2006'. A 4-bedroom property in this location must provide 3 incurtilage parking spaces.
8. There is sufficient space within the curtilage of the property to accommodate the requisite 3 spaces and I therefore have no objection to the development.

Landscape & Visual Comments

9. No comment.

PUBLICITY

10. The application has been publicised by means of individual notification letters to neighbours. One letter of representation has been received from the occupant of the following address:
11. Mr And Mrs Brownlee, 149 Ashton Road' Norton

Summarised:

12. Objects to proposal on the grounds that it will seriously compromise right to light to their dining room/kitchen. They question, will the proposed extension be the party wall or will the present fence be retained, will building works affect their properties structural rigidity and will work cease no later than 6pm, due to having young children. Also suggest flat roof coverings over both extensions and has attached illustrative drawings.

PLANNING POLICY

13. 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 is the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

14. 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

15. 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.
16. 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.
17. 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

18. The application site is a semi-detached dwelling located within a residential area of Norton. The property has a long front garden and driveway to the side which leads to a detached garage located to the rear and on the boundary to No.145 Ashton Road. The rear garden faces onto the boundary of No.2 Fincham Close, which displays the gable wall of this property which does not consist of any habitable room windows.
19. The boundary treatment to the rear consists of 2.0m high close boarded timber fence, which adjoins the neighbouring fence at No.149, which is at a height of 2.13m. The rear boundary consists of 3.0m high conifer hedge, with the boundary to No.145, being screened by a 1.8m high brick wall and timber gate access, which adjoins the detached garage along this boundary.

MATERIAL PLANNING CONSIDERATIONS

20. The main planning considerations in respect of the proposed development are the impact of the proposals on the street scene in terms of scale, design and materials, the impact on the amenity of the occupants of neighbouring properties and access and highway safety considerations.

Character and Streetscene

21. The extension will not be visible from the street scene of Ashton Road due to being sited to the rear of the property. However it will be partly visible from the neighbouring properties at No.145 and 149 Ashton Road and No.2 Fincham Close to the rear.
22. Nevertheless, given the siting, scale, design of the proposal and the proposed materials to match the host property, it is considered to be in keeping with the character of the host dwelling and would not have an adverse impact on the street scene.

Residential Amenity Issues:

Impact on neighbouring property at No.145 Ashton Road.

23. Within the Stockton on Tees Local Plan it states that rear extensions which project further than 3m, the 60 degree rule applies. Guidance of which can be found within SPG2: Extension Design Guide.
24. In light of this examination and given the existing presence of the detached garage to this boundary which partially screens the development from this neighbour, it is considered that the overall scale and design of the extension would not have a detrimental overbearing impact or raise any loss of light issue to this neighbour.
25. With regards to privacy issues, the proposed bedroom window within the side elevation of the extension will overlook onto the gable wall and driveway of this neighbour, therefore, it is not considered that the proposal would impact on their residential amenity with respects to any loss of privacy concerns.

Impact on neighbouring property at No.149 Ashton Road.

26. As this part of the extension does not project further than 3.0 m (2.9m) along the boundary to No.149, the 60 degree rule within SPG2 does not apply, nevertheless the proposal has been examined in respect of its potential impact on the amenity of the occupants of this neighbouring property.
27. The concerns raised by this neighbour were regards to loss of light and a request to cover both parts of the extension with flat roofs.
28. It is considered that given the orientation of the application site being in a north westerly position and this neighbour having a 2.13m high boundary fence, the proposed development would not worsen the existing situation with respect to overbearing or loss of light into their habitable room window.
29. As there is to be a blank brick elevation to this boundary, the extension is not considered to raise any loss of privacy concerns to this neighbour.

Impact on neighbouring property at No.2 Fincham Close, Norton.

30. Given the proposal will be sited a distance of approx. 8.2m away from the gable wall of this property, which contains no habitable room windows and the presence of high boundary treatment, it is not considered that the proposal would impact on this neighbours residential amenity with respects to being overbearing or raising any loss of privacy concerns.

Access and Highway Safety issues

31. The Head of Technical Services raises no objection to the development, as there is sufficient in-curtilage car parking space available to meet the Council's SPD3: parking provisions for new developments.
32. The proposed development is therefore considered to be acceptable in highway safety terms.

Residual matters:

33. Issues relating to the party wall and impact on their property during construction, the applicant/agent have confirmed in writing that the existing boundary fence is to be retained during construction and that any structural issues with their property, would be dealt with by Building Regulation legislation.
34. It is also to be noted that these matters are not material planning considerations but civil matters and cannot be considered in determining this application.
35. With regards to restriction on construction times of the development not exceeding 6pm, this issue has been confirmed by the Environmental Health manager, in that a standard planning condition controlling construction times to protect the residential amenity of neighbouring properties would be deemed reasonable. This is the subject of a planning condition.

CONCLUSION

36. In light of the above assessment, it is considered that the proposed single storey extension and its use would not have an adverse impact on the amenity of neighbouring occupiers by virtue of scale and design and would not detract from the quality of the streetscene or raise any highway safety concerns.
37. The proposed development therefore accords with policy GP1, HO12 and guidance found within SPG2 of the Adopted Stockton on Tees Local Plan and is considered acceptable and recommend for approval with conditions.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Fahim Farooqui Telephone No 01642 528558**

WARD AND WARD COUNCILLORS

**Ward Norton West
Ward Councillor Councillor Mrs P. A. Cains,**

**Ward Norton West
Ward Councillor Councillor R Cains**