

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**26<sup>th</sup> August 2020**

**REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT**

**20/1076/FUL**

**2 Garth Close, Carlton, TS21 1EQ**

**Construction of a detached double garage to front (conversion of existing garage)**

**Expiry Date 12<sup>th</sup> August 2020**

**SUMMARY**

The application site is 2 Garth Close, Carlton, a detached two storey dwelling located at within an end plot within a cul-de-sac. The surrounding properties on Garth Close are predominately 2 storey detached dwellings.

The application seeks planning permission for the erection of a detached double garage located within the front garden area of the property.

Nine letters of objection comments have been received. The impact upon the properties adjoining the site will be considered further within the report. The application is recommended for approval with conditions for the reasons set out below.

**RECOMMENDATION**

**That planning application 20/1076/FUL be approved subject to the following conditions and informatives below;**

**01 Approved Plans  
The development hereby approved shall be in accordance with the following approved plans;**

<b>Plan Reference Number</b>	<b>Date Received</b>
<b>BM-2020-06-0001</b>	<b>19 June 2020</b>
<b>BM-2020-06-0002</b>	<b>19 June 2020</b>

**Reason: To define the consent.**

**02. Materials  
The external finishing materials shall be carried on in full accordance with the details provided on the 29.07.2020 (detailed within the submitted email).**

**Reason: In the interests of visual amenity and to ensure a satisfactory form of development**

**03. Outbuilding Restriction**

**The hereby approved detached outbuilding for use as garage for the storing of vehicles and shall be used for purposes, incidental to the enjoyment of the occupants of the dwellinghouse and no other purpose.**

**Reason: To ensure that the building is not used for a commercial or a self-contained residential use and to ensure that the adjoining residential properties are not adversely affected by the development.**

### **INFORMATIVE OF REASON FOR PLANNING APPROVAL**

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

### **SITE AND SURROUNDINGS**

1. The application site is a detached dwelling located at the head of the cul-de-sac at 2 Garth Close, Carlton. The surrounding properties on Garth Close are predominately 2 storey detached dwellings apart from a bungalow adjacent.
2. To the north of the site is 3 Garth Close, to the east 1 Garth Close, to the south 8-10 The Crescent and to the west 28 Green Leas. The application site is a large residential plot with parking to the front and the land beyond the parking area is screened by a high wall. The main garden area is to the rear of the site.

### **PROPOSAL**

3. The application seeks planning permission for erection of a detached wooden garage to the front of the property beyond the existing hardstanding area. The existing detached garage at the property would be converted to a playroom and store area and would fall under permitted development rights and does not require planning approval.
4. The outbuilding measures 6.1 metres by 6.1 metres and has an approximate eaves height of 2.4 metres and overall ridge height to the top of the pitched roof of 3.4 metres. The outbuilding will be set in approximately 0.9 metres from the east boundary and approximately 1.9 metre from the boundary to the south.

### **CONSULTATIONS**

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

#### Parish Council

I have recently received assurances in the form of an email from Mr Alker of 2 Garth Close, Carlton, that the location he agrees is unsuitable for a commercial premise, that he is not registered or licensed to carry out a car repair or servicing a business, and he will not be doing so. He further states that the purpose of the build is purely to house his two classic cars, one of which is of significant value and is required to be garaged as part of the insurance.

If this is the case and that Mr Alker will not be running a commercial business from 2 Garth Close, I would wish to withdraw my objection on behalf of Carlton Parish Council.

#### Standard Advice Highways Transport & Design Manager

No objections provided that the internal garage dimensions meet with the Council's adopted standards [3m x 6m - single garage or 5.5m x 6m double garage].

Any associated drive should also be a minimum of 6 metres long, or 5m long if a roller shutter garage door is provided.

## **PUBLICITY**

6. Neighbours were notified and comments received are set out below:

### **Mr Michael Hand 1 Garth Close Carlton**

I would like to make an objection to the plans for the proposed development for the following reasons:

Its size, style, position and building materials are not in keeping with the surrounding properties. Its size will be visually imposing and out of keeping with surrounding properties and will therefore cause devaluation.

