

## DELEGATED

Report to Planning Committee

Report of Director of Regeneration and Inclusive Growth

**25/0865/FUL**

**2 The Willows, Stockton-on-Tees, TS19 8BD**

**Expiry Date: 26 June 2025**

**Extension of Time Date: 6 March 2026**

### Summary

The application site relates to a detached residential dormer bungalow located within the limits to development and within Stockton-on-Tees.

Planning permission is sought to increase the roof height of an existing dormer bungalow to 1.5 storey, erection of a single storey wrap around extension to the side/rear, erection of single storey extension to the front, single storey extension to the side and 1.8m high boundary treatment.

A total of 7no objection comments have been received from 3no households. No objections have been raised by statutory consultees.

The application site relates to a detached residential dwelling located within the limits to development.

The design and scale of the extensions were assessed against Local Plan policies and the NPPF, concluding that the revised scheme is proportionate to the plot size and would be largely coherent with surrounding development. Amenity concerns such as overlooking, privacy, and overbearing effects were mitigated through design changes, obscure glazing, and boundary treatments, while tree protection measures are to be secured by condition. Parking provision meets adopted standards, and no significant highway safety issues were identified. Overall, the development is considered acceptable in terms of character, amenity and highway safety considerations.

In accordance with the Council's scheme of delegation, the application is to be determined by Planning Committee as the application involves development on land which an interest is held by a Council Member (or their spouse/partner) or by any member of the Council staff (or their spouse/partner) and an objection representation has been received to the planning Application.

The application is therefore recommended for Approval.

### Recommendation(s)

That planning application 25/0865/FUL be approved subject to the following conditions and informatives;

### **01 Time Limit**

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).

### **02 Approved Plans**

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

<b>Plan Reference Number</b>	<b>Date Received</b>
4000- 25 - 100 REV B	1 May 2025
4000- 25 - 101 E	16 October 2025
4000- 25 - 102 C	16 October 2025

Reason: To define the consent.

### **03 External Finishing Materials**

The external finishing materials proposed shall be in accordance with the details contained within the submitted application form and thereafter retained for the lifetime of the development.

Reason: In the interests of visual amenity in accordance with NPPF para 135 and Local Plan policy SD8.

### **04 Tree Protection Plan**

The scheme for the protection of trees on site shall be carried out in accordance with the details on approved plan 4000- 25 - 102 C submitted on 16 October 2025.

Reason: In the interests the health of the trees on site in accordance with NPPF para 136 and Local Plan policy SD8.

### **05 Boundary Treatment**

The approved boundary treatment plan shall be in accordance with the submitted plan 4000- 25 - 102 C received on 16 October 2025 and shall be retained thereafter for the lifetime of the development.

Reason: In the interests of preserving neighbouring amenity in accordance with NPPF para 135 and Local Plan policy SD8.

### **06 Obscure Glazing**

Notwithstanding the submitted drawings, the window on the south-western facing principal elevation at first floor serving an en-suite of the development hereby approved, shall be fitted with obscure glazing to at least obscuration factor 4. This window shall be maintained as such and be retained for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties in accordance with NPPF para 135 and Local Plan policy SD8.

### **07 Balcony/Raised terrace**

The roof of the approved single storey flat roof extension hereby permitted shall not be used as a balcony, roof garden, terrace or other external amenity space at any time. No balustrade, railing, access door other means of access to the roof shall be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the privacy and residential amenity of neighbouring properties in accordance with NPPF para 135 and Local Plan policy SD8.

### **Informative Reason for Planning Approval**

#### Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

#### Informative: Bats and nesting birds

Bats and nesting birds are protected under the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, injure, disturb or kill bats or damage or destroy a roost or habitat. Therefore close inspection of buildings should be undertaken for bats and their roosts, and nests prior to the commencement of any works. This should include any crevices, holes or cracks. If bird nests are evident works should be avoided during the bird nesting season (March-September). If bats are found, work should cease immediately, and contact be made with the National Bat Helpline on 0345 1300 228 or email the BCT on enquiries@bats.org.uk to discuss the best way forward.

