

DELEGATED

AGENDA NO
PLANNING COMMITTEE

14 JANUARY 2015

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

14/2255/FUL

Karelia , The Drive, Thornaby

Proposed alterations to existing bungalow to include increasing the roof height, dormer window to front, 3.no velux windows, single storey extension to side/rear and porch extension (demolition of existing conservatory to front and lean to conservatory to rear)

Expiry Date 21st January 2015

SUMMARY

Planning permission is sought for a single storey extension to the side/rear and porch extension at Karelia. The proposal also includes increasing the roof height to accommodate a first floor which will include 3 velux roof lights being positioned on the west side elevation and a dormer window within the front elevation. The proposal will alter the property from three bedrooms to five bedrooms. The proposal includes the removal of the conservatory located to the front of the property and also the lean to conservatory to the rear.

A total 7 letters of objection along with objections from Councillors Dalgarno and Moore have been received. These objections are detailed in full below but include comments on the highway impacts on The Drive and surrounding streets, loss of privacy, loss of light, overbearing impact, over development of the site and impact on the character and appearance of the street scene. 4 letters of support have also been received which in summary state the extension will enhance the property, that properties in the area have similar numbers of car parking provision and that it will improve the insulation of the property.

The Head of Technical Services and the Environmental Health Unit Manager have raised no objections to the scheme.

For the reasons set out within the report, the proposed scheme is not considered to have an unacceptable adverse impact on the character and appearance of the street scene, or lead to an unacceptable loss of amenity for neighbouring properties or have an adverse impact on highway safety.

RECOMMENDATION

That planning application 14/2255/FUL be approved subject to the following conditions and informative:-

- Time Period for commencement:**
01 ***The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.***

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans:

02 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
SBC0001	22 August 2014
01 B	17 November 2014
02B	17 November 2014
03 C	17 November 2014
06B	17 November 2014
07 D	24 November 2014
10 B	24 November 2014
11 A	24 November 2014
04 F	24 November 2014
05 E	24 November 2014
09 B	17 November 2014
08 A	17 November 2014

Reason: To define the consent.

Materials:

03 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roof of the extension shall be submitted to and approved by the Local Planning Authority prior to the construction of the external walls and roof of the extension.

Reason : To ensure a satisfactory form of development

Garage restrictions:

04 The garage to which this permission relates shall be used solely for the parking of motor vehicles and storage purposes incidental to the main residential use, unless the prior approval of the Local planning Authority has first been granted.

Reasons: In the interests of highway safety and to ensure satisfactory parking provision for the property.

Informative 1: National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

BACKGROUND

1. Previous planning permission was granted in 1968 for the extension of the bungalow (w1438/69) and in 1971 for the erection of a porch, carport and the extension to the existing garage (w1105/71).

SITE AND SURROUNDINGS

2. The property is one of four properties located within a small cul-de-sac, known as 'The Drive' which is situated off Bassleton Lane, Thornaby. The property is located outside the Conservation area and Article 4 designated area.
3. Thornaby Cricket Club and playing field are located to the south with The Drive and the turning head for the cul-de-sac also located along the southern boundary. The eastern boundary is shared with a detached property 'Ballantrae' with the western boundary being shared with a detached property known as 'Ithaca'. The northern boundary is shared with the rear garden area of 542 Thornaby Road.

PROPOSAL

4. Planning permission is sought for a series of extensions and alterations to the host property, which will include an increase in the ridge height to create an additional first floor as well as extensions to the side and rear of the property. The resulting increase in space will create a five bedroom property. The works will include;
 - An increase in the roof height of the property to a maximum of 7 metres along with the creation of a gable roof design within the front and rear elevations. This also includes a dormer window to the front elevation and a total of 3 velux roof lights on the west side elevation.
 - The removal conservatory on the rear elevation and its replacement with a single storey extension to the rear of the existing garage. The will measure approximately 6m x 4.5m
 - A further extension on the rear elevation will measure 8.3m(w) x 3.8m(l) and have a maximum height of 4 metres. The extension will have two velux roof lights on each plane of the roof, and windows of each of the side elevations the rear elevation.
 - The creation of a small porch area to the front projecting 1.3 metres and extending across the existing garage with the associated canopy to a total width of 7 metres.
5. In addition to the above works the existing conservatory to the front of the premise would be removed and external alterations would be made, these would include an additional ground floor window and the enlargement of an existing window within the front elevation.
6. There will be no alterations to the width of the current double driveway located to the front of the property.

CONSULTATIONS

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

Councillor Moore

I wish to object to this development on the grounds of Loss of privacy and amenity to neighbouring residents. The scheme will also result in additional traffic on Bassleton Lane.