The timber construction of a building this size is also a major concern due to fire risk. The Chief Fire Officers Association (CFOA) states in reports concerns that "fires in timber frame buildings have generally resulted in very rapid fire development" and that "radiant heat flux generated has caused spread to neighbouring buildings up to 30 metres away" even meeting current UK regulations on fire. My Dwelling is less than 2 meters away from the proposed development.

Mr Alker has stated to me in the past he intends to "restore and store classic cars" in the new development. Whether this be for private or commercial reasons the restoration of classic cars is likely to involve processes such as welding/grinding/spray painting which all have fire risks along with the risk with fuel and electrics of the vehicles themselves which I feel pose a risk in a large wooden building so close to my property.

Mr Alker also has many deliveries per day to support his hobby/business (regularly reaching double figures each day). I worry this extra storage space for his activities could result in further fire risk as well as the up scaling of his activities could increase deliveries with the potential to cause congestion in a peaceful cul-de-sac.

I hope you will consider the above concerns in the planning application process.

### **Mr Darren Makin 10 The Crescent Carlton**

We live adjacent to the proposed development site and are writing to ask that planning permission be refused for this planning application from Mr Darrin Alker.

Herein are our comments and objections relating to this planning application:

- Noise and disturbance resulting from use
- Layout and density of building
- Design, appearance and materials
- Hazardous materials
- Design, appearance and materials

The detached double garage building will be clearly seen from my property and will certainly impact on the peaceful enjoyment of our home and garden.

The building will be visually overbearing. It is an inappropriate design for this part of the village. Such a large building would be totally out of keeping with the neighbouring properties.

We invite you to visit our home to verify that these objections are valid.

Therefore, we ask that Stockton-On-Tees Borough Council refuse this Planning Application.

### **Mr Brian Filmer 11 The Crescent Carlton**

We object to this planning application as the suggested structure is out of character with the surrounding buildings.

The height of the apex roof will visually overbearing. It is an inappropriate design for this part of the village. A flat roof would be more acceptable.

The construction of the garage being in timber may constitute a fire hazard which could impact on our property.

One further concern is the size of the structure, will it be used to carry out a business.

L J Watson 28 Green Leas Carlton

We have been given planning notice for an application for a double garage for 2 Garth Close. Our garden looks directly over the rear gardens of 2 Garth Close with clear sight lines if the whole of the garden at the back and south side of no.2.

The letter we got states "conversion of existing garage" - but we understand that it is a new garage to the front of the house and not a conversion of the existing garage which is on the northside projecting backwards beside the house and visible from no.28. I object to such a large permanent building covering more green space.

The floor space of the garage seems large, and if it is to be used now for car repairs and not a car garaging there would be noise not suited to the domestic ambience of Garth Close, and any noise disturbance is audible from our adjacent garden in Green Leas. Such a large space could lend itself to commercial and business activities being carried out from the space, and such activities are again not suited to a quiet domestic house environment, so the application should be rejected

Mrs L Watson 28 Green Leas Carlton

I write to oppose the plan for an additional very large garage to the front of 2 Garth Close, Carlton. This is an entirely new building on land between no. 1 and 2 Garth Close. The existing garage is between no. 2 and 3 Garth Close.

The building will be visible from our house and since the owner has a number of old cars outside his house, it seems likely there will be considerable noise as a result of use of the said garage for work on engines etc. This seems very much out of keeping in a small close of five houses within a rural village.

On these grounds, I hope you will reject this application.

Mrs Elizabeth Stirk, 3 Garth Close Carlton

I live at no 3 Garth Close next to the proposed development. Construction of this enormous and high timber building would have a detrimental visual impact on the surrounding area and would set a dangerous precedent leading to a decrease in property values. Garages in this neighbourhood are brick built and mostly flat roofed. The development would allow the present collection of 4/5 old vehicles to be expanded. Garth Close is a very small cul de sac and difficult to access for the very many delivery vehicles already coming to no.2. My drive is frequently blocked by them. Access to the close is via West Garth which is narrow and a designated play street.

