

## DELEGATED

Report to Planning Committee

10 June 2026

Report of Director of Regeneration and Inclusive Growth

### **25/1945/FUL**

**74A Darlington Road, Stockton-on-Tees, TS18 5ET**

**Expiry Date: 10 November 2025**

**Extension of Time Date: 12 June 2026**

### **Summary**

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

Planning permission is being sought to raise the ridge height of part of the dwelling to enable a loft conversion with rooflights, to include the installation of cladding, the erection of a single storey infill extension to include canopy to the front and erection of a 1.8m high boundary wall/fence to the front.

A total of 21no objections have been received by members of the public. No objections have been received by technical consultees. In accordance with the Council's Scheme of Delegation, the application is to be decided by Members of the Committee as more than 5 responses have been received by members of the public to the application following consultation and publicity.

Several concerns have been raised by members of the public; however, the main concerns relate to the impact on the character and appearance of the area, the impact on the setting of Hartburn Conservation Area and the impact on the amenity of surrounding neighbouring occupiers which are addressed within the report. Other concerns raised have also been addressed within the report.

During the application process, the proposed extensions have been amended significantly due to character and amenity concerns. The amended plans have resulted in the reduction in scale of the extensions, which previously appeared as a two-storey extension, and has now been reduced to appear as 1.5 storey. It is considered that this design change would mitigate both character and appearance impacts, and overshadowing and overbearing impacts for surrounding neighbouring occupiers. In addition, overlooking of the neighbouring properties has been addressed through further amendments to the submitted plans by proposing to install rooflights to the principal elevation roof slope. The base of each rooflight would be 1.9 metres above the internal finished floor level which is considered to suitably mitigate the potential overlooking of the neighbouring dwelling to the north of the application site.

Overall, it is considered that the proposed development has been made acceptable through amendments in terms of its appearance and its impact on neighbouring occupiers. It is considered that the proposals are in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation is to approve the application subject to the conditions set out in the report.

### **Recommendation(s)**

That planning application 25/1945/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>
P01	20 March 2026
P02	20 March 2026

Reason: To define the consent.

#### **03 External Finishing Materials**

Notwithstanding the approved plans, the external finishing materials to be used on the host dwelling shall be in full accordance with the External Materials Schedule received by the Local Planning Authority on 20<sup>th</sup> March 2026 and retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Local Plan Policy SD8.

#### **04 Fence Staining**

Notwithstanding the details hereby approved, the proposed fence to the front of the application site shall be stained a dark brown colour within one month of being erected and shall be maintained in accordance with these details for the lifetime of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to prevent undue detrimental visual impact on its surroundings in compliance with 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. A Tree Preservation Order covered a singular Elm Tree to the front of the application site which is no longer present. (00.8.5.17 - Tree Preservation Order 16 - S2/1415)

### Site and Surroundings

2. The application site relates to a detached residential dwellinghouse; No.74A Darlington Road. The host dwelling is located adjacent to the Hartburn Conservation Area and is set back from the Darlington Road highway.
3. The host dwelling itself is of a unique design with part of the dwelling being two storey in the off-centre section of the dwelling which is perpendicular to and facing the highway, and part single storey with two sections of the dwelling perpendicular to the two-storey section of the dwelling and parallel with the Darlington Road highway.
4. To the north is the Darlington Road highway and No.74 Darlington Road. To the east is No.72 Darlington Road. To the south are Nos 15 and 17 Kenton Road. To the west is No.76 Darlington Road.

### Proposal

5. Planning permission is sought to raise the ridge height of two single storey parts of the dwelling to allow for a loft conversion and extended provision of a first floor within the host dwelling. The ridge height of the existing single storey elements of the host dwelling would be raised approximately 1.2 metres above the existing ridge height.
6. To the principal elevation roof slope of the host dwelling, rooflights would be installed to provide natural light to some first-floor rooms to be created. To the principal elevation, a single storey infill extension would be erected including a canopy and wood cladding installed.
7. To the front boundary of the Site adjacent to Darlington Road, a 1.8-metre-high boundary wall with pillars and infill fencing panels would be erected.
8. Amended plans were sought in order to mitigate character and amenity concerns. A summary of the amendments is that the extension would appear 1.5 storey scale, rather than two storeys. Overlooking and privacy of the neighbouring dwelling to the north has been addressed by removing windows facing the neighbouring dwelling in favour of rooflights, the base of which would be installed 1.9 metres above internal finished floor levels.

### Consultations

9. Consultees were notified and the following comments were received:

10. Highways Transport & Design Manager - The Highways, Transport and Design Manager has no objection to this application. There are no highway objections to the proposed 2no first floor extensions to the sides, single storey infill extension and boundary wall/fence to front.
11. Historic Buildings Officer - No objections to the proposed development.