Councillor Dalgarno

I have had a number of calls from residents objecting to this development on the grounds of increased traffic on to the Green and Bassleton Lane. The size of the development will block

light from neighbouring properties. The proposed development is far too large for the plot area, resulting in a sense of overbearing and loss of amenity for the residents of adjoining residential properties.

For these reasons I would object to this proposed development.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

I have checked the historical records relating to this site and have found no grounds for objection in principle to the development, therefore conditions do not need to be imposed relating to contaminated land.

Head of Technical Services

General Summary

The Head of Technical Services has no objection to this application.

Highways Comments

This property currently benefits from 4 incurtilage car parking spaces provided by the drive and garage which accords with the standard for a 5-bedroom house in SPD3: Parking Provision for Developments 2011. There are no proposed changes to parking provision or the existing access. As there is no increase in parking provision it is considered that the proposed extension will not increase trips to the site and there are no highway objections.

Landscape & Visual Comments

This proposal has no landscape or visual implications.

Flood Risk Management Comments

There are no flood risk management objections to this proposal.

PUBLICITY

8. Neighbours were notified and comments received are set out below. A total of 7 objections have been received and 4 letters of support:-

Mr and Mrs Pierce - 5 Bassleton Lane Thornaby

We are against the proposed plan (application 14/2255/FUL). Mainly the increase in traffic parking and a heightened danger to pedestrians of all ages, people fly down this corner it's a lovely lane I feel sorry for Mr R Jones. Most of the lane can hardly park for H lines it should not go ahead, its an accident waiting to happen.

Mr Robert Jones - Ballantrae The Drive

Letter received on the 7th October

Further to my first letter of disapproval, of the above plan, re Mr Deaton. I would like to point out that,

1 All bushes and trees have been chopped down at rear, side and front, only a few remain? This is, to make the area(for extensions) look large, the bushes etc, were doing their bit. By drinking surface water (what we have a problem with) (high water table) Years of good

hedging gone and against the written instructions. I believe of the planning application rules.

2. Karelia ext/proposal :- 1.2 metres on front of garage ? & on side extension, to rear from original house for lounge, sun lounge etc. is another approx 10 metres so complete side elevation is going to be approx 21 metres approx length 66 ft. The height of this, apart from a few slopes at either end is 4.7 metres approx x 15 ½ ft. (terrible) it will definitely put me in the shadows & my light & especially sun will be a few hours over the summer (sun above) In winter/autumn approx 4pm now, all my front drive, front windows & side house between garage boundary fence, is shadowed now. This is not all :- when another couple of metres 90 on roof , approx height from base, will be app 25 ft., 7.6 metres so if approved, (if it does) I'll be in no light, or sun at all, after autumn, this all, destroys my way of life, peace of mind & privacy, on top of this noise of demolishing & building.

3. Note they are demolishing a small conservatory approx 2.5 metres by 2.25 metres. It takes approx 20% of the area, what they want to extend, at the corner of side, rear, existing floor area (ext lounge & part sun lounge, plus on top of this they are extending to the rear, sun lounge etc. 3.5 metres by 8.7 metres area. The area alone, of base coverage is large for extensions around here, in contrast of The Green, Bassleton Lane & Drive 90% bungalows, 90% old age pensions, retired & need some peace? How on earth, does the above (storey extension) fit in, with the character of bungalows etc (4/5 smaller plans have been turned down previously 2 in The Drive) Surely goal posts cannot be changed by Council Committee for Mr Deaton's, colossal extensions, the Karelia bungalow. (The noise & banging etc internally has going on for over 12 months) So how long (if passed) will this take, The Drive won't take all this extra vans, vehicles, diggers etc it was not resurfaced for this (building project) only for a few cars and emergency vehicles.

4. Please consider the laws of extensions under planning regulations. per 1948 Act
A) The area increase, of the original house to extensions cannot be over 50% of this, the car park areas , plus are about this & more with the upper buildings.
B) The height of a (side – height & length of extension) this also is over the height & length
C) ETC ETC ! Some of these laws still exist & go against Mr Deaton's planning application, thus :- this must go through a Council Committee & possibly a residence area committee.

(If plans passed) I'd like, Mr Deaton to know if he knocks down (Car Port) he will have to build a new fence, and 2 metre high, because with 2 to 3 ft, high internal floors, Karelia I will not get any privacy at front of my house, or side kitchen area & porch, I will be overlooked. Thus :- I built side fence 2 metres, for privacy of Karelia bathroom etc.

5. I do apologise it I have mentioned items again, From previous statements, But I am once again, totally against the approval of this monster. And I am glad to see Environment Dept (if passed in anyway) put a 8am to 6pm regulation against noise – per work or workmen or deliveries to and from Karelia, building materials etc. Thank you for your time and consideration.

Letter dated 5th December (received 10th December)

All my previous objections to your department, regards above planning applications stand. I stated before, that this massive extension ground floor, & 1st floor, will change life style and overburden, gods gift of light and sun. To myself and others, approx 120% larger extension to a extra large, existing bungalow.