Mr Alker has stated that he intends to restore and repair cars in the proposed development and has offered to service my car for a neighbourly fee when he gets his new garage up and running. There obviously seems to be a commercial element to the application which is totally inappropriate in such a fairly enclosed development.

Some residents are retired and some work at home and should not be disturbed by the inevitable noise which would arise from working on cars. The fumes from the old cars left running already impact on our lives because seep into our lives. This is totally un- acceptable and an obvious health hazard.

I most strongly object to the proposed development.

Mrs Susan Burn 4 Garth Close Carlton

The proposed garage would be very large and high and out of keeping with any buildings in the area. Other garages are of brick and have flat roofs and are not timber or as high as the one proposed

If this is for commercial use for car repairs/ sales it would create noise, fumes, increased traffic, and devalue our surrounding properties

Garth Close is a narrow cul-de-sac and the access road, West Garth, is also narrow and is a designated play street leading to children's' play park, so additional traffic will create a hazard.

Retired people occupy houses in this street and West Garth and so are at home during the day. If this garage were to be used for a commercial business, it would directly affect their quality of life.

If this garage is solely for Mr. Alker to keep his own cars in there should be no need for such a large, high building

The nature of the street would change very much from being a quiet residential area to a noisy, more heavily trafficked one if it were to become a commercial business

#### Mr Ronnie Norman 5 Garth Close Carlton

I oppose this application as it is completely out of scale and out of character with the surroundings. The location is totally unsuitable and will result in a negative visual impact of Garth Close. This building would be visible from every room at the front of my property. The proposed materials are unsuitable due to risk of fire and will, over time, degrade / deteriorate.

I don't believe there are any outbuildings of this size / material in the vicinity and I sincerely hope this application is refused.

#### Mrs Grace Ophield 8 The Crescent Carlton

The proposed development is opposed by us for the following reasons.

It is completely out of character with the surrounding properties in size, appearance and materials.

It is a fire risk to all surrounding properties (added to by the additional 2 storage units in close proximity to both the proposed wooden garage and the boundary fences of surrounding properties.

This proposed development will be in front of the existing house. Warwick Buildings, mentioned in Mr Alkers accompanying letter to support his application states the building must be behind the front line of the house and not within 1 metre of boundaries. This is not what has been submitted.

#### Mr Peter Hawes 9 The Crescent Carlton

We strongly object to this planning application for the following reasons:

1. The timber construction of the building poses a fire risk.
2. The location close to our property will impact on our quality of life due to potential noise and fumes.
3. The height of the building will adversely affect the view from our property.
4. If the building is used for car maintenance it is highly likely there could be hazardous materials stored.

### **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 Stockton on Tees Borough Council Local Plan 2019.
8. Section 143 of the Localism Act came into force on the 15 January 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 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.

### **National Planning Policy Framework**

9. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
  - approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. 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.

### **Local Planning Policy**

11. The following planning policies are considered to be relevant to the consideration of this application.

#### **Strategic Development Strategy Policy 3 (SD3) - Housing Strategy**

7. Proposals for all domestic extensions will be supported where 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.

#### **Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles**

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
  - a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

#### Supplementary Planning Guidance 2

##### 11 GARAGES & OUTBUILDINGS(Relevant Extracts only)

11.1 Garages should generally be a minimum of 6x3 metres (measured externally) to allow a car and a bike to be parked. An attached garage will be judged in the same way a habitable extension

would be judged, therefore the materials, size, design and roof arrangements will have to complement the main dwelling.

11.2 Detached garages and outbuildings should also be designed with a roof shape that complements that of the main dwelling. Flat roofed garages and mono-pitched roofs are rarely appropriate, and also have implications on future maintenance. Where outbuilding footprints are very large, multiple smaller roofs will be preferable to a single large one to reduce the apparent mass of the building. Upper floors are not normally acceptable on detached garages as they are likely to be too large in domestic scenarios.

