

DELEGATED

AGENDA NO

PLANNING COMMITTEE

12 January 2011

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

10/2641/FUL

1 Chedworth Court, Ingleby Barwick, Stockton-on-Tees

Application for two storey extension to the side and first floor extension above existing garage.

Expiry Date : 27 December 2010

SUMMARY

This application seeks planning permission for the extension of the existing house to form additional living space at 1 Chedworth Court, 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.

Six letters of objection have been received in addition to that from Ingleby Barwick Town Council. The objectors are concerned about the size of the extension, its impact on amenity and lighting for neighbours and additional pressure on car parking. In accordance with the approved scheme of delegation, the application is therefore being reported to the Planning Committee for determination.

The Head of Technical Services considers that the existing car parking levels at the property are sufficient to meet the standards in the Council's Supplementary Planning Document 3: Parking Provision for New Development and has raised no objections on highway or other grounds to the development.

It is considered that the development does not have an adverse impact on existing dwellings or the visual amenity of the streetscene, it would 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 to the advice given within Supplementary Planning Guidance 2: Householder Extension Guide, February 2004 and Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

The application is recommended for approval subject to a condition to ensure that the materials match those of the existing house.

RECOMMENDATION

Planning application 10/2641/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.***

| <i>Plan Reference Number</i> | <i>Date on Plan</i> |
|-------------------------------------|-------------------------------|
| <i>SBC0001</i> | <i>12 October 2010</i> |
| <i>01</i> | <i>12 October 2010</i> |
| <i>02B</i> | <i>6 December 2010</i> |

Reason: To define the consent.

02. ***The external materials for the hereby approved extension shall match those of the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.***

Reason: To achieve a satisfactory form of development in the interests of visual amenity.

BACKGROUND

1. The housing estate was constructed following the granting of Full planning permission under reference No.02/2393/P. The approved scheme was for residential development of 86 dwellings.
2. A conservatory has been added to the rear of No.1 Chedworth Court following conditional planning permission under reference No.07/0768/FUL.

PROPOSAL

3. The application relates to a detached house on a housing estate within the development limits of the settlement of Ingleby Barwick. The property is within a small cul-de-sac of similar detached properties. The main frontage of the house faces the road entrance into the cul-de-sac with a forecourt for parking and a detached double garage projecting forward to one side. The proposal is to form a two storey link from the house to the garage and build over part of the garage to form a further living room on the ground floor and 2 additional bedrooms above with a shared en-suite. One bedroom in the existing house would be lost to form a landing access link. On the rear there would be French doors at ground level from the additional living room and a bedroom window above. There would be a small en-suite window facing the gable of the neighbour's house and the other bedroom would have a window looking across the forecourt and road to the front. The materials would be facing brick, concrete roof tiles and white upvc windows to match the existing house.
4. These proposals were changed by amended drawings from those neighbours and the Town Council were originally consulted on (neighbours have been consulted in respect of the amended plans). The length of the two storey extension has been reduced so that it does not project over the whole of the double garage. As a result the bedrooms have been made smaller or changed shape and a study area room and en-suite have been deleted from the scheme. The roof design of the extension was altered and dormer windows deleted and others changed.

CONSULTATIONS

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

Head Of Technical Services

I refer to your memo dated: 5 November 2010

General Summary

Urban Design has no objections.

Highways Comments

The proposed extension will increase the number of bedrooms from 4 to 5 at this property. In accordance with 'Supplementary Planning Document 3: Parking Provision for New Developments, November 2006' a 5 bedroom property in this location should provide 4 curtilage parking spaces. The requisite 4 parking spaces is met on site by a double garage and double driveway therefore no objections are raised.

Landscape & Visual Comments

No comments.

Ingleby Barwick Town Council

This is a very large extension with roof windows overlooking the neighbouring property. Also, it is quite close to the neighbouring property and will reduce light.

PUBLICITY

6. Neighbours were notified by neighbour letter and any comments received are below (if applicable):-

David Bradbury 2 Chedworth Court Ingleby Barwick

I am the owner / occupier of 2 Chedworth Court and this proposal will severely restrict my outlook and the amount of light that I currently enjoy.

Having reviewed the amended drawings this will still have a vast impact on the existing amount of natural daylight that my property receives.