### **Background**

1. The planning history of the application site is summarised below:

- Outline application for the demolition of existing dwelling and erection of 3no detached dwellings (Ref: 99/0815/P) – Refused 20th July 1999
- Alterations & extension to provide new double garage, conservatory & porch & dormer windows to provide attic bedrooms (Ref: 00/0553/P) – Approved with Conditions 19th May 2000
- Outline application for the erection of 1no dwelling and new access (Ref: 99/1498/P) - Refused 2nd June 2000
- Extension to side to provide games room with bedroom/bathroom/store above and porch to front (Ref: 00/1197/P) - Approved with Conditions 20th September 2000
- Application to fell 6 no. lombardy poplar trees (T1 - T5 incl. and T10) and 1 no. ash tree (T9) (Ref: 06/3429/X) – Approved with Conditions 4th January 2007

2. Tree Preservation Order 322 S2/5378 (Ref: 00.8.5.322) is confirmed on several trees on the application site.

### **Site and Surroundings**

3. The application site, hereby referred to as the Site, is a detached dormer bungalow located within Stockton-on-Tees.

4. The Site sits amongst a cluster of residential dwellinghouses accessed via a private way 'The Willows', which leads to 3no further residential dwellings; No.1, No.3 and No.4 The Willows.
5. The Site is within a verdant setting and is well screened by mature vegetation to all boundaries. A Tree Preservation Order covers several mature trees on Site (322 S2/5378 00.8.5.322).

### **Proposal**

6. Planning permission is sought for the increase of the roof height of the existing host dwelling to 1.5 storey involving raising the ridge height by approximately 1.2 metres; from 5.7 metres to 6.8 metres in total height. The existing eaves height of approximately 2.8 metres would remain largely consistent throughout, with some extended portions of the host dwelling having enlarged eaves of approximately 4.7 metres.
7. The proposal includes the erection of a single storey wrap around extension to the side and rear of the dwelling consisting of both hipped and flat roofs. The side extension portion of this extension would house an integral garage and the rear extension housing a utility and living area.
8. Also included in the proposal is the erection of a single storey extension to the front, a single storey extension to the side and a 1.8 metre high boundary treatment within the curtilage.

### **Consultations**

9. Consultees were notified and the following comments were received:-
10. Standard Advice Highways Transport & Design Manager  
No objections, subject to any increase in parking provision being met in accordance with the Councils adopted Supplementary Planning Document SPD3.

### **Publicity**

11. Neighbours were notified by individual letters. A summary of the comments received is below.

#### Objections

A total of 7no objection comments have been received from 3no households. The concerns are summarised below:

- Concerns regarding overlooking/window separation distance
- Concerns regarding reduced privacy
- Concerns regarding scale/design
- Concerns regarding overbearing
- Concerns regarding dwelling to plot ratios
- Concerns regarding typographical errors on submitted drawings
- Concerns regarding localised flooding
- Concerns regarding ASB and security of the Site
- Concerns regarding waste
- Concerns regarding access and damage to the private way during construction period

#### General representations:

A total of 1no general representation comments have been received from 1no address. The comments are summarised below:

- Comments regarding precedent for similarly approved development
- Comments regarding existing and similar built form already present on the Site

### Planning Policy Considerations

12. 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.
13. 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

14. 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.
15. 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.

**Paragraph 135.** Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**Paragraph 136.** Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

### **Local Planning Policy**

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

#### Policy SD1 - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

#### Policy 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.

#### Policy 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;
  - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
  - c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;

- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
  - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
  - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
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.

## Householder Extensions and Alterations SPD

### 2.2 Window Separation Distances

It is extremely important to have an adequate gap between neighbouring properties to prevent a significant impact and minimise any loss of privacy from developments. The Council will seek a minimum of 21 metres separation distance to be maintained between the main habitable room windows of facing residential properties and the extension. Where a side extension would face the rear of a neighbouring property (or a rear extension would face the side of the neighbouring property), the Council will seek a minimum of 11 metres between the windows of the main habitable rooms.

These distances will increase if there is a variation in ground levels between the properties or a difference in the number of storeys (where a property of over 2 storeys is involved). As a minimum, the separation distance should be increased by 3 metres for every 1 metre rise in ground level.

Innovative design solutions and creativity in external and internal layouts to reduce the impact of a development could be applied to achieve satisfactory levels of privacy and may in some instances allow a reduction in the separation distance. In addition, the standard may be applied more flexibly if individual circumstances allow, as each application is considered on its own merits.

