

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**14 July 2010**

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

**10/0766/RET**

**12 Wetherfell Close, Ingleby Barwick, Stockton-on-Tees  
Retrospective application for conversion of garage into a habitable room.**

**Expiry Date 26 May 2010**

### **SUMMARY**

This application seeks retrospective planning permission for the conversion of an integral garage into a habitable room to the front of No 11 Wetherfell Close, Ingleby Barwick.

The main planning considerations with regard to this application are the impact on the existing dwelling and street scene, the impact on the amenity of neighbouring properties and highway safety. No objections have been received from residents of neighbouring properties.

The Acting Head of Technical Services has raised no objections to the development subject to the implementation of the requisite third car parking space.

A letter of objection has been received from Ingleby Barwick Town Council.

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

It is considered that the development does not have an adverse impact on the existing dwelling or the visual amenity of the street scene; it does not lead to an adverse loss of amenity for neighbouring properties and does not lead to a loss of highway safety. It is therefore considered to accord with Policy CS3, Saved Policy HO12 of the Stockton on Tees Local Plan and the advice given within SPD3: Parking requirements for new developments.

The application is recommended for approval subject to the implementation of a third requisite car parking space within the curtilage of the application site, within 56 days from the date of the decision notice. This can be secured by a planning condition.

### **RECOMMENDATION**

**Planning application 10/0766/RET 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.***

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b><i>SBC0002</i></b>	<b><i>26 June 2010</i></b>
<b><i>SBC0001</i></b>	<b><i>31 March 2010</i></b>
<b><i>SBC0004</i></b>	<b><i>26 March 2010</i></b>

SBC0003  
SBC0006

26 March 2010  
18 June 2010

*Reason: To define the consent.*

02. *Notwithstanding the submitted information, within 56 (fifty-six) days from the date of this decision, one additional car parking space (to provide a total of three spaces), shall be provided within the curtilage of the property in accordance with Plan No SBC0006 (dated 17th June 2010) with details of the hardstanding 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. The approved spaces shall then 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.*

## **INFORMATIVES**

### **General Policy Conformity**

The development has been considered against the policies and documents identified below. It is considered that the development accords with these documents as the development does not lead to a loss of amenity for neighbouring residents in terms of overbearing or overlooking. It is also considered that the development 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 Core Strategy Development Plan Document (March 2010), the Saved Policies from the Adopted Stockton on Tees Local Plan (1997) and associated documents are considered to be relevant to the determination of this application

**Core Strategy Policy 3 (CS3): Sustainable Living**  
**Local Plan Saved Policy HO12-Domestic Development**  
**Supplementary Planning Document 3; Parking Provision for New Developments (2006)**

## **PROPOSAL**

1. This application seeks retrospective planning permission for the conversion of an integral garage into a habitable room. The development consists of the removal of the external garage door and installation of 1 UPVC window in the front elevation that measures approximately 1.5m x 1.7m

## **CONSULTATIONS**

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

### **Acting Head Of Technical Services**

#### **Highways Comments**

2. The revised plan has been reviewed; the requisite 3<sup>rd</sup> space has been provided at a 30-degree angle, which is acceptable in this instance, therefore no objections are raised to this application.

### Landscape & Visual Comments

3. No comments.

### **Ingleby Barwick Town Council**

4. Ingleby Barwick Town Council does not support the conversion of garages into habitable rooms, as this is liable to result in more on-street parking in Ingleby Barwick. It is noted that this is a retrospective application; concerns are raised in respect of work being undertaken without planning permission.

### **PUBLICITY**

5. Neighbours were notified and no comments have been received.

### **PLANNING POLICY**

6. 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 Core Strategy Development Plan Document, Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RRS).

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

#### Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

9. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

10. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non-domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

11. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

12. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

13. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

14. Where suitable proposals come forward for medium to small-scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.
15. Additionally, in designing new development, proposals will:
  - Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
  - Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
  - Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
  - Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.
16. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

#### Policy HO12

17. 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.

#### Supplementary Planning Document 3: Parking Provision for New Developments (2006)

### **SITE AND SURROUNDINGS**

18. The application site is a four bedroom, two storey detached dwellinghouse located on a corner plot within the cul de sac of Wetherfell Close, Ingelby Barwick, Stockton on Tees.
19. To the west is No 11 Wetherfell Close, to the south is No 2 Wensleydale Gardens, to the east is the highway of Wensleydale Gardens and beyond are No's 1-9 (odds) Wensleydale Gardens.
20. An approximately 1.5m high wall with wrought iron railings in between, and mature planting are present to the front (south) and side (east) of the application site.