Personally Mr & Mrs Deacon, should have been told, at the original application of plans submitted, that numerous plans have been turned down within The Drive, and Bassleton Lane. By Council, Transport, highways & planning Dept. In the outlooks, of overloading Bassleton Lane & to a dangerous bend onto The Green. A single road private- with a

emergency vehicle turning circle SSW. This cannot be blocked laid down in all the 4 bungalows deeds.

A wooden two bedroomed bungalow was turned down, a few years ago for :- 2 people – 1 car at The Drive in the front/side garden, of the bungalow NNW of The Karelia, by Council Dept & Stated then :- no more extensions would be granted in & about the Greenfields site, myself 9 other people (within here not asked) especially on Bassleton Lane, are totally against it.

Mr D Harper - 51 The Green Thornaby
Representation Form received 10.9.2014

1. The application is to turn a bungalow into a house which is not in keeping with the surrounding properties bounded by The Drive. Bassleton Lane & The Green which are all bungalows. I note that pre-application advice was given by Miss Moody does she not know that previous applications for houses in this area have all been turned down on the grounds that dwellings in the area are all bungalows. The 2 adjoining bungalows have had their felt roofs changed to tile in a sympathetic manner in keeping with the surrounding area.

2. I object to this bungalow being turned into a large house with particular regard to the Juliet balcony and velux windows overlooking my property as my and all properties in the area are not and have never been overlooked.

3. The application is to turn a 3 bed bungalow into a large 5 bed house with provision for 5 cars and as the application form states additional parking when the existing conservatory is removed, this is increasing traffic on the already congested Green, this is also being a reason given for rejection of previous applications in this area. The traffic allowed on this country lane by Stockton Borough Council is now at breaking point. Do not allow any more cars to use this substandard highway with no footpaths, as all pedestrians many with young children and push chairs having to walk on the road, cars and HGVs have to mount the grass to mass.

Also the construction traffic will see an increase in vans & HGV's to this property, which will also have to be unloaded on Bassleton Lane, The Drive is a narrow lightly constructed access to 4 properties and not suited to HGV traffic,

4. The proposals have been drawn to maximise the internal space to the detriment of the external elevational treatments, these being very ugly.

5. I would advise that the back gardens to this area are flooded for weeks on end after heavy rain and the proposed development may make this already serious problem worse (industrial pumps used by some residents to clear the large amounts of water)

6. I hope Miss Moody after giving pre-application advice and who also has delegated powers over this application is not just going to dismiss the objections to the proposal and pass this application without further thoughts given to the above comments.

Letter received 7th October 2014

Thank you for allowing me to make further comments on the above application.

1. Impact on the surroundings

a) 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 2 storey extension close to common boundary will not normally be granted if the extension would shadow or dominate neighbouring property to a substantial degree.

b) SPD2 Householder Extensions.

This application has a significantly high eaves height which results in a notable bulk at first floor level which is out of keeping with immediately adjoining properties.

c) HO3

The proposed development due to its size would result in loss of privacy and amenity and a sense of overbearing for the adjoining residential properties.

d) CS3 and SC8

Require residential development to be sympathetic to and positively enhance the character of the area.

e) It must be noted that all of the trees with the exception of the flowering cherry which has been lopped and the side hedge and all of the shrubs to the front garden have been removed and all of the hedges & shrubs have been removed to the rear garden. This is taking place in the last few weeks leaving a bare barren appearance and losing all softening to the proposed development, this being contrary to questions answered on the application form and CS3 and CS8 above.

f) I would also point out that most of the trees, shrubs & hedges in my garden have died in the past 2 years, there having to be removed with the consequence of opening up of the screening to the proposed development some of the trees having been 100 years old, this may be contamination of the land due to flooding etc. it would be advisable to have the land on the proposed site checked out for contamination.

g) There would be no objections to the felt roof being on the bungalow replaced with concrete interlocking roofing tiles, but this should be done in a sympathetic manner to the adjacent properties and properties in the surrounding area (all being bungalows) and not being turned into a large house which has nothing in common with the area.

2. Intensification of traffic on Bassleton Lane

a) The following planning applications have all been refused on traffic on Bassleton Lane grounds

Application No 10/1002/FUL dated 25th June 2010
 11/0092/OUT dated 4th May 2011
 11/1480/OUT dated 15th August 2011
 11/2215/OUT dated 8th November 2011
 12/0863/OUT dated 12th June 2012

b) General comments from the refusal notices above :- It is considered that the proposed development would result in an increase in traffic to a high way which is substandard and where NO ADDITIONAL TRAFFIC IS ACCEPTABLE as any increase in traffic on the road network would exacerbate the existing risk to pedestrians for other similar forms of development to take place within the area which if combined could result in significant cumulative impact on highway safety and the free flow of traffic contrary to Stockton on Tees Local Plan Policy Ho13 and government guidance in PPS3 Housing June 2010 and PPS5 Planning for the Historic Environment.

c) It is noted that no additional traffic is acceptable on Bassleton Lane, There is provision for 5 cars on the proposed application. I would point out that I and members of my family owned Karelia (the subject of this application) for 37 years when no cars used this road as car was parked at other property 51 The Green (can be backed up by residents of the Drive)

In the 3 ½ - 4 years since this property was sold no more than 2 cars ever parked at this property, as you can see this is an intensification of traffic use on Bassleton Lane which backed up by previous refusals is not acceptable.