11.3 The size and design of the outbuilding must remain in proportion with the house, including the roof, which if left unchecked can significantly increase the perceived mass of the structure. Outbuildings and garages will not normally be permitted in front of the house in order to protect the building line and street scene.

11.4 Detached garages and outbuildings may be constructed in a variety of materials, however materials that match or complement the main dwelling are preferred. Where garages are constructed to the side of dwellings, at least the front façade should be constructed in the same materials as the dwelling so that it maintains the visual coherence. Detached garages will not normally be permitted if they are to be constructed in such a way that they may be easily converted into a separate dwelling

## **MATERIAL PLANNING CONSIDERATIONS**

12. The main considerations of the application are the requirements of the development plan, the impacts of the proposal on the character and appearance of the host property and the impacts on the amenities of neighbouring properties.

### **Principle of development;**

13. The application seeks permission to erect a double garage with pitched roof within the front/side garden area of the property. To enable the development to be carried out two fruit trees and a brick wall to front would be removed. The trees are not covered by a tree preservation order and would not be worthy of protection.

14. The residential property is within the limits to development of Carlton Village. Therefore, the provision of a garage serving the dwelling would be considered acceptable in principle and in accordance with the aims of ensuring development is sustainably located.

### **Character and appearance;**

15. The NPPF and the adopted Local Plan encourage high standards of design with Local Plan Policy SD8 setting out that new developments should be appropriate to the context of the surrounding area and be of an appropriate style, proportion and materials to the main property.

16. The Council's Supplementary Planning Guidance on Householder Extensions (SPG No.2) states *'the materials, size, design and roof arrangements will have to complement the main dwelling'*. Planning Policy SD8 states the Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the character and sensitivity of the surrounding buildings.

17. The SPG 2 guidance states, 'the size and design of the outbuilding must remain in proportion with the house' and 'outbuildings and garages will not normally be permitted in front of the house in order to protect the building line and street scene'

18. The garage is to be located within an area of garden located at the side of the property and would be forward of the front elevation. The property is located at the head of a cul-de-sac and the

outbuilding would be set back within the garden area and in this instance it is not considered the development would harm the existing street scene and given the cul-de-sac arrangement.

19. Concerns over character have been raised in relation to the flat roof garage and it is acknowledged many of the nearby outbuildings benefit from flat roofs, the SPG2 guidance further advises flat roof garages are rarely appropriate and in the case of this application the proposed outbuilding would have a pitched roof and complies with the aims of the guidance. Furthermore the out buildings are set back within the street scene and whilst there would be limited views it would be seen next to an existing pitched roof side extension at 1 Garth Close and it is not considered that this change would alter the character of the area to such an extent to warrant refusal of the application
20. The proposed materials of the outbuilding are Scandinavian red wood, the front elevation would feature a double sized white electric garage door and a brown felt tile roof which is considered to be in keeping with the existing front tiles of the property. Overall it is not considered the provision of a wooden outbuilding in this location would upset the building line of the properties or appear as an incongruous feature and would not adversely affect the character and appearance of the surrounding area.