The drawing does not show a side door that I have which is glazed and lets light into the house via the utility room. With this proposal that outlook will now be onto a brickwall which I find totally unacceptable. The impact will also effect the light and outlook from my study and master bedroom. I fully oppose the application to build an extension to the side and above the garage at 1 Chedworth Court. (ref 10/2641/FUL).

J Brown 18 Lullingstone Crescent Ingleby Barwick

As your website is not accepting my comments, please note that I fully oppose the application to build the extension on this property. I am the owner of 18 Lullingstone Crescent, which is directly behind 1 Chedworth Court. This extension would severely impose on my garden and restrict the amount of light I currently enjoy as well as severely imposing on our privacy. Please confirm my objection has been received and noted.

Manish Sahani 9 Chedworth Court Ingleby Barwick

I live at no 9 Chedworth Court and am concerned to as why this property needs 2 extra bedrooms as it has four bedrooms and only 4 people living there. My concern is that there are other people moving in and they have a vehicle then we will suffer as parking is a real problem here. The occupants of no 10 Chedworth Court have already taken out an injunction out on us and no 8 restricting parking on the road and drives I strongly believe that this will even add to our parking problems further.

I strongly oppose to this application on the grounds that I believe that this will make our living even more stressful than it as at present as I am sure the applicant can not assure me that another vehicle will or not be present at the property. This is due to the actions of no 10 who have made life for all very difficult.

Mr and Mrs D Jones 8 Chedworth Court Ingleby Barwick

Visitor parking is already ltd due to court restrictions this is our concern if no plan for parking.

Colin Doherty 7 Chedworth Court Ingleby Barwick

My wife and I have concerns over parking should this planning application be granted. Chedworth Court is a narrow cul de sac and any parking in the road would severely disrupt / hamper access to our property. There is also the issue of safe and easy access for emergency service vehicles to consider. So for the above reasons we object to this planning application.

Debra Baker-Heriot 14 Lullingstone Crescent Ingleby Barwick

Property is already large enough for family. If extra people moving in parking issues will arise.

PLANNING POLICY

7. 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 Plan is the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)
8. The following planning policies are considered to be relevant to the consideration of this application:-

Core Strategy Development Plan Document

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

1. 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.
2. 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'.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.

8. 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.

9. 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.

Local Plan Saved policies 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

Supplementary Planning Guidance 2: Householder Extension Guide, February 2004
Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

SITE AND SURROUNDINGS

9. The application site is a residential property on a housing estate within the settlement of Ingleby Barwick. The house is located in a cul-de-sac shared by 11 detached houses of mixed styles, forms and sizes. There are other gardens backing onto the applicant's property to the north and northwest belonging to houses in Lullingstone Crescent. The main elevation of the applicant's house faces south-west onto the entrance road into the cul-de-sac and has a central two storey forward projection forming a porch and hallway and en-suite bathrooms above. There is a driveway forecourt to the front of the house and a detached double garage to one side partly standing forward of the house. The applicant's detached double garage backs onto the shared boundary and is mostly forward of the main front wall of both properties. The garage has a square floor plan with a four sided pyramidal roof. The front of the garage is set at a 45 degree angle to that of the main elevation of the

house. The garage doors face the access, turning and parking area across the main entrance to the house.

10. The neighbour in the cul-de-sac to the east has a matching house design facing south onto the turning head at a different angle to the applicant's house. This house has a gable facing the applicant's house and it contains a glazed doorway into a ground floor utility room. The mutual boundary between the applicant's and neighbour's gardens runs north to south and because of the angle cuts across the rear of the applicant's house giving it an almost triangular rear garden. There is a conservatory on the rear of the applicant's house.

MATERIAL PLANNING CONSIDERATIONS

11. The main planning considerations are the principle of the development, the impact on the character and appearance of the area, the impact on residential amenity and privacy, highway safety and other material considerations.