It is quite clear that Stockton Borough Council policy will not allow any development in the area served by Bassleton Lane that generates more traffic on this road. In this planning application to create a large 5 bedroomed house out of a 3 bedroomed

bungalow with associated additional traffic as well as the Construction traffic the requirements of Stockton Borough Council are not met.

3. Letters should also have been sent to No's 1,3,5 Bassleton Lane for their comments on the proposed development as they also would be affected by overlooking and privacy issues, together with the additional traffic generated on Bassleton Lane, but for some reason this has not happened.

Note :- For clarity these comments are backed up with extracts from the following document

Determination of application under delegated powers. Report of Corporate Director of Development and Neighbourhood Services on application No 10/1002/FUL for erection of bungalow & car port in the garden of Ithaca, The Drive, Thornaby (property next door to Karelia, 6 The Drive) Extracts of this document and refusal notice enclosed and relevant items highlighted.

Letter received 19th December 2014

These comments are in response to the comments on the above application form Mr mark Deaton 16/12/2014 and those from the Head of Technical Services 16/12/14. I would like to take issue with these.

1. Why is a relation of the applicant who lives approx. 1 mile from the proposed application site allowed to make comments in support of the application. It seems odd that comments have been posted as valid comments by Stockton Borough Council. Perhaps I should have had my brother from Hartlepool object to this proposal as this is on the same level of stupidity (Would this have been taken as a valid comment. I think not).

2. The comments from head of Technical Services stagger me as it is clear he does not know all the facts in this case.

(a) He states that the parking provision accords with the standard for a 5 bed roomed house, but the point at issue is that the property as existing is only a 3 bed bungalow, clearly there is going to be an increase in vehicles for a 5 bed house.

(b) He states also that there are no proposed changes to parking provision and as there is no increase in parking provision it is considered that the proposed extension will not increase trips to the site. This assumption is not correct as he will see if he reads the answers to questions on the application form for the proposed development submitted by Mr Christopher Deaton and signed by himself on 18/8/2014.

Question in Section 11 on application form – Vehicles access and hard standing description. Answer:- As existing room for 5 vehicles. Note:- This only states there is room for 5 vehicles it does not say that the existing bungalow had 5 vehicles

Question in Section 8 on application form. Parking will the proposed works affect existing parking arrangements answer:- yes. If yes please describe answer:- By removal of conservatory to the front elevation this will open up area with more potential parking space. It is clear by these answers that the applicant intends there to be more vehicular use than the present 3 bedroom bungalow as he is indicating that spaces for 5 vehicles is not sufficient and he intends to create more vehicles spaces which will in turn generate more traffic on Bassleton Lane/The Green in contradiction to Stockton Borough Councils policy.

It is clear that the Head of Technical Services got it wrong. Will you ask him to reconsider his reply to your question regarding this and ask him to amend his answer to having highway objections in line with all previous planning applications that have turned down on the grounds that (it is considered that the proposed development would result in an increase in traffic to a highway which is substandard and where no additional traffic is acceptable).

It seems unfair that a bungalow in next doors garden was turned down when this was for a retired couple with one vehicle when the obvious increase in traffic for this application is ok.

3. All my previous objections stand with the inclusion of the following:- Since my objections dated 5th October 2014 a further tree screening my property has been felled and the 1200 wide Juliet balcony has been replaced by a 1800 window overlooking my property resulting in even greater loss of privacy.

Mr T Little - Lynwood Bassleton Lane

I write to support (in part) the objections of Mr R Jones, Ballantrae, The Drive.

The entrance to my property is on the opposite side of Bassleton Lane and slightly to the north of The Drive.

Given that there is no way that vehicles, let alone vehicles delivering building materials, can park in The Drive, that leaves but one option. Parking in Bassleton Lane. Human nature being what it is this means parking opposite my property (or very nearly so)

My property has restricted access from Bassleton Lane so I need a minimum of at least 2 metres clearance to the south, on the east side of The Lane so I can reverse out.

Given the nature of the proposed application, it would appear, that Mr and Mrs Deacon wish to move a number of dependants in with them.

This being so it would inevitably lead to an increase in traffic using The Drive.

