

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 23 SEPTEMBER 2009

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

09/1478/REV

3 Willowdene Avenue, Stockton-on-Tees, TS18 4EL

Revised application for two storey extension to the side, single storey extension to the rear and porch and bow window to front.

Expiry Date 14 August 2009

SUMMARY

This revised application seeks approval for the erection of a two storey extension to the side, single storey extension to the rear, and the erection of a porch, canopy and a bow window to the front of No 3 Willowdene Avenue, Stockton on Tees.

The application site is a detached, two storey, three bedroom dwelling, located along Willowdene Avenue, Stockton on Tees, which is a road of various style properties. To the north is No 1 Willowdene Avenue, to south is No 3, to the front (west) are Ellonby, Park Spring Cottage and No 2 Willowdene Avenue, and to the rear (north east) is No 64 Hartburn Lane.

This application was previously considered by the Planning Committee on the 22nd July 2009. The application was deferred by Members so that Planning Officer's could discuss with the applicant a revision of the proposed scheme so that the outside wall of the two storey side extension is kept in line with the outside wall of the existing attached garage to the side.

Whilst the applicant has chosen not to step the proposed extension in from the boundary to the degree of the extension lining up with the existing garage line, the submitted revised plans show that the proposed two storey side extension will now be stepped in approximately 0.6m from the adjacent boundary, leaving approximately a 1.5m separation distance between No's 3 and 5 Willowdene Avenue. The submitted plans also show an increase in width of the proposed single storey extension to the rear by an additional 0.45m, with the relocation of a single access door from the rear elevation (east) the side elevation (south).

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.

2 letters of objection have been received as a result of publicising the planning application from No 5 Willowdene Avenue, who object to the proposal on several grounds including the impact of the proposed scheme on the design of the existing dwelling and the street scene, the impact on the amenity of neighbouring properties, and the impact of the actual development on foundations. In addition, the neighbouring property has also questioned the accuracy of the submitted drawings, in particularly the extended roof height of No 1 Willowdene Avenue.

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

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, Supplementary Planning Guidance Note 2 and Supplementary Planning Document 3. It is accordingly recommended for approval with conditions.

RECOMMENDATION

Planning application 09/1478/REV be Approved with 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.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>16 June 2009</i>
<i>WA/09/02</i>	<i>6 August 2009</i>
<i>WA/09/03</i>	<i>6 August 2009</i>

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. *Notwithstanding details submitted in the application, a roller shutter door shall be installed in the hereby approved integral garage, before it is brought into use in accordance with details to be submitted and approved in writing by the Local Planning Authority and shall be maintained for the life of the garage unless otherwise agreed in writing with the Local Planning Authority.*

Reason: In the interests of highway safety.

04. *Prior to the development, hereby approved, being brought into use, two additional car parking spaces (to provide a total of three spaces), shall be provided within the curtilage of the property in accordance with Plan WA/09/03 (dated 6th August 2009), the surface of which shall be constructed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences. Such details shall provide for the use of permeable materials or make provision to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. The approved car parking spaces shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.*

Reason; To provide sufficient car parking to serve this four bedroom dwelling and to prevent increase risk of flooding from surface water run off.

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 significant loss of amenity for neighbouring residents in terms of overlooking, overbearing and overshadowing. It is also considered that the proposal does not have an adverse impact on the existing dwelling and does not create an incongruous feature within the street scene. It is further considered that the proposal will not have an adverse impact on public and 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

Supplementary Planning Guidance Note 2; Householder extension guide (SPG2, 2004)

Supplementary Planning Document 3; Parking provision for new development (SPD3, 2006)

The applicant should contact Direct Services regarding the widening of the vehicle crossing.

Unbound materials, such as gravel, may only be used if a 1.5m hard-surfaced buffer strip is provided adjacent to the highway for the full width of the access in order to prevent materials being carried onto the highway.