### 2.3 Privacy and Overshadowing

Extensions should not lead to the overshadowing of the neighbouring properties' main habitable room windows or private garden areas to an unreasonable degree. For a single storey rear extension, 3 metres from the original rear elevation should generally be appropriate, however this is dependent on various factors, including the scale, orientation and form of the extension as well as the house type and impact on neighbouring properties.

#### 45 Degree Standard

The 45 degree standard applies to two-storey extensions with a greater than 3 metre projection from the rear elevation of a property. This tool is used in order to assess the potential impact of a proposal and maintain privacy and amenity for neighbouring properties. This rule normally applies to rear facing neighbouring windows that are perpendicular to the extension. It is calculated by drawing a line at a 45-degree angle from the centre of the nearest adjacent ground-floor main-habitable-window of your neighbour's property. If the line crosses the site of the proposed extension, in some instances, the Council may expect the extension to be reduced in size.

#### 60 Degree Standard

The 60 degree standard follows the same principle as the 45 degree standard but relates to single storey extensions and involves a widening of the angle of the line to 60 degrees. This allows for single storey extensions generally having less bulk and causing less overshadowing than two-storey extensions. Extensions will not be accepted where they lead

to a notable loss of privacy for neighbouring residents. An impact on privacy can often be avoided or minimised through siting windows away from neighbouring properties and ensuring a sufficient separation distance is maintained.

### 2.5 Car Parking

Where planning permission is required for an extension which will provide an extra bedroom at a property or the proposal will involve the loss of a car parking space, such as through a garage conversion or from being built on an existing driveway, it will be expected that:

- Any loss of car parking, as a result of the proposed works, is re-provided within the property boundary and/or
- Any additional car parking requirement as a result of an increase in the number of bedrooms, except where a proposed bedroom is less than 6.5m<sup>2</sup>, is provided within the property boundary.

The Council's Local Design Guide SPD provides advice on the required number of car parking spaces for the size of your property, and the minimum size of a car parking space/garage for it to be considered acceptable.

If you need to re-provide or create additional car parking, it is important to consider the proximity to existing highways junctions, other driveways, street trees and utility apparatus and then the accessibility of your property in terms of the position of dropped kerbs and gates, as well as the layout of the space which is available and the balance between the amount of soft and hard landscaping within your boundary. Please refer to the Garden and Boundary Treatments section of this SPD for further details.

### 3.1 Front Extensions

Porches are popular extensions to the front of properties and modest porches are rarely harmful to the character of an area. However, extensions to the front of properties will generally be visible in the street scene and must be designed to complement the area, as well as the original property.

In areas where there is a particularly uniform appearance or a dominant front line to the properties, extensions to the front of a dwelling, other than modest porches, are unlikely to be appropriate.

Front extensions should ensure that sufficient car parking is still retained in line with the standards in the Local Design Guide SPD. Front extensions are more likely to be appropriate if a dwelling is of an individual design or there is a staggered or indistinct building line. However, they should still match the design features of the original property and avoid being obtrusive.

### 3.2 Side Extensions

An extension to the side of a property will normally be very visible from the street and should be of a high quality design and reflect the character of the area. They should normally have a roof that matches or complements the original property. Flat roofs should be avoided, unless they are already a feature of the main dwelling.

Unless properties are widely spaced, side extensions have the potential to create a 'terracing' effect between closely set detached properties or pairs of semi-detached properties. Normally a gap of at least 1 metre is required between the outside wall of the extension and the boundary. The extension should also be set back from the front of the house by a minimum of 1 metre, at least at first floor level.

Two storey and first floor side extensions may be required to have a roof shape that matches the main property. Due to the potential for terracing, two storey and first floor extensions may also be required to have a ridge height that is lower than that of the main property.

There may be a number of other options which can be used to address terracing and these should be explored with the Council's Development Services team.

### 3.3 Rear Extensions

Rear extensions, which includes conservatories, are generally not as visible as front and side extensions, however the design of an extension at the back of a property is still very important. A key objective for the design of a rear extension is to avoid an unacceptable overbearing or oppressive impact upon neighbours or significant overshadowing of a neighbouring property. This can often be achieved by setting the extension in from the nearest common boundary and through reducing the bulk of the extension by, for example, providing a hipped roof.

Windows in the side of the extension nearest to the boundary of a neighbouring property should generally be avoided. Obscurely glazed windows with restricted opening may sometimes be acceptable but it should be noted that, if your neighbour subsequently wishes to develop near their boundary, the outlook that you may have created by placing a window on a common boundary will not be protected.