### **Impact on Amenity of Neighbouring Properties**

21. Planning Policy SD8 seeks to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings with policy SD3 stating that domestic extensions avoid significant loss of privacy and amenity for the residents of neighbouring properties.
22. The proposed outbuilding serving as a garage to the host property will be located to the east of the host dwelling and would not project beyond the existing south side wall of the property. Permitted development rights allow the erection of outbuildings providing no more than 50% of the curtilage is undeveloped. The property benefits from a large curtilage and together with the previous extensions and outbuildings and the additional garage, the residential curtilage would not result in overdevelopment of the plot. Furthermore, a structure of a similar scale could be erected directly to the south side of the dwelling without the need for planning permission providing it is in line with the front elevation and retains a 2 metre distance to the southern boundary.
23. 1 Garth Close is located to the east of the application site and sits at the corner of the entrance to Garth Close. This is a two storey dwellinghouse which has its side gable end and recently added extension facing towards the application site. The recently added extension to the side elevation (located to the front of the host dwelling) has an overall length of approximately 7.8 metres, 3.7 metres of this extension projects beyond the existing rear of the property and does not include any side facing or rear facing windows that would be impacted upon as a result of the outbuilding. The extension at this property has an approximate eaves height of 2.4 metres and overall approximate ridge height of 3.9 metres.
24. The proposed outbuilding would be located along the shared boundary with this property and would be set back from the end of this extension. The outbuilding is set in from the boundary by approximately 0.9 metres. The proposed outbuilding would have the same eaves height as the recently added extension at this property and would have a lower ridge height by approximately 0.3 metres and would be set back from this extension along the rear side boundary of the property. Taking into account the existing relationship it is not considered the scale and location of the outbuilding would result in any significant overbearing or overshadowing impacts to warrant a refusal. This is also taking into account the reduced roof height and the set in from the shared boundary of approximately 0.9m which it is considered to be an acceptable form of development.



25. 10 The Crescent is a mid-terrace property located to the south of the host dwelling and benefits from previously added extensions. This property has an approximate garden length from the rear facing kitchen window of 11.5 metres. The outbuilding would be set in from the boundary by approximately 1.8 metres. As previously stated, an outbuilding of this scale could be erected along a boundary if relocated an additional 0.2 metres north and in line with the existing front elevation (located to the south of the property). On balance, the development is considered to achieve a similar impact as to what can be achieved under the permitted development rights and therefore whilst it is acknowledged that the pitched roof will slope away from the neighbouring south garden boundary of No 10 and given the single storey scale and distance from the boundary is not considered to be unduly harmful in respect of scale and massing to the garden area of No 10 and would not result in any significant loss of privacy at the property. Taking into account the separation distance, single storey scale and the orientation of the properties it is not considered to result in significant overbearing or overshadowing impacts.
26. Given the separation and orientation to 8, 9 and 11 The Crescent, it is not considered that the proposal will adversely affect the amenity of these dwellings with regards to being significantly overbearing, causing overshadowing or adversely affecting privacy.
27. 28 Green Leas is located to the rear boundary of the property (west) This property has a rear to rear relationship and benefits from an existing fence in place providing screening. The development would be located approximately 28 metres away and would not result in any adverse impacts upon the amenity space of this property.
28. It is not considered that the proposal will have any adverse impacts on the amenity of numbers 3, 4 and 5 The Garth given the positioning and relationship between the application site and the neighbouring properties

#### **Highways/car parking;**

29. The proposal does not reduce the existing incurtilage car parking and does not increase the need for further provision. The detached garage meets the required dimensions for the purpose of a double garage and accords with SPD3 Parking Provision for Developments.

#### **Other matters**

30. Comments also refer to a potential business use, fumes and additional traffic, The garage would be, solely a domestic garage to be used to the enjoyment of the dwellinghouse and any subsequent change of use beyond the incidental use would require an application for a change of use and will be considered at the time along with any increase in traffic.
31. Whilst comments in relation to a potential fire hazard are noted this is not a matter for this application however the applicant has confirmed the wooden structure would be fireproof coated.
32. Concerns over a devaluation is not a material planning consideration.

#### **CONCLUSION**

33. In view of the above considerations it is considered the scale, design and location of the proposed outbuilding is appropriate for the property and would not adversely impact upon the street scene.
34. The outbuilding would not impact on neighbouring properties or give rise to any potential highway safety matters.
35. It is therefore recommended the application be approved for the reasons set out in the report above.

**Director of Economic Growth and Development**  
**Contact Officer Jade Harbottle Telephone No 01642 528716**

**WARD AND WARD COUNCILLORS**

**Ward Western Parishes**  
**Ward Councillor Councillor Andrew Stephenson**

**IMPLICATIONS**

**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**

Stockton on Tees Local Plan Adopted 2019  
Supplementary Planning Guidance - Householder Extensions