HEADS OF TERMS

BACKGROUND

1. The original submitted application (reference 09/0308/FUL) was withdrawn on 9th June 2009. The main revisions to the original submitted scheme include a revised parking scheme and the removal of a bow window in the existing first floor front elevation.
2. This application was previously by the Planning Committee on the 22nd July 2009. The application was deferred by Members so that Planning Officer's could discuss with the applicant a revision of the proposed scheme so that the outside wall of the two storey side extension is kept in line with the outside wall of the existing attached garage to the side. The previously submitted revised scheme showed that the proposed two storey extension to the side would be built up to the shared boundary of No 5 Willowdene Avenue with part of the gutter overhanging the adjacent property by approximately 0.1m.
3. Whilst the applicant has chosen not to step the proposed extension in from the boundary to the degree of the proposed extension being inline with the existing garage line, the revised plans show that no part of the proposed scheme will encroach onto the neighbouring property and that the proposed two storey side extension will now be stepped in approximately 0.6m, leaving an approximately 1.5m separation distance between the No's 3 and 5 Willowdene Avenue.
4. The submitted plans also show an increase in width of the proposed single storey extension to the rear by an additional 0.45m with the relocation of a single access door from the rear elevation (east) the side (south) elevation.

PROPOSAL

5. This application seeks planning permission for the erection of a two storey extension to the side, a single storey extension to the rear, a porch and canopy to the front, and the installation of a bow window in the existing ground floor front elevation of No 3 Willowdene Avenue.

6. The proposed two storey extension to the side (demolition of existing attached flat roof garage to the side) will measure approximately 9.2m in length x 2.95m in width x 7.5m in height with a hipped roof. The proposal will be set back approximately 0.7m from the existing front elevation. The proposal will feature a window and a garage door in the front elevation and a window in the first floor rear elevation. The proposal will facilitate the creation of an integral garage, utility rooms and a kitchen extension at ground floor level, and the creation of an additional (fourth) bedroom at first floor level.
7. The proposed single storey extension to the rear will have a maximum projection of approximately 3m x 9.6m in width x 3.7m in height with a lean to roof. The proposal will feature 3 windows and a set of French doors in rear elevation (east), a single access door in the side elevation (south) and will facilitate a kitchen and dining room extension.
8. The proposed porch to the front will measure approximately 0.8m in projection x 2.7m in width x 3.3m in height with a lean to canopy roof, which runs flush across the proposed integral garage. The proposal features a double access door in the front elevation (west). The proposed canopy to the front will be located above the proposed integral garage and will extend the roof of the proposed porch by approximately 3.05m in length x 0.8m in projection.
9. The proposed bow window would replace an existing flat window in the existing ground floor front elevation. The bow window will have a maximum projection of approximately 0.5m x 2.65m in width.

CONSULTATIONS

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

10. Head Of Technical Services)

1)

Highways Comments

I have considered the information submitted by the applicant.

The extension increases the number of bedrooms to four. A four-bedroom property requires three incurtilage car parking spaces. The requisite car parking spaces have been shown on the plans. I therefore have no objection to this application subject to the installation of a roller shutter garage door.

The applicant will need to contact Direct Services regarding the widening of the vehicle crossing.

Unbound materials, such as gravel, may only be used if a hard surfaced buffer strip is provided adjacent to the highway for the full width of the access in order to prevent materials being carried onto the highway

Landscape & Visual Comments

No comment.

PUBLICITY

11. Neighbours were notified and comments received are summarised below

Mr and Mrs Brown

5 Willowdene Avenue Stockton-on-Tees

(Received 06.07.09)

We wish to make representation about this application because

The long prominent roof ridge line will extend beyond the side boundary line with No. 5 next door leaving a narrow gap between houses No's, 3 and 5 of just about 60/70 cm's after allowing for overhangs.

By doing away with the original one metre minimum gap between boundary and side wall, the two storeys extension being built up to the boundary line with foundations encroaching on No.5 adversely affects the attractiveness and character of No.3 and neighbouring properties.