The principle of the development

12. The application site is an existing residential property that lies within the settlement boundary of Ingleby Barwick as defined for the purposes of the Saved Local Plan policies. The extension would be within the garden curtilage of the detached house and includes adding a first floor above part of the existing detached garage and linking it to the house. The planning policy context is set by the Council's adopted Core Strategy Document and Saved policies in the Local Plan. There are no policies or advice that prevents extensions to domestic dwellings. The determination of this application is therefore to be considered in the context of any criteria in those planning policies and Government advice.
13. The concerns raised in six letters of objection that have been received besides those from the Town Council are considered below in the context of Policy HO12. This policy allows extensions to dwellings as long as they are in keeping with the property and the street scene in terms of style, proportion and materials and avoid significant loss of privacy and amenity for the residents of neighbouring properties.
14. In principle the proposals are acceptable and would be in accordance with the Core Strategy and Stockton on Tees Local Plan policy HO12.

Impact on the character and appearance of the area

15. The application relates to a proposed extension which would be located between the gables of the applicant's and neighbour's houses and to the rear of the applicant's detached double garage. This space between the houses is dominated by the gables of the houses and because of the angle formed by the two houses the gap is shorter at the rear than at the front. Only a short section of some 3.2m length of the proposed extension would be seen from the rear of properties situated to the north and northwest in Lullingstone Crescent. The proposed extension would be no nearer to those houses than the applicant's existing house and would therefore have little visual impact when seen from the rear.
16. The proposed extension would be seen from the cul-de-sac of Chedworth Court as a side extension to the main house that is set back from the main elevation where it joins the existing house in accordance with Policy HO12. The proposed extension would also project forward at an angle to connect with the existing garage. The applicant's detached double garage would retain half of its pyramidal roof where it stands forward of the building line. The two storey extension would not protrude forward of the building lines set by the existing central two storey forward projections on the applicant's house and that of the neighbour to the east.
17. From Chedworth Court the proposed extension would be seen as one projection in a series facing the cul-de-sac. The gable of the extension would be left blank so it would not attract

the eye like the main projections on the houses with their main entrance archway and first floor windows. The extension would replace the view of the applicant's existing blank gable end and obscure the view of most of the neighbour's blank upper gable as well. Other house styles in Chedworth Court have a form with projections facing the road. The proposed extension would therefore have limited visual impact on the street scene.

18. Ingleby Barwick Town Council responded to notification of the original scheme and considered that the proposals were "a very large extension" with impacts on the neighbouring property. The amended plans have reduced the size of the extension but at the time of the report writing it is not known if the Town Council's retains its concerns over the size of the extension. The concerns of the Town Council relate mainly to the impact on the neighbour's and these are discussed elsewhere in the report.
19. The amended proposals have reduced the proposed size of the extension and improved the design of the roof and windows. It is considered that the proposed extension is in keeping with the property and the street scene in terms of style, proportion and materials and that it would have little impact on the character and appearance of the area so that it is in accordance with the Core Strategy and Stockton on Tees Local Plan policy HO12.

Impact on residential privacy and amenity

20. Saved Local Plan Policy HO12 allows residential extensions that avoid significant loss of privacy and amenity for the residents of neighbouring properties. Six letters of objection have been received raising issues of amenity, privacy, loss of light and parking.
21. The proposed extension would have five new openings being French doors and 4 windows. The French doors would be on the rear and look onto the angled shared boundary between the applicant's and neighbour's house at No.2 Chedworth Court. The rear wall of the proposed extension would be in line with that of the applicant's main house and only have an oblique view of the neighbour's upper blank gable above the boundary fence. There is already a conservatory on the rear of the applicant's house that projects a further 4m into the garden and has a better view of the neighbour's house. The proposed French doors would not have any greater impact on privacy and amenity than exists at present.
22. The proposed first floor bedroom window would also have limited outlook of the neighbour's house and garden. The bedroom window may allow an oblique view of the neighbour's glazed utility door at ground level. A utility is not a main habitable room and there would be no significant loss of privacy and amenity to the neighbouring house. This window would allow a limited view of the neighbour's rear garden and those of other properties to the north past the gable end of the neighbour's own house. The neighbour's gardens are already overlooked by existing bedroom windows in the rear of the applicant's and other surrounding houses and the limited views from the proposed extension would make little significant difference to levels of privacy or amenity.
23. The proposed small first floor side window to the en-suite would face a blank section of the neighbour's gable end wall. This window would most likely be obscure glazed in any case and the window would have no significant impact on privacy and amenity. Similarly the two windows at first floor on the front of the proposed extension would have no significant impact on any house facing it across Chedworth Court. These proposed windows would look onto the front driveway forecourt of the applicant's house and would be no closer to a facing neighbour's house than the existing main living and bedroom windows of the applicant's dwelling.
24. Two objectors and the Town Council are concerned that the extension would reduce natural daylight to adjoining properties. The amended drawings have cut back the amount of proposed extension so that it would not project forward as far as the neighbour's own two