Bell – 7 Bassleton Lane Thornaby

We would be concerned about the increase in traffic on Bassleton Lane / The Green. There would also be a problem with increased traffic flow down the narrow drive leading to these properties.

Peter McGeeny - 544 Thornaby Road Thornaby

The application be rejected on the grounds that the balconies overlook surrounding properties particularly his. Also in the area there is a problem of flooding. He feel the another building would just add to the problem with it being on a flood plain.

9th October – message left with contact centre

Not consulted and asked that application be rejected on the grounds that the balconies overlook surrounding properties particularly his. Also in the area there is a problem of flooding and another building would add to the problem with it being on a flood plain.

Letter dated 26th November (received 1 December)

The new plans are out of character with the area

1. Making the new roof higher than the original plans
2. Replacing the Juliet balcony with a large window which will overlook the ear of the gardens
3. The sun lounge is longer and near to the rear boundary
4. The water problem will be made worse because of the high water table in area which exists already
5. More traffic over loading a busy Bassleton Lane area.

Owner/Occupier (requested name and address remain anonymous) Summarised

Main concern is –if the provision for parking for 5 -6 cars will in anyway increase the possibility of an increase in traffic on Bassleton Lane and that the extensions mean that the dwelling will no longer be a bungalow, which would make it out of character with the area. Also it's upper floors would over look at least one other property thus destroying the privacy that property has enjoyed and presumably was one of the reasons for the original purchase of the property. Would create a precedent

N F Sanderson - 9 Bassleton Lane

We first became aware of these proposed alterations by a rumour that was going around that a house was going to be built with a balcony running right round it ! Having now being given the option to comment we would like to give it our full support as it would enhance and improve the standard and variety of property in the area. This is an existing property which is being extended as our property was ,(a bungalow to a house) some 24 years ago. The plans show car parking for 5 cars, in very close proximity to this property and throughout Bassleton Lane a number of properties have car parking for numerous cars so this is nothing new.

Mr Mark Deaton - 14 Axton Close, Thornaby, TS17 0LF

I would like to express my support for the alterations requested at this property. The property in its current state is a dated poorly insulated property, the plans clearly show that the improvement works requested will make the property more energy efficient and aesthetically pleasing. The works requested would also bring the property in line with many of the recently improved properties within the vicinity of The Drive and the surrounding area.

Mrs Gail Wright – 540 Thornaby Road, Thornaby, TS17 0AD

With regards to the above application having viewed the plans, I can see no valid reason why this should not go ahead.

As I am one of the residents bordering this property and have been approached with regards to objecting against this development, i feel this has now become a personal vendetta against the applicant rather than a planning issue.

I therefore strongly suggest any planning officers with the authority to grant or deny this application visit this site, to access without prejudice the application, and to come to there own conclusions.

This request is not for a new build, it is a existing dwelling which requires updating for modern day living, just as so many others homes in this area have been, and permissions granted over many years.

This particular area just off The Green, has always been considered to be one of our better areas of Thornaby so to maintain this status certain types of development are required to be carried out.

I view this as a planning issue and as such see no reason for personal or rude comments to be included as such.

Therefore I give my support for the application to be granted

Mrs Tracey Bradshaw – 67 The Green, Thornaby, Stockton, TS17 0AN

After reading the objections to this application i would wholeheartedly like to express my support for this application to improve this existing property.

I have heard several unfounded rumours being scaremongered around the local community and feel this has become a personal vendetta rather than people making educated and well advised objections.

After viewing the plans in detail and knowing The Drive/Bassleton Lane/ The Green extremely well I see absolutely no reason why this extension should not go ahead.

Many properties in the local vicinity have been similarly extended in the past without objection and the properties on The Drive are all unique builds so there is no dispute as to it being 'in- keeping within the local area' . With regards to those neighbours complaining about privacy issues - I would like councillors assess the distance and angle of their properties to help them understand whether or not this is an issue. As a resident of The Green I totally understand concerns of increased traffic to the area and I was opposed to new properties being built along Bassleton lane for this reason. I feel those previous applications are the main reason for complaints from local residents, as they(and myself) feel strongly about the traffic issue. HOWEVER this is not a new property and there will be no increase in traffic or vehicles along this road!!!

Unlike many of the residents quick to make a complaint and jump on the so called bandwagon, I can confirm that the applicant has only 2 cars . The increase in bedrooms will be for their 3 very young grandchildren to stay overnight on occasions and her elderly father to be cared for by his family (he does not drive or own a car!)

Ensuring there is parking space for 5 vehicles is a building regulation required from the local council and not a requisite of the applicant. I would like the councillors to clarify their objections and involvement in this case and request an explanation on their statement that adjoining residents will have a loss of amenity ????