Apart from concerns about construction and excavation work being affecting the lean to and foundations at No. 5 and access for maintenance to gutters and amenities and services under the extension, such closeness will create a terrace like effect.

The extended prominent ridge line of the roof and the massive increase to wall area is overpowering, especially when seen from the rear, gives a highly menacing outlook and overshadows the frontage gardens of the bungalows opposite.

Without matching roof shape the proposed extension does not relate to the design of the original building and is disproportionate to and not subsidiary to the existing property. The prominent gable end at the side, rather than a sloping roof, adds to an over powering effect. This massive extension, by increasing overall size of the existing property by more than two thirds, dominates surrounding properties, is not compatible with nearby properties with respect to style, design and space and adversely affects attractiveness of neighbouring buildings and the appearance and character of the street generally.

Garden boundary wall so as to respect style of area should have the drive way marked by pillars.

The single storey extension at rear overshadows adjacent gardens and patio area and at No.5 back garden privacy will be affected when viewed from back bedroom.

Increased occupancy will result in further car parking congestion and obstruction.

(Received 21.08.09)

We wish to make further comment because

The revised proposal adversely affects the attractiveness and character of neighbouring buildings and street generally and will unbalance the style, design and appearance of the evenly spaced houses at No's 1, 3 & 5, in so far as;

The proposed two storey side wall extends 0.3 meters beyond the current garage line and the space between side wall and plot boundary is less than one meter as per guidelines thereby contributing to a terrace like affect.

Without a matching roof shape the proposed extension does not relate to the design of the original building and is disproportionate to and not subsidiary to the existing building at No.3. The prominent gable end at the side, rather than a sloping roof, adds to an overpowering effect.

Neither does the roof shape of the proposed extension relate to that of neighbouring property at No.1...the proposed extended high roof line is not at the height as that of neighbouring No.1 building where the modest extension roof line is set at around one meter lower than the original main roof line.

PLANNING POLICY

12. 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).

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

13. 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.

14. 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

15. The application site is a detached three-bedroom dwelling, located along Willowdene Avenue, Stockton on Tees, which is a road of various style properties. To the north is No 1 Willowdene Avenue and to south is No 3, both of which are two storey detached dwellings. To the front (west) are Ellonby, Park Spring Cottage and No 2 Willowdene Avenue (all three are bungalows) and to the rear are No's 64 Hartburn Lane (north east) and No 6 Hazeldene Avenue (south east).

16. A 1.8m high closed boarded fence encloses the rear garden of the dwelling.

MATERIAL PLANNING CONSIDERATIONS

17. The material planning considerations when assessing this application are related to the impact of the proposal on the existing dwelling and street scene, and the impact on the amenity of neighbouring properties in terms of outlook, overbearing, overshadowing and overlooking. Other considerations include the impact on highway and public safety, as well as any other residual matters.

Impact on the existing dwelling and street scene

18. The Council's Supplementary Planning Guidance on Householder Extensions (SPG2), paragraph 5.2 states that "normally a gap of a least 1 metre is required between the outside wall of the extension and the boundary of your plot to avoid creating a terracing effect.

Alternatively it may have to be set back from the front of the house by as much as 2 metres for the same reasons". This guidance was aimed primarily at semi detached properties and not detached properties as indicated by the illustrative drawings within SPG 2. and the relevant page is appended to this report. This reflects the situation that building up to the boundary with detached properties will normally only result in the appearance of a pair of semi detached properties and not give rise to a terracing effect which can be the case with semi detached properties and was the reason for the introduction of a terracing policy prior to SPG 2.

