

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 23rd SEPTEMBER 2009

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

09/1887/FUL

**6 Harpers Green, Norton, Stockton-on-Tees
Erection of conservatory to the rear.**

Expiry Date 30 September 2009

SUMMARY

Planning permission is sought for the erection of a conservatory to the rear of 6 Harpers Green in Norton.

The planning application has been publicised by means of individual letters and there have been no letters of objection.

The applicant has stated within the application form that they are related to a Council Employee and therefore the application requires to be determined by the Planning Committee.

The main considerations relate to the effect on the privacy and amenity of the neighbouring residents and the effect on the character and appearance of the area.

It is considered that overall the proposal for the extension is acceptable and is recommended for approval.

RECOMMENDATION

Planning application 09/1887/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.***

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>27 July 2009</i>
<i>6HPG001</i>	<i>27 July 2009</i>
<i>6HPG002</i>	<i>27 July 2009</i>
<i>6HPG003</i>	<i>27 July 2009</i>
<i>6HPG004</i>	<i>27 July 2009</i>
<i>6HPG005</i>	<i>27 July 2009</i>
<i>6HPG006</i>	<i>27 July 2009</i>
<i>6HPG007</i>	<i>5 August 2009</i>
<i>6HPG008</i>	<i>5 August 2009</i>
<i>6HPG009</i>	<i>5 August 2009</i>

6HPG010
6HPG011

5 August 2009
5 August 2009

Reason: To define the consent.

- 02. The materials used in the construction of the external walls and roof of the development, hereby approved, shall match those within the existing main dwelling unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure a satisfactory form of development.

BACKGROUND

1. There have been no previous planning applications for the property except the original permission for the estate which was approved in November 2006 (06/2783/FUL).

PROPOSAL

2. The proposal is for a conservatory to the rear of the property. The conservatory will project 3.5 metres from the rear elevation with a total width of 3 metres. The conservatory will have an eaves height of 2.2 metres and a total height of 3.18 metres. There will be a set of French Doors located on the east side elevation. The conservatory will be white UPVC with red brick dwarf walls of 0.75 metres height.

PUBLICITY

3. Neighbours were notified and no comments were received.

PLANNING POLICY

4. 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:-

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.

SITE AND SURROUNDINGS

5. 6 Harpers Green is a semi-detached property located on a new development which is still being built in Norton. The southern boundary of the site is adjacent to the embankment along Junction Road and to the west is the adjacent semi-detached property being 7 Harpers Green. A footpath is sited along the eastern boundary of the property with a set of three storey mews houses located across the footpath to the east. To the north of the property are detached houses being 10 and 12 Harpers Green.

MATERIAL PLANNING CONSIDERATIONS

6. The main considerations with this proposal are the effect on the privacy and amenity of the neighbouring properties and the effect on the character and appearance of the existing street scene.

Impact on Residential Amenity

7. The proposed conservatory will be sited 0.2 metres from the 1.85 metre high boundary fence shared with No 7 Harpers Green. The shared garden fence projects 9.5 metres to the rear boundary. Due to the levels on the site the windows on the rear elevation of the neighbouring property at No 7 are positioned slightly lower than those of the applicant's. The proposed extension projects 3.5 metres from the rear elevation wall and is therefore subject to the 60 degree rule guidance as set out in SPG2- Householder Extension Guide. By applying the 60 degree rule it has been demonstrated that the proposal complies with the guidance and will not lead to an unacceptable loss of light or overbearing on the neighbours at No 7.

8. The nearest ground floor window at no 7 is a kitchen window, in order to ensure the privacy of the neighbouring property a condition will be placed on the application that the upper windows on the west side elevation of the conservatory will be obscurely glazed (and non-opening).

Light

9. To the east of the property is a footpath which is sited in between the applicant's 1.65m high fence and the side elevation wall 5 Harpers Green. The neighbouring mews house is three storeys with single windows on each floor of the side elevation facing towards the applicants rear garden. The ground floor window is obscurely glazed however the two first and second floor windows are landing windows and are not obscurely glazed. There is a separation distance between the proposed conservatory and the side elevation of No 5 of 9 metres. Due to the separation distances between both properties, the screening provided by the applicant's boundary fence, the height of the first and second floor windows it is considered that the extension will not have an adverse impact in terms of overlooking or loss of privacy on the neighbours at No 5.

10. With the applicant's property being set forward on the street scene from the mews houses and located to the west of the Mew houses the proposed conservatory is considered not to have a detrimental impact in terms of loss of light on the neighbours at No 5.

Character and Appearance

11. Due to the rear elevation of the property facing Junction Road is visible from the street scene. The proposed conservatory is a modern white UPVC conservatory with red brick dwarf walls that will match those of the original property. The extension is to modern property and the size and scale of the extension is considered to be in keeping with that of the original property. The guidance set out in SPG2-Householder extension guide states that there should still remain over two thirds of the private amenity space available within a property and this extension accords with

this guidance. It is therefore considered that the proposal will not impact on the character and appearance of the area.

CONCLUSION

12. It is considered that the proposed conservatory is acceptable and does not have any undue impact on the residential amenity of the neighbouring properties and does not have a detrimental impact on the character of the area and does not conflict with policies in the Development Plan. Accordingly the proposal is recommended for approval with conditions.

Corporate Director of Development and Neighbourhood Services

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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), Adopted Tees Valley Structure Plan (February 2004),

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

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

Ward	Norton West
Ward Councillor	Councillor R Cains