It is evident that the councillors have obviously never visited the site , (nor sort views from all parties involved) as there are no adjoining properties! and as only one neighbouring property has complained- is this really an issue for local councillors?

PLANNING POLICY

9. 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 saved policies of the Stockton on Tees Local Plan
10. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations
11. The following planning policies are considered to be relevant to the consideration of this application:-

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

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

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.

Saved Policy HO12 of the adopted Stockton on Tees Local Plan

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 Note 2 (SPG2, 2004) relevant extracts

Guiding principles

2.5 Extensions must be designed so that they complement the main house for example through being smaller or set back. Often such designs are more successful in visual terms than large extensions built flush with the front of the house. This will obviously vary depending on the size and shape of the original house. However, in all cases it is necessary to leave a useable amount of private amenity space – approximately two thirds of the plot - and this may limit the size of the extension you can build. The garden space must be a useable shape too. If you really do need a large house it may be more advisable to buy a bigger house to start with rather than try to cram a huge house onto a small plot.

2.6 The shape of the extension will have a significant impact on the appearance, and it may be possible to have a very large extension that complements the house or a relatively small extension that is very obtrusive. Therefore the design is critical to ensure that it fits in with the street scene, but is not judged solely on the size of the footprint.

2.7 Any extension should be sited and designed to minimise the impact on neighbouring properties in terms of light, overlooking and overbearing. However it is the purpose of this guidance note to limit such impacts through good practice advice. It may be necessary to adjust the dimensions of proposed extensions to compromise between additional space and good neighbourliness. Although every application is assessed on its own merits, the Local Planning Authority would normally seek a minimum separation distance of 21 metres between the windows of the main habitable rooms (for example bedrooms and living rooms) of the proposed extension that face windows of the main habitable rooms of the neighbouring property. Where a side extension would face the rear of the neighbouring property (or a rear extension would face the side of the neighbouring property) a gap of 11

metres is normally required between the windows of the main habitable rooms to prevent overlooking. These standards may be reduced if obscured glazing is used or where the windows are those of secondary rooms (for example bathrooms, hallways and landings).

Rear Extensions

6.1 Building around the back does not mean that you can ignore the need for good design! Although fewer people will see it on a daily basis, a poorly designed extension to the rear will still lower the value of your house. The same broad principles for shape, materials and neighbour impact that apply for extending to the side of your house, also apply to extending to the rear of your house.

6.2 From experience it is found 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 as explained below.

6.3 In order to assess the impact of a single storey extension on a neighbouring property, the Council will apply the '60 degree rule'. This is simply a line drawn at 60 degrees from the centre of your neighbour's nearest window of a habitable room. Your extension should not cross that line otherwise there could be an unacceptable impact on the amenity of the neighbouring property.

6.4 For a two-storey extension or upper floor extension the same principle applies, but this time the angle is reduced to 45 degrees as there would be significantly more bulk to block out light and increase overlooking

National Planning Policy Framework

12. For decision-taking this means:

- approving development proposals that accord with the development without delay; and
- the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

13. Relevant paragraphs of the NPPF include;

Paragraph 14 - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

Paragraph 19 - The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system

Paragraph 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning

Paragraph 131 - '...the desirability of new development making a positive contribution to local character and distinctiveness.'

MATERIAL PLANNING CONSIDERATIONS

14. The main planning considerations of this application are impacts of the development of the privacy and amenity of the neighbouring properties, the impact on the character and appearance of the area and the impacts on highway safety.
15. Seven objections have been received to date, including objections from Councillors Dalgarno and Moore. These objections are set out in full above but are summarised as follows;
 - Increase in cars at the property resulting in highway and pedestrian safety issues
 - Existing highway safety issues on Bassleton Lane
 - Impact on access for Emergency vehicles
 - Previous refusals on highway grounds so should be consistent
 - Impact on amenity and privacy of the surrounding properties
 - Insufficient neighbour consultation undertaken
 - Over development of the site
 - Impact on the street scene
 - Setting an undesirable precedent
 - No longer a bungalow
 - Increase problems with the flooding on the site due to existing water table
 - Removal of the trees on the site
 - Noise issues

Privacy and amenity of the Neighbouring properties

16. Thornaby Cricket Club and playing fields are located to the south of the property and the proposal is not considered to have any significant impact on the users of the Thornaby Cricket club given the screening provided. The main impacts of the scheme are on the surrounding residential properties and these impacts are discussed below;

'Ballantrae'