19. In this instance, whilst the applicant has chosen not to reduce the width of the proposed extension to the side in line with that of the existing garage line, the proposed two storey extension to the side will be located at a minimum separation distance of approximately 1.5m between the outside wall of the proposal (roofline) and the side elevation (roofline) of No 5 Willowdene Avenue.
20. In addition, the proposal will be set back approximately 0.7m from the existing front elevation and it is considered that the proposed canopy to the front will further break up the perceived massing of the proposed extension.
21. No's 1, 3 and 5 Willowdene Avenue are all two storey detached dwellings although No 1 has been altered following the erection of a first floor extension to the side (approval reference S2011/78, dated 24th August 1978) whilst 3 bungalows are present to the front of the site (west). Taking the appearance of the street scene into account, and given that the proposed canopy roof above the integral garage will also serve to break up the massing of the extension, it is considered that the proposal constitutes a modest extension in a predominantly residential area and that the proposal will not introduce a significant incongruous feature into the street scene.
22. It is also considered that the proposed porch and canopy, and installation of a bow window to the front are minimal alterations to the existing dwelling and will not impact on the street scene.
23. Given that the proposed single storey extension to the rear will not be visible from the front elevation, it is considered that the proposal will not have any impact on the street scene.
24. Overall it is considered therefore that the proposed two storey extension to the side (including the roof design), porch, canopy and bow window to the front, and single storey extension to the rear will not have an adverse impact on the character and the appearance of the existing dwelling due to the complementary design, mass and scale of the proposed scheme, which respects the proportions of the existing building.
25. It is further considered that the proposed scheme respects the scale and proportion of the application site, and will therefore not result in an over development of the site.

Impact on the amenity of neighbouring properties

Two storey extension to side

26. Given that the proposed two storey extension does not project any further than the existing front or rear elevations of the existing dwelling or the adjacent neighbouring properties, and that there are no windows within the side elevation of No 5 Willowdene Avenue (south), it is considered that the proposed extension to the side will not lead to an adverse loss of amenity in terms outlook, and overbearing and overshadowing of windows that serve habitable room windows in the front and rear elevations of No's 1 and 5 Willowdene Avenue.
27. With regard to the proposal's impact on the bungalow's to the front (west) of the site (Ellonby, Park Spring Cottage and No 2 Willowdene Avenue), owing to a separation distance of

approximately 21m between the front elevation of the proposal and the front elevations of these neighbouring properties, it is considered that the proposal will not lead to a significant adverse loss of amenity in terms of loss of outlook, or in terms of overlooking, overbearing and overshadowing for neighbouring properties.

28. The proposed two storey extension to the side will feature a bedroom window in the rear elevation. Whilst it is acknowledged that views are achievable into the adjacent neighbouring property's rear gardens, given that no direct views are achievable into habitable room windows in the rear elevations of the adjacent neighbouring properties, it is considered that the proposal will not lead to a significant adverse loss of amenity in terms of overlooking for neighbouring properties.
29. Owing to the oblique separation distances of approximately 40m and 24m between the rear elevation of the proposed two storey extension and No 64 Hartburn Lane (north east) and No 6 Hazeldene Avenue (south east) respectively, it is considered that the proposal will not lead to an adverse loss of amenity in terms of overlooking, overbearing and overshadowing for neighbouring properties.

Single storey extension to the rear

30. Supplementary Planning Guidance Note 2; Householder extension guide states that "a reasonable compromise between impact on neighbours and the need for space allows about a 3-metre extension at the back, although it will vary from plot to plot. Any extensions that project further than 3 metres will be subject to the 45 and 60 degree rules".
31. Given that the proposal does not project any further than 3m, the proposal is not subject to the 60 degree guidance as set out in SPG2.
32. In assessing the impact on the adjacent neighbouring properties, owing to separation distances of approximately 2m and 2.2m between the side elevations of the proposal and the rear elevations of No's 1 and 5 Willowdene Avenue respectively, it is considered that the proposal will not lead to a significant adverse loss of amenity in terms of overbearing and overshadowing for windows that serve habitable rooms in the rear elevations of the adjacent neighbouring properties.
33. Although the proposal will feature a single access door in the side elevation (south) facing towards No 5 Willowdene Avenue, given that the application site is enclosed by a 1.8m high closed boarded fence, it is considered that the proposal will not lead to a significant adverse loss of amenity in terms of overlooking for neighbouring properties to the side or to the rear of the application site.