### **Publicity**

12. Neighbours were notified by individual letters, and wider publicity has been given via press advert and site notice. A total of 21no objection comments have been received and the main concerns are listed below:
  - Concerns regarding character of the area and impact on Hartburn Conservation Area
  - Concerns regarding parking
  - Concerns regarding trees
  - Concerns regarding bats
  - Concerns regarding neighbouring amenity (overlooking, overbearing, overshadowing, privacy)
  - Concerns regarding restrictive covenants
  - Concerns regarding right to light
  - Concerns regarding breach of human rights
  - Concerns regarding financial impact

### **Planning Policy Considerations**

13. 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.
14. 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**

15. 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.

16. 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

17. 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.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:
  - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
  - Specific policies in that Framework indicate that development should be restricted.

#### **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.

#### **Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment**

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a. Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
3. Conserve and enhance the historic environment through a variety of methods including:
  - d. Supporting proposals which positively respond to and enhance heritage assets.

## **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.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

## **Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets**

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.
2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.
3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.

## **Householder Extensions and Alterations SPD**

### 2.1 General Design Principles

Proposals should be designed to complement and enhance the character of the street and the wider area as well as the property. Any extensions should be located and designed to minimise the impact upon neighbouring properties. The following are the general design principles for all developments.

Scale and Proportion

The scale and proportion of any works undertaken should be in keeping with the property and surrounding area. As a general rule, extensions should be subservient to and not over-dominate the house or neighbouring properties. Your house type will also have an impact on the proposed works which will be considered acceptable. Therefore it is important to consider the character and context of your house and the surrounding area.

### 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.

### 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.

### 3.4 Dormer Windows and Loft Conversions

Loft conversions can be a good way of increasing space within your property, especially if you have limited area for other extensions. Alterations to the roof of a building are particularly visible and it is important that the design of any alterations is considered carefully and in proportion with your property.

It is advised to avoid large, flat-roofed dormers and dormers which are the full width of the roof. More traditionally shaped dormers with pitched roofs are more likely to be acceptable and multiple smaller dormer windows will be preferable to a single large window.

In general, dormers should be set in from the edge of the roof, the ridge and the eaves, and should reflect those in the main 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.

## **SPD3 Parking Provision for Developments**

Table 3(a): Parking Provision for Developments – Residential

Land Use	Use Class	Stockton Town Centre	All Other Areas of the Borough	Disabled Parking Provision	Secure Cycle Parking (Minimum)	Notes
House 1 Bed	C3	1.0	2.0	N/A	1	Privately owned dwellings. New garages will be considered as a car parking space only if they have minimum internal dimensions of 6m x 3m.
House 2 Bed	C3	1.5	2.0	N/A	1	
House 3 Bed	C3	1.5	2.0	N/A	2	
House 4 Bed	C3	3.0	3.0	N/A	2	
House 5 bed and over	C3	4.0	4.0	N/A	2	
Flatted Development	C3	1.0	1.5	Adequate space within the site to accommodate parking for people with disabilities.	1 per 2 units for residents and 1 per 6 units for visitors	Maisonettes will be classed as houses. Maisonette is a 2 storey dwelling with a dwelling/shop etc either above or beneath.

### Material Planning Considerations

18. The main material planning considerations for this application are the impact on the character of the area and the effect on the setting of the Hartburn Conservation Area, the impact on the amenity of the surrounding neighbouring occupiers, highway safety impacts and other material planning considerations.

### Character and appearance of the area including the Conservation Area

19. 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. Policy SD5 seeks to retain further control over development within more sensitive areas such as Conservation Areas.

20. The Site is located along Darlington Road, a main arterial route through Stockton and on the outskirts of Hartburn Conservation Area. The character of the residential dwellings along Darlington Road are varied in age, scale, siting and design and therefore the character of the dwellings along Darlington Road are considered to be indistinct.

21. The character of the host dwelling is considered to be individual and unique in that part of the dwelling is part two storey scale (in the off-centre section of the dwelling which is perpendicular to and facing the highway), and part single storey scale (with two sections of the dwelling perpendicular to the two-storey section of the dwelling and parallel with the Darlington Road highway).

22. This application seeks to raise the roof height of both of the single storey sections of the dwelling from approximately 5.6 metres in height to approximately 6.8 metres; an increase in height of 1.2 metres and convert this space to create additional living accommodation within the first floor.