Terraced houses are often more difficult to extend as they are restricted for space on three sides. By sharing a pitched roof with the neighbouring property, the perceived size may be reduced and the impact on light and amenity will be lessened.

### 3.6 Balconies, Raised Decking and Terraces

Balconies, Raised Decking and Terraces may not be acceptable if there is significant overlooking of a neighbouring garden/yard or a main living room window. They can also lead to an increase in noise and disturbance as a result of the extended use of the garden area, therefore they can have a significant impact on the privacy and amenity of neighbouring properties. As a result, balconies, are not encouraged, other than in exceptional circumstances or situations where a Juliette balcony is in keeping with the design of the property or character of the area. For the purposes of planning, a Juliette balcony is treated as a window, and a velux balcony window is treated as a balcony.

Balconies and raised decking are more likely to be approved in relation to detached dwellings with spacious gardens or where the location of the development does not impact on the neighbours. They should generally be well contained, screened and avoid dominating the existing property.

### 3.7 Gardens & Boundary Treatments

#### Boundary Treatments

The method of enclosing the boundary of a property can have a significant visual impact on an area and should be designed sympathetically. Boundary treatments can include walls, fences, hedges, tree and gates amongst other things.

Where alterations to front garden boundaries occur, careful consideration must be taken to ensure that the proposed materials and detailing fit in well with the property and surroundings. Where there is a dominant form of boundary treatment within the street, your proposal will be expected to be consistent with these structures. In addition, where hedgerows and trees are important features of an area, these should be retained to maintain

character and biodiversity. Planning permission is not required to plant hedgerows or trees and they can be a good way to create a boundary instead of erecting a wall or fence.

It is also important to consider the height and materials proposed for boundary treatments along the side of the property and within rear gardens to ensure that the height and material choice do not impact on the amenity of the neighbouring properties.

Alterations to boundary treatments to the front of properties or in prominent locations within established open-plan estates will rarely be acceptable as they could disrupt the open character of the street and harm the visual amenity of the area. Likewise, any enclosure that would obstruct public highway visibility, or cause a potential danger to public highway safety will be unacceptable.

### **Material Planning Considerations**

17. The main planning considerations of this application are the impacts on the character of the area, the amenity of the neighbouring occupiers and the impacts on highway safety.

#### Character

18. The NPPF and the adopted Local Plan encourage high standards of design with Local Plan Policies SD3 and 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 dwelling.

19. Concerns have been raised with regards to the design and appearance of the proposed extensions and how the proposal would fit in with the character of the surrounding dwellings. The proposed development involves substantial extensions and alterations to the host dwelling, which in-turn would alter the scale and appearance of the host dwelling.

20. Revisions to the originally submitted plans have been sought and have been scaled back considerably; the original proposal involved a two-storey dwelling with a much larger footprint to the most recent plans received which now involve raising the ridge height approximately 1.2 metres above the existing ridge line. Although the scale and appearance of the host dwelling would be altered, the proposed development would still appear as a 1.5 storey dwelling which is considered to be coherent with the present built form on the Site, and in the surrounding area.

21. The character of the host dwelling as proposed would alter the existing dormer bungalow to create an enlarged first-floor with various single storey extensions projecting from it, the proposed works are considered to form considerable alterations to the host dwelling's scale and appearance, however, given the variety of property styles within the area and size of the plot, the proposals are not considered to form an incongruous addition to the area. Concerns raised with regards to dwelling to plot ratio and overdevelopment of the Site are noted, however, the Site is considered to be generously proportioned and the proposals are considered to be proportionate to the size of the plot and other development within the surrounding area.