17. A sloping roof design with dormer to front is located towards the eastern boundary. The sloping roof has an eaves height of 4.8 metre located within 2 metres of the boundary and a total height of 6.7 metres within 5 metres of the boundary. Consideration has been given to the separation distance which will remain between the side elevations of the proposal and the neighbours boundaries along with the fact that the neighbours properties have previously increased their roof heights and taking these factors into consideration the impact in terms of overbearing is not in this instance considered to be significant.
18. With the proposal increasing the roof height of the existing property consideration has been given in terms of potential loss of light to the neighbouring properties. Taking into consideration the sun's orientation along with the separation distances to the shared boundaries the proposal is not considered to have a significant impact in terms of loss of light to the neighbours main dwelling or garden at 'Ballantrae'. Given that there are also no new windows proposed a first floor the proposal is also not considered to result in any significant loss of privacy.
19. The single storey extension to the side/rear will include two additional windows (kitchen and sun lounge) and two velux roof lights that will face towards the eastern boundary with 'Ballantrae'. The applicant has recently constructed a 1.8 metre high fence along the shared boundary. There will remain a minimum separation distance of 7 metres between the proposed windows and the side elevation windows at 'Ballantrae' which are a kitchen window and hallway window. The screening provided by the height of the boundary fence

means there is considered to be no additional impact in terms of loss of privacy or general amenity to these neighbours.

'Inthca'

20. The proposal involves the increase in roof height of the proposal, with the design of the roof having a pitched roof located towards the western boundary. The eaves height will be 4 metres within 2 metres of the boundary and the pitched roof height of 7 metres will be within 6 metres of the shared boundary. This separation is considered to be satisfactory and the scheme is not considered to be overbearing on this neighbour.
21. The neighbours at 'Inthca' will be sited to the west of the proposal and in terms of location would potential be the property which is most affected with regards any potential loss of light. There will remain a minimum separation distance of 8 metres between the proposal and the side elevation of 'Inthca' with the neighbour's driveway located between. The orientation of both properties also has the applicant's front elevation set back approximately 5 metres within the street than 'Inthca' and taking into consideration the separation distances between the properties and the sun's orientation there is considered to be no significant loss of light to these residents
22. The additional window proposed on both the front and rear first floor elevations will face towards the applicant's front and rear gardens rather than towards the neighbours property with private areas remaining within the neighbour's garden. Although roof lights are proposed within the western elevation they will serve en suites and as a result the proposal is not considered to have a significant impact on the privacy or general amenity to these neighbours at 'Inthca'.

542 and 544 Thornaby Road

23. Increasing the roof height will result in a single window being placed on the first floor rear elevation of the property. The proposed window would also have limited views to the dwellings, although would overlook the rear gardens of 542 and 544 Thornaby Road. Given that this will only be a small section of the 100 metre long rear gardens a significant amount of private garden space would remain.
24. The northern boundary of the property is shared with the extensive rear garden of 542 Thornaby Road. The proposed single storey extension will project 3.8 metres towards the shared boundary with a set of French door and window facing the boundary. Although the property of the application site will be brought closer to the boundary of this neighbouring property the main dwellings is sited 90m to the east and combined with the screening provided by the 1.8 metre high fence, the proposal will not have any significant impacts on the privacy and amenity of these neighbours.

51 The Green

25. With regard to 51 The Green, the proposed first floor window will face directly towards their rear garden area and will be positioned a minimum of 13 metres from their rear boundary garden and approximately 43 metres from the rear elevation windows, which accords with the separation guidance set out in SPG2. The proposal is therefore not considered to have any significant impacts on the amenity of the occupiers of this dwelling to justify a refusal of the application.

Character and Appearance of the area

26. The applicant's property is one of four detached properties located within a cul-de-sac which is accessed off Bassleton Lane in Thornaby. All of which have a different design. Furthermore, within the surrounding street scene there are a mixture of house designs and

no uniform building line. The applicant's current property is a pitched roofed bungalow with a pitched roof height of 4 metres which is well set back from the highway. Although there is an increase in roof height of the proposal and the creation of a first floor at the property will significantly alter the existing dwellings character, consideration has been given to the existing character and appearance of the properties within the street scene.

27. Planning approvals has been granted to increase the ridgeline roof height of both the adjacent properties at 'Inthca' and 'Ballantrae', with 'Inthca' now having a roof height of 5.5 metres and 'Ballantrae' also being increased to a height of 5.5 metres. Within the wider street scene at the junction of The Drive and Bassleton Lane approval has also been granted for a loft conversion and extensions to the bungalow at 7 Bassleton Lane which has provided an additional first floor to the property.
28. Taking into consideration the previous approvals for the increase in pitched roof heights for the neighbouring properties, the scale of the applicant's proposed increase in roof height taken in context of the wider street scene, the proposal is considered to be acceptable and is not considered to be out of character with the existing street scene.
29. The proposed single storey extension to side behind the existing garage and the single storey extension to the rear elevation are well hidden from the street scene and are not considered to have any significant visual impacts.