storey projection on the front of their house. This projects 2.7m in front of the main wall of their house. The proposed extension would be to the side and come forward of the front wall by only 1.6m and 1m in front of the neighbour's bay window. The proposed extension conforms with advice in Supplementary Planning Guidance Note 2: Householder Extension Guide in that the extension would not infringe the 45 degrees rule.

25. The neighbour's main elevation is south facing and the extension would stand to the side to the west. The opportunity for reducing direct sun or daylight to the study and master bedroom would therefore be very limited and not so significant as to warrant a refusal of permission.
26. The proposals would bring the applicant's house closer to the utility door on the neighbour's gable end. This utility currently looks onto the boundary fence at a distance of about 1m and it is not a principle living room and the outlook from it is therefore of less significance. There would be some reduction of daylight but this is not so significant as to warrant a refusal.
27. An objection has been received from a property in Lullingstone Crescent, which is directly behind 1 Chedworth Court. As the applicant's garden is 16m long and due south it is most unlikely that the proposed extension would make any significant difference to the amount of light reaching that neighbour's garden.
28. Policy HO12 allows extensions that avoid significant loss of privacy and amenity for the residents of neighbouring properties. This is considered to be the case and the proposals are considered to be acceptable with regard to impact on residential amenity and privacy and in accordance with the Core Strategy and Stockton on Tees Local Plan policy HO12.

Highway safety

29. The proposed extension would not alter the driveway or garage space for the dwelling. The existing 4 parking spaces comprised of the double garage and double driveway would remain. Although the proposed extension would increase the number of bedrooms from 4 to 5 the parking would still be in accordance with 'Supplementary Planning Document 3: Parking Provision for New Developments, November 2006'. The Head of Technical Services therefore has no objections on highway grounds.
30. Most of the objections received are about the concerns that any additional residents would bring further parking problems to the cul-de-sac. Parking in the cul-de-sac seems to be an existing issue and an objector refers to an injunction having been taken out on some residents. This injunction does not appear to relate directly to No.1 Chedworth Court and it is not a planning consideration anyway but a private legal matter.
31. The limited opportunities for visitor parking due to the narrowness of the cul-de-sac are noted and the implications that this could have for access by emergency service vehicles. However, the applicant has sufficient off-road parking space to meet their needs and visitors who do not park on the driveway would have to park legitimately elsewhere.
32. The proposals are considered to be acceptable with regard to impact on highway safety and to be in accordance with the Core Strategy and Stockton on Tees Local Plan policy HO12.

CONCLUSION

33. The extension of a dwelling on a housing estate within the settlement of Ingleby Barwick is acceptable in principle and the proposed position, design, scale, mass, form and materials

of the amended drawings of the extension are all considered to be acceptable in design terms.

34. Any adverse impact on residential amenity and privacy or reduction of daylight would not be sufficient to warrant a refusal and there is adequate on-site access and parking so that the development would not adversely affect highway safety.
35. The proposals are therefore in accordance with Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS3 and Stockton on Tees Local Plan Saved Policy HO12 and Supplementary Planning Guidance 2: Householder Extension Guide, February 2004 and Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Bishop Telephone No 01642 527310**

WARD AND WARD COUNCILLORS

| | |
|---------------------------------|--|
| Ward Ward Councillor | Ingleby Barwick West Councillor K Dixon |
| Ward Ward Councillor | Ingleby Barwick West Councillor R Patterson |
| Ward Ward Councillor | Ingleby Barwick West Councillor Jean Kirby |

IMPLICATIONS

Financial Implications:

None

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

Background Papers

The Town and Country Planning Act 1990.

Stockton on Tees Core Strategy March 2010

Stockton on Tees Local Plan June 1997.

Supplementary Planning Guidance 2: Householder Extension Guide, February 2004

Supplementary Planning Document 3: Parking Provision for New Developments, November 2006

Planning Applications 02/2393/P and 07/0768/FUL.