22. The proposal would modernise the existing dwelling which on balance would be acceptable given the variety of property styles and design within this area. The principle of a second floor is also considered to be acceptable due to the existing dormer windows and variety of dwelling types generally reaching first-floor levels within the street scene. Given the overarching character is one of a 1.5 storey dwelling, and the indistinct character in terms of the design of dwellings within the area, the revised proposals are considered to be broadly acceptable.
23. Although it is noted that the bulk of the host dwelling would increase as a result of implementing the proposed development, the Site is accessed via a private way and the Site and surroundings are heavily screened by mature trees and vegetation. Given the generous proportions of the plot, accessed via a private way and is heavily screened, there is considered to be considerable scope for change to the host dwelling which are mitigated by the surroundings. As already discussed, the principle of a first floor is considered permissible, and the roof style is again considered to follow the character of the host dwelling and street scene and so this roof style is considered appropriate. While the overall bulk of the host dwelling would increase, it is not considered to appear as an incongruous addition to the immediate or wider area.
24. The proposed external finishing materials to be used have been declared within the submitted application form and are to be similar in appearance to those existing on the host dwelling being render, slate tiles and white uPVC. Given that these are similar external finishing materials to those existing on the host dwelling, and the mitigating circumstances of the Site and its surroundings, it is considered that the external finishing materials proposed are acceptable and have been recommended as planning condition.
25. The Applicant proposed a 1.8-metre-high close boarded boundary fencing to the front of the Site. In view of this boundary treatment being set well in from the highway and sat behind a band of mature trees, it is not considered that this would form an incongruous addition to the Site and is considered to be acceptable in this instance.
26. In view of the above considerations the proposed extensions accord with policies SD3 and SD8 of the Local Plan and paragraph 135 of the NPPF, and is therefore considered to be acceptable with respect to the impact on the character of the area and the character of the host dwelling.

#### Protected Trees

27. There are several trees which are protected via a Tree Preservation Order around the Site. Concerns were raised with the Applicant's agent regarding the proximity of a proposed single storey rear extension to a band of protected trees to the northern rear boundary of the Site. In order to address these concerns, the siting of the rear extension has been amended so that an acceptable separation distance between the trees and the proposed development has been established. The Applicant's agent has provided a tree protection plan which has been recommended as a condition.

### Amenity

28. Planning Policy SD8 seeks to provide sufficient levels of privacy and amenity for all existing and future occupiers of land and buildings, while the Householder Extensions and Alterations SPD provides further support over the impacts of extensions on neighbouring occupiers.

29. Concerns have been raised by neighbouring occupiers regarding the impact on their amenity as a result of the proposed development; principally concerns were raised regarding overlooking, loss of privacy and overbearing impacts. Each of these concerns are addressed below.

### No.1 The Willows

30. The closest neighbouring residential dwelling to the host dwelling is No.1 The Willows, which is sited approximately 16 metres due south-west from the host dwelling and set at a lower level due to the topography in the area. Whilst the host dwelling would be increasing in height, it is not considered that an increase in 1.2 metres would have a detrimental impact on this neighbouring occupier's amenity owing to the separation distance of 16 metres, the mature trees screening the Site and the siting of the host dwelling and neighbouring dwelling with respect to the movements of the sun. It is therefore not considered that a 1.2 metre increase in height over and above the original height of the host dwelling would be considered detrimental in terms of being an overbearing or overshadowing presence for these neighbouring occupiers.

31. In terms of overlooking, it is conceded that a 16-metre separation distance would fall short of the 21-metre separation distance guidance with respect to facing habitable room windows, especially when considering there are considerable level changes between the sites and the addition of an enlarged first floor.

32. The Applicant and their Agent have therefore sought to address this issue with respect to the overlooking caused by the originally submitted plans, and have since removed first floor bedroom windows which previously were facing the neighbouring dwelling's habitable room windows, due to guidance stipulating at least a 27 metre separation distance between the two should be maintained; owing to the topography and addition of a first floor to the dwelling.

33. The proposals have now been revised so that whilst there are windows present at first floor facing No.1 The Willows, these now consist of a rooflight serving an en-suite and a further en-suite window which is proposed to be obscurely glazed. Further to this, there is existing overlooking between habitable room windows; 1no bedroom window within the first floor of the host dwelling and the facing habitable room windows at No.1, at a separation distance of approximately 18 metres, which is a considerable existing shortfall in window-to-window separation distance when assessed against the householder extensions and alterations SPD. In view of the existing overlooking between the Sites, the revisions to the proposals addressing the overlooking and the screening around the Site, it is considered that the proposed development is considered to be acceptable with respect to overlooking.

34. To the ground floor principal elevation, bi-fold door would be inserted to the proposed single storey extension. The Applicant has proposed a 1.8-metre-high close boarded concrete and timber post fence which is considered to mitigate any overlooking of No.1 The Willows between habitable room windows at ground floor level. This boundary treatment has therefore been recommended as a condition.