Highway Safety

30. The Council's Core Strategy policy CS2 (3) states that 'the number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide, and the Council's Supplementary Planning Documents 3 – Parking For Development (SPD3). As the proposal will increase the number of bedrooms at the property from 3 bedrooms to 5 bedrooms, 4 spaces are required. As noted by the Head of Technical Services the current parking provision will remain unaffected and consequently there is no objection to the proposal on grounds of highway safety.
31. It is noted that objection comments relate to the increase in traffic generated by the proposal along The Drive, Bassleton Lane and Thornaby Road and the associated impact in terms of pedestrian safety particularly along Bassleton Lane where there are no footpaths. Furthermore, the objections state the proposal is contrary to policies GP1, HO3 and HO11 and make reference to a series of planning application which were refused along with any relevant appeals. However, it should be noted that Policies GP1 and H011 have been replaced by the Core Strategy Policy CS2 and CS3 with policy HO3 being related to development on unallocated sites which is not the case with this proposal being for an extension to an existing property.
32. In relation to the increase in traffic and the reference to the applications which have previously been refused, this application relates to an extension to an existing dwelling rather than the creation of a new dwelling and is materially different. Furthermore, the Head of Technical Services is satisfied that sufficient parking provision can be provided, that the proposal will not result in any significant increase in vehicular traffic and that the proposal is not considered to have any additional impact on any of the road safety issues highlighted in the various objection comments
33. Objection comments which relate to the impact the development will have on access for emergency vehicles to The Drive and access to the turning head at the end of the cul-de-sac are noted. However the proposal does not alter any access arrangements and with all

required parking being provided within the site therefore the proposal is not considered to have any impact on the access of emergency vehicles to The Drive

34. Several objection comments have been received in relation to construction traffic and the impact on The Drive and Bassleton Lane in terms of blocking resident's accesses and the fact The Drive is not suitable for larger vehicles. The development is an extension to the current property and not a new build and as such the impact in terms of construction traffic is not considered to impact on the highways within the immediate vicinity.

Residual matters

35. An objection comments to the proposal have been received in relation to the water table at the site and the flooding which has occurred within the site and the impact the development and the loss of trees will have in terms of flooding. The Council's Sustainability Officers have been consulted and have commented that they have considered the comment and there are no flood risk management objections to the proposal.
36. Objection comments have been received in terms of the consultation which was undertaken and that 1, 3 and 5 Bassleton Lane should have been consulted. As required under the planning legislation the neighbours along the immediate boundaries of the site were consulted along with additional neighbours who may be impacted to the north being 51 The green and 540 Thornaby Road. Following the site visit 7 and 9 Bassleton Lane were added due to their location at the entrance of The Drive. The nature of the proposal does not require any further consultation to be undertaken by means of a site notice or press advertisement.
37. A comment received from the neighbours at 'Ballantrae' is that if the application is approved a 2 metre high fence should be erected between the properties to ensure their privacy. The second site visit to the property showed a 1.8 metres high fence has already been erected between the properties.
38. An objection comment has been received in relation to potential land contamination within the site. The Council's Environmental Health Officers have checked the history for the site which was a former farmer's field and they have confirmed there is no requirement for a condition to be placed on the application in terms of land contamination.
39. With regard to the Environmental Health Units comments relating to controlling construction operations, Construction Noise is a non-material planning consideration as evidenced by the Department of Communities and Local Government Planning Aid Leaflet Issues that are not relevant to the decision: Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working (covered by Control of Pollution Acts).
40. Domestic extensions requiring planning permission are materially differentiated from commercial construction sites due to the significantly lower scale of activity, equipment used and the period normally required to complete the works are not normally subject to a condition restricting the hours of construction. Clarification has been sought from the Environmental Health Unit against this background of construction noise being a non-material planning consideration and the indicated hours of construction are only intended to be advisory.
41. An objection has been received that support comments have been received from a relation of the applicant and should this have been allowed. Comments can be made from any members of the public as part of the consultation process in connection with the application and will be considered as part of the officer report.

CONCLUSION

42. In view of the above considerations the proposed development is considered to be visually acceptable and given its position within the street scene is unlikely to have any significant visual impacts. The scheme is also not considered to have any detrimental impacts on the amenity of the neighbouring occupiers or highway safety. The proposal is therefore considered to accord with the relevant planning guidance contained within the Core Strategy and the National Planning Policy Framework and consequently it is recommended that the application be approved with Conditions for the reasons set out above.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Miss Debra Moody Telephone No 01642 528714**

WARD AND WARD COUNCILLORS

Ward	Village
Ward Councillor	Councillor I J Dalgarno
Ward	Village
Ward Councillor	Councillor Mick Moore

IMPLICATIONS

Financial implications: As report

Legal 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. The detailed considerations within this report take into account the impacts on neighbouring properties, visitors to the area, pedestrians and other relevant parties responsible for; or with interests in the immediate surrounding area. Consideration has been given to the level of impact and mitigating circumstances with conditions being recommended to reduce the impacts of the scheme where considered to do so.

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