

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

4 NOVEMBER 2009

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

**09/2198/FUL
22 Hilston Close, Ingleby Barwick,
Conservatory to rear of dwelling**

Expiry Date 29 October 2009

SUMMARY

Planning permission is sought for the erection of a conservatory to the rear of this modern detached dwelling at No. 22 Hilston Close, Ingleby Barwick. The property is located within a street scene of similar house types.

Within this application, no letters of objection have been received from neighbouring residents or ward councillors

The application requires to be determined by the Planning Committee as the applicant is an employee of Stockton on Tees Borough Council

RECOMMENDATION

Planning application 09/2198/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>
SBC0001	2 September 2009
SBC0002	2 September 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. The proposed transom windows in the side elevation adjacent to no.21 Hilston Close, Ingleby Barwick(excluding the transom window immediately adjacent to the existing rear wall)shall be fixed and non-openable and glazed with obscure glass and shall be installed before the building work hereby permitted is brought into use and the type of glazing agreed shall be employed in those windows during the life of the building.

Reason: In the interests of the amenity of the occupiers of the adjacent property

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 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

PROPOSAL

1. The applicant seeks planning permission for the erection of a conservatory to the rear of No.22 Hilston Close, Ingleby Barwick.
2. The proposed conservatory is to be of an Edwardian design and is to be sited 1.9m off the boundary to No.21 and approximately 11.0m off the boundary to No.23 Hilston Close. It will measure 4.5m wide x 5.0m long x 3.6m high with a hipped Upvc roof.
3. The conservatory will have a 0.8m high brick base with French doors and glazed unit to the side elevation towards No.23, glazed units above the brick base to the remaining elevations.

CONSULTATIONS

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

Parish Council

No comments

PUBLICITY

Neighbours were notified

No objections were received

PLANNING POLICY

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) 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.

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

- 4. The application site is a modern detached dwelling located within a residential cul-de-sac of similar properties. The host property is on an orientation away from the neighbouring property at No.23, and set back from No.21 by 1.4m, which also consists of a blank brick gable wall. The neighbouring property to the rear of the site at No.19 Hilston Close is situated approximately 21.0 metres away from the rear elevation of the host dwelling.
- 5. The boundary treatment to the rear of the site, consists of 1.8m high timber fence panels to each perimeter of the site and there conservatories located to rear of properties within the vicinity of the application site.

MATERIAL PLANNING CONSIDERATIONS

- 6. The main considerations in regard to this application are the effects of the proposal on the residential amenity of the neighbouring properties and the impact on the character of the surrounding area and street scene.

Residential Amenity:

7. Given the siting of the proposed development in relation to neighbouring properties, No.21, No.23 to each side and No.19 Hilston Close to the rear, these are to be assessed individually with regards to the impact of the proposal on their residential amenity.

Impact on neighbouring property at No.21 Hilston Close.

8. It is noted in the Stockton on Tees Supplementary Planning Guidance Note2: Householder Extension Design Guide that in cases where rear extensions project further than 3m, the 60 degree rule is to be applied. In light of this examination, the proposal complies with the 60 degree rule and it is considered therefore that the proposal would not have a detrimental overbearing impact or raise any significant loss of light issues to this neighbour, given the host dwelling being set back from this neighbour, and separation distance between properties.
9. Taking into the account the existing height of the boundary fence to No.21, it is considered reasonable to require the installation of obscure glazing and fixed openings to the majority of the transom windows in the elevation towards No.21, to protect their privacy and prevent any overlooking issues. The applicant has requested that the transom window immediately adjacent to the existing rear wall be openable. This proposed transom window would be directly opposite the existing side wall of No 21 and would not give rise to overlooking or privacy issues. This can be secured by planning condition as indicated in the recommendation.

Impact on neighbouring property at No.23 Hilston Close.

10. Given the orientation of the host property in relation to this neighbour and separation distances involved, it is not considered that the proposal would not have a detrimental overbearing impact or raise any loss of light issues and have any loss of privacy concerns to this neighbour.

Impact on neighbouring property at No.19 Hilston Close.

11. The proposed extension will be approximately 16.0 metres from the rear elevation of this neighbour's property and given the existing height of the rear boundary treatment of 1.8m, it is considered that the development would not have an overbearing impact or raise any significant loss of light or privacy issues to this neighbour.

Character of Area and Street scene

12. The proposed conservatory will not be visible from the street scene of Hilston Close, due to being sited to the rear of the property.

CONCLUSION

13. In light of the above assessment, it is considered that the proposed conservatory is acceptable and would not have an adverse impact on the amenity of neighbouring occupiers and would not impact on the character of the area or the street scene.
14. The proposed development therefore accords with policy GP1, HO12 of the Adopted Stockton on Tees Local Plan and guidance found within SPG2: Householder Extension Design Guide and is considered acceptable.

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

Financial Implications – As report

Environmental Implications – As report

Legal Implications – As report

Community Safety Implications – 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

Non Applicable

WARD AND WARD COUNCILLORS

**Ward Ingleby Barwick East
Ward Councillor Councillor K C Faulks**

**Ward Ingleby Barwick East
Ward Councillor Councillor D C Harrington**

**Ward Ingleby Barwick East
Ward Councillor Councillor A M Larkin**