

DELEGATED

Report to Planning Committee

10 June 2026

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: 12 June 2026

Summary

Since the writing of the original report, amendments to the submitted drawings were sought to alter the shape of the roof of the proposed single storey flat roof rear extension to become a pitched roof, as per Members decision at the March 2026 planning committee meeting.

The requested changes were made to the Applicant's planning agent, however, instead they have sought to address the matters in an alternative manner, by removing the Juliet balcony to the first-floor rear elevation and replacing it with a fixed window.

Due to the narrow remit of the decision at March 2026 planning committee meeting, the application is being brought before Members for decision on the revised details.

Further consultation with neighbouring residents has taken place, and at the time of writing, 4no objections comments from 3no households has been received. Overall, the further comments made by neighbours are not considered to alter the original recommendation of Approval with Conditions for the application.

Overall, whilst the proposed design choice is not what was recommended by Members, the amendments to the plans, along with the recommended conditions, are considered to suitably mitigate the previous concerns raised in relation to the flat roof potentially being used as a balcony and affecting neighbouring occupiers' amenity.

The application is recommended for Approval with Conditions.

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);

Plan Reference Number

4000- 25 - 101 F

4000- 25 - 102 C

4000- 25 - 100 B

Date Received

7 April 2026

16 October 2025

1 May 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.

Publicity

Neighbours were notified by individual letters of the amendments made to the design of the single storey rear extension. A total of 4no objections from 3no households were received and the concerns have been summarised below:

- Concerns relating to potential use of the flat roof to the single storey rear extension
- Concerns relating to amenity impact (overlooking, privacy)

Material Planning Considerations

1. Since March 2026 Planning Committee meeting, amendments were sought to alter the flat roof of the proposed single storey rear extension to a pitched roof in order to mitigate concerns raised by Members and neighbouring occupiers in relation to the flat roof of the extension potentially being used by future occupiers of the dwelling as a balcony or terrace area.
2. Whilst these amendments did not come to fruition, the Applicant's agent has amended the design of the first-floor rear elevation so that the Juliet Balcony has been removed, and a fixed window put in its place, to mirror the design of other windows to the elevations of the host dwelling.
3. Opportunity for further comment on the amended drawings has been given to neighbouring occupiers who have collectively expressed concerns in relation to the amenity impact of the potential use of the flat roof extension as a balcony or terrace area.
4. Whilst the amendments to the proposed plans under consideration are not what the Applicant was asked to consider by the LPA, the amendments put forward are considered to satisfactorily mitigate the concern by Members and neighbouring occupiers. Access onto the flat roof would only be achieved by occupiers of the dwelling by climbing through one of the first-floor windows, or by means of ladder/steps from ground level. It is considered that means of access to the roof for leisure purposes are impractical for future occupiers of the dwelling.
5. It should also be acknowledged that single storey flat roof extensions are prevalent and are common forms of extensions to dwellings across the Borough. Many of these extensions are situated in much more constrained plots and within much denser development patterns, whereby the effects on neighbouring amenity by using the flat roof space of the extension as a terrace or balcony would be greatly exacerbated.
6. Notwithstanding the acceptability of the proposed amendments, the use of the flat roof of the proposed single storey extension as a balcony or terraced area is controlled via three mechanisms within the planning system.
7. Firstly, a balcony or terraced area to the flat roof area of the proposed single storey extension would require planning permission in its own right. The use of the flat roof for these purposes would trigger the requirement for planning permission and would be unauthorised development.

8. Secondly, the application under consideration is not applying for planning permission for a balcony or terraced area. Therefore, any unauthorised conversion or use of the space of the flat roof for these purposes would be considered a breach of planning control due to the contravention of the approved drawings should the application be minded for approval.
9. Thirdly, condition No.7 of this recommendation restricts the flat roof area from being a balcony, roof garden, terrace or other external amenity space at any time. Any contravention of this would constitute a breach of planning condition.
10. A contravention of any of the three mechanisms above which would be in place should the application be minded for approval by Members restricting the use of the flat roof area as a balcony or terraced area would be a matter for the Council's Planning Compliance Team to consider the expediency of the breach of planning control and to consider further action.
11. In consideration of the acceptability of the proposed amendments, and all of the planning mechanisms in place restricting the use of the flat roof for the purposes of a balcony or terrace area, the application is recommended for Approval with Conditions.

Conclusion

12. In view of the acceptability of the proposed plans and planning mechanisms in place, the application is recommended to Approved with Conditions.

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