#### No.4 The Willows

35. To the east is No.4 The Willows. Whilst concerns regarding increased overbearing, overlooking and privacy are noted, the host dwelling at its closest point is sited approximately 28 metres away from this neighbouring dwelling and are angled approximately 45-degrees from one another. The Site is also bound by mature trees and fencing to this boundary. Whilst views onto the proposed development would be achievable from this neighbouring dwelling, it is not considered that undue amenity impacts would occur given the separation distances involved.
36. Concerns have been raised with regards to the potential for the flat roof of the single storey rear extension to be used as a terrace. Whilst the use of the flat roof as a formalised terrace area is not included on the plans, it is acknowledged that the master bedroom has double doors at first floor which could lead out onto the flat roof extension. Whilst the plans stipulate that this would be a Juliet balcony, should the flat roof be used as a terrace, direct views into No.4 The Willows in the east and No.1 Park View could be achieved. Therefore, a condition has been recommended so that the flat roof of the single storey rear extension is not to be used as a raised terrace/balcony.

#### No.3 The Willows

37. To the south-east of the host dwelling is No.3 The Willows. There would be an approximate separation distance of 23 metres between the dwellings, the Sites are screened by a band of mature tree cover and the proposed 1.8-metre-high boundary treatment, and there would be no facing habitable room windows. Given the above mitigating factors, it is not considered that the proposed development would give rise to adverse amenity impacts for this neighbouring occupier.
38. In accordance with local plan policies SD3 and SD8, it is considered that the proposed works would not result in a significant overbearing or overshadowing impact or significant loss of privacy and therefore is considered acceptable.

#### Highway Safety

39. As a result of the proposed development, the host dwelling would become a 5no bedroom dwelling. In accordance with SPD3 parking provision, the Site would require 4no in-curtilage parking spaces. In accordance with the submitted details, there would be 2no spaces within the proposed garage and the existing driveway is large enough to accommodate the further 2no spaces required. There is therefore not considered to be any highway safety related implications arising from the implementation of the proposed development and is therefore considered to be acceptable.

### Other Matters

40. As advised by Natural England, householder extensions are unlikely to increase population and are therefore outside of the scope for Nutrient Neutrality.
41. In terms of this application, no accompanying protected species surveys have been submitted to consider impact on bats. That said, the property is of modern construction with sealed soffits and appears to be generally low risk for bat presence. An informative could be applied to consider any residual impact in this regard.

### Residual Matters

42. Concerns have been raised regarding typographical errors on submitted drawings, access and damage to the private way during the construction period, waste and ASB and the security of the Site. These are not considered to be material planning considerations relevant to the determination of this application and have therefore not been considered.
43. With regards to localised flooding caused by the formation of a new driveway, the Applicant has not proposed to create a new driveway and therefore has not been considered as part of this application. Should a new driveway be created, permitted development rights are in place for Class F hardstanding within the curtilage which would require the Applicant to incorporate drainage within the curtilage for hardstanding over 5m<sup>2</sup> should any hardstanding be installed at a later date.

### **Conclusion**

44. In view of the assessment above, it is considered that the proposed development would not result in any significant conflict with the policies contained within the Stockton on Tees Local Plan or the relevant chapters of the NPPF and there are no technical reasons why the proposed scheme would be deemed unacceptable.
45. In planning terms, the proposed development is considered acceptable in all other regards and is therefore recommended for approval subject to those planning conditions set out in the report.

### **Financial Implications**

No known implications other than the associated costs of implementation of the proposals/maintenance.

### **Environmental Implications**

No known environmental impacts other than those discussed within the main body of the report.

### **Biodiversity Net Gain**

Biodiversity Net Gain is not required as Householder developments are exempt.

### **Legal Implications**

Officers need to complete this based on specifics of case and any Legal implications on the Council.

### **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.

### **Human Rights Implications**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

### **Ward and War Councillors**

Ward	Bishopsgarth & Elm Tree
Ward Councillor	Councillor Hugo Stratton
Ward Councillor	Councillor Emily Tate

### **Background Papers**

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
Householder Extensions and Alterations SPD Adopted 2021

Name of Contact Officer: Joe Port

Post Title: Planning Officer

Telephone number: 01642 524362

Email Address: [joe.port@stockton.gov.uk](mailto:joe.port@stockton.gov.uk)