Porch and canopy roof to the front

34. Given that the proposed porch to the front is a non-habitable room, that the extensions do not project significantly past the existing front elevation, and that there are no windows located in the side elevation of the porch (south), it is considered that the proposed porch and canopy roof will not significantly worsen the existing situation or lead to an adverse loss of amenity in terms of overlooking, overbearing and overshadowing for adjacent neighbouring properties.

Bow window to the front

35. Owing to the oblique separation distances of approximately 4.2m and 8.5m between the proposal and the front elevations of No's 1 and 5 Willowdene Avenue respectively, it is considered that the proposal will not lead to an adverse loss of amenity in terms of overlooking, overshadowing or overbearing for the neighbouring properties.

36. In addition, owing to a separation distance of approximately 19m between the proposal and the neighbouring properties to the front (west) of the site, it is considered that the proposed bow window will not significantly worsen the existing situation or lead to an adverse loss of amenity in terms of overlooking.

Highway and public safety

37. The Head of Technical Services has been consulted on the revised proposed scheme and has commented that the proposed two storey extension increases the number of bedrooms from 3 bedrooms to 4 bedrooms. In accordance with Supplementary Planning Document 3, a four-bedroom property in this location requires three incurtilage car parking spaces.

38. The applicant has submitted a proposed parking plan indicating the requisite 3 incurtilage car parking spaces, which will require additional hard standing to the front of the dwelling in place of an existing grassed area.

39. The Head of Technical Services has confirmed that the submitted parking plan is acceptable and that they have no objection to this application subject to the installation of a roller shutter garage door. Both the details of the roller shutter door and the finishing surface materials for the proposed hard standing to the front can be secured by planning conditions.

40. It is therefore considered that the proposal will not lead to a significant adverse impact on highway and public safety.

Residual Matters

41. With regard to the other issues raised in the representation's received from No 5 Willowdene Avenue, given that the proposed extension has now been set in from the adjacent boundary to No 5, and that the proposal will no longer physically encroach onto the neighbouring property, the applicant has subsequently signed the requisite Certificate A on the submitted application form to address this alteration. It is considered that any other issues related to the maintenance of services to the side of No 5 Willowdene Avenue are civil matters between the applicant and the adjacent neighbouring property, and are not material planning considerations when assessing this application.

42. With regard to concerns over construction works and the recommendation for pillars to be erected adjacent to the driveway to the front, these are not material planning considerations when assessing this application.

43. The second letter of objection received from No 5 has also questioned the accuracy of the submitted plans with regard to the roof design and height of No 1 Willowdene Avenue's first floor extension to the side.

44. The submitted drawings show the proposed front elevations of No's 1, 3 and 5 Willowdene Avenue and show that the roof height of the extension to the side of No 1 is of the same approximate height to that of the original roof heights of No's 1, 3 and 5 Willowdene Avenue. The submitted drawing of the existing elevations of No's 1, 3 and 5 Willowdene Avenue also show the original design of No 1 before a first floor extension was erected to the side.

45. Following a site visit by the case officer and review of the submitted plans it is acknowledged that there is a slight discrepancy between the built roof height of the extension to the side of No 1 Willowdene Avenue and the submitted plans for this application. However it is considered that the difference in the original and extended roof height of No 1 is not considered significant.

46. Nonetheless, given that the extension to the side of No 1 is an established development, which was completed on 8th January 1981, and that the impact of the proposal on the surrounding properties has already been assessed (as noted above), it is considered that the submitted drawings are satisfactory in this instance and that the incorrect roof height of No 1 as shown on the front elevation does not materially affect the assessment of the planning merits and determination of this application.

CONCLUSION

47. 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

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

As report

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
Tees Valley Structure Plan

WARD AND WARD COUNCILLORS

Ward Hartburn
Ward Councillor s K Lupton, T Lang