### **MATERIAL PLANNING CONSIDERATIONS**

21. The main planning considerations with regard to this application are the impact on the existing dwelling and surrounding area, the impact on the amenity of neighbouring properties in terms of outlook, overlooking, and the impact on highway safety and parking provision.

### **Impact on the existing dwelling and street scene**

22. It is considered that the external alterations to facilitate the garage conversion, which consists of the installation of 1 window and the removal of the garage door, will have a minimal impact on the existing dwelling due to the complementary design of the scheme, which respects the proportions and the fenestration within the existing front elevation of the dwelling and the application site.
23. Given the modest scale and design of the development, it is further considered that the scheme will not have a significant adverse impact on the visual amenity of the surrounding area in terms of outlook.
24. In addition, owing to the high number of similar garage conversions within close proximity of the site at No's 2 (approval 08/2378/FUL) and 11 Wetherfell Close (06/0669/FUL) and No's 7 (07/2019/FUL) and 16 Wensleydale Gardens (09/0887/FUL), it is further considered that the development will not introduce an incongruous feature into the surrounding area.

### **Impact on the amenity of neighbouring properties**

25. The 1 window installed in the front elevation of the dwelling looks primarily back out towards the main highway and No 2 Wensleydale Gardens (south). Owing to a satisfactory separation distance of approximately 17.5m between the development and the blank wall side elevation of No 2 Wensleydale Gardens, and an oblique separation distance of approximately 25m to the properties to the east of the site (No's 1-9 Wensleydale Gardens), it is considered that the scheme will not lead to a significant loss of amenity in terms of outlook and overlooking.
26. Given that no direct views will be achievable from the window within the front elevation of the converted garage and the windows within the front elevation of the adjacent property of No 12 Wetherfell Close, it is further considered that the development will not lead to an adverse loss of amenity in terms of outlook and overlooking for neighbouring properties.

### **Highway issues**

27. A letter of objection has been received from Ingleby Town Council who objects to the garage conversion as they consider that this will lead to further on-street parking problems.
28. Currently there are two in-curtilage parking spaces provided on the hardstanding area to the front of the site. In accordance with Supplementary Planning Document 3, a four-bedroom property in this location requires three in-curtilage car parking spaces. The applicant has submitted a proposed parking plan indicating a third requisite in-curtilage car parking space, which will require additional hard standing to the front of the dwelling in place of an existing grassed area. The plan also indicates the retention of the mature planting and an element of grass to the front/side of the dwelling.
29. The Acting Head of Technical Services has confirmed that the requisite third parking space shown on the submitted parking plan has been provided at a 30-degree angle but that it is 'acceptable in this instance' and therefore raises no objection to this application.
30. Whilst the details of the finishing surface materials for the additional proposed hard standing to the front can be secured by a planning condition, given that the works to convert the garages has already been implemented, it is also considered necessary for the additional hardstanding to be installed within eight weeks (56 days) from the date of the decision notice. Subject to this, which can be secured by a planning condition, it is

considered that the development will not lead to a significant adverse impact on highway and public safety, or lead to additional on-street parking.

31. No letters of objection have been received from neighbouring properties.

## **CONCLUSION**

32. It is considered that the scheme accords with Policies CS3, Saved Policy HO12 and SPD3 as the scheme will not have an adverse impact on the existing dwelling and street scene, the development will not lead to a loss of amenity for neighbouring residents and will not lead to an adverse loss of highway safety.

33. It is recommended that the application be **Approved with Conditions** for the reasons specified above.

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

## **IMPLICATIONS**

Financial Implications: As report

Environmental 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

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.

## **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Ingleby Barwick West</b>
<b>Ward Councillor</b>	<b>Councillor K Dixon</b>
<b>Ward</b>	<b>Ingleby Barwick West</b>
<b>Ward Councillor</b>	<b>Councillor R Patterson</b>
<b>Ward</b>	<b>Ingleby Barwick West</b>
<b>Ward Councillor</b>	<b>Councillor Jean Kirby</b>