23. Concerns have been raised by residents that the proposed development would have adverse character impacts on the street scene and the setting of the Hartburn Conservation Area. It is acknowledged that the majority of concerns have been raised to the original scheme, which has since been substantially amended.
24. Concerns were initially raised as the original proposal was for a first-floor extension above the single storey parts of the dwelling which extended to the height of the ridge line of the existing two storey portion of the dwelling at approximately 7.3 metres in height above ground level. Given the immediate setting of the surrounding dwellings, which consist of bungalows, and the existing single storey form of the majority of the footprint of the host dwelling, the submitted drawings were subsequently amended so that the host dwelling appeared as a 1.5 storey dwelling.
25. The overriding character of the area along this section of Darlington Road are generally generously proportioned plots, set back from the highway, with boundary treatments to the respective front boundaries and tree lined, with the majority of dwellings being two storeys in scale. Whilst the adjacent bungalows are single storey scale, the overriding character of the area is one of a two storey dwelling. It is considered that reducing the scale and massing of the original proposal from a two storey dwelling to the current proposals showing a dwelling of a 1.5 storey scale and appearance is considered to provide a more balanced and sympathetic appearance to the host dwelling amongst its immediate surroundings, whilst allowing the dwelling to be enlarged on an existing footprint and remaining sympathetic of the wider area. The proposed increase of ridge height to allow for a loft conversion are considered to be sympathetic to the character of the area and would have limited harm to the setting of the adjacent Hartburn Conservation Area given the indistinct and mixed form of development in the area, which is in accordance with Local Plan policy SD5 and SD8.
26. Concerns have been raised in relation to the proposed development constituting overdevelopment; however, the proposed development would be over the existing footprint of the dwelling, with a modest increase in height to part of the roof structure, and there is considered to be a generous plot to dwelling ratio at the application site. It is therefore not considered that the proposed development would be overdevelopment of the plot.
27. The application proposes a front boundary treatment approximately 1.8-metre-high constructed of brick wall and pillars with infill fencing panels to replace an approximately 1.2-metre-high low-rise brick wall with open fence panels on-top. Although the overriding character of the area is one which is not open owing to the abundance of front boundary treatments, the tree lining along Darlington Road positively contributes to a verdant and appealing setting. Given the variety of boundary treatment in the area, it is not considered that the erection of the proposed

boundary treatment to the front of the Site would be of detriment to the character of the area.

28. The proposed palette of materials is considered to be a modern refresh of the host dwelling and are considered to be sympathetic to the host dwelling and surrounding dwellings. The palette of materials received have therefore been conditioned.
29. Concerns have been raised by residents regarding the removal of trees. Whilst concerns are acknowledged and that the trees previously on the Site did positively contribute to the character of the area, the trees felled were not protected by a Tree Protection Order, nor do they fall inside of the Hartburn Conservation Area. The trees were removed prior to any planning application being submitted and therefore their removal do not form part of the proposals under consideration. This view has been confirmed in writing by the Council's Principal Tree and Woodland Officer.
30. In view of the above considerations the proposed development would respect the character and appearance of the property and street scene and would not have a harmful impact on the nearby Hartburn Conservation Area are considered acceptable in this respect. The proposal is considered to 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.

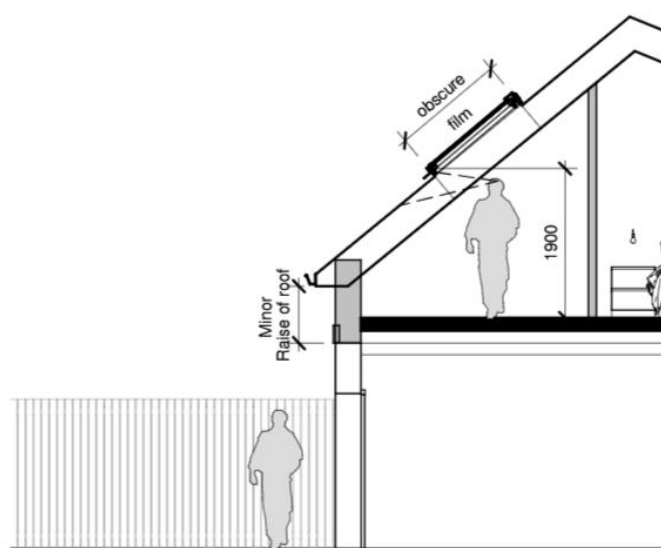
#### Amenity

31. The NPPF and Local Planning Policy SD8 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.
32. Concerns have been raised from neighbouring residents regarding the impact on the amenity of the neighbouring dwellings. The impact on each dwelling will be assessed below.

#### 74 Darlington Road

33. This neighbouring dwelling is a bungalow located to the north of the host dwelling, with its side elevation and an outside amenity space, bound by an approximate 2-metre-high boundary fencing, facing to the south toward the host dwelling. The host dwelling and this neighbouring dwelling are separated by approximately 14 metres at their closest point and are separated by the host dwelling's driveway and the neighbouring dwelling's outside amenity spaces. It should be noted that the neighbouring dwelling has two small outdoor amenity spaces.
34. Concerns have been raised regarding the potential for overshadowing of the neighbouring dwelling by the proposed raising of the ridge height of the dwelling by approximately 1.2 metres.

35. Both the Applicant and the neighbouring occupier have conducted separate solar studies, to map the shadowing of the neighbouring dwelling in the existing relationship and as if the proposed development had been implemented.
36. The results of the solar study show that this neighbouring dwelling would experience some overshadowing as a result of the increased ridge height of the proposed extension, however, the extent of the overshadowing from the proposed extension would be limited to periods when the sun is at its lowest point during the winter months and would occur for only a limited duration of the afternoon (a marginal increase in overshadowing above the existing relationship at 14:00 in October). As such, the overshadowing impact on this neighbouring occupier is not considered to be significant enough to warrant a reason for refusal, as for the vast majority of the year, the impact is considered to be negligible. The amended plans have reduced the overall height of the original submission by approximately 0.6 metres and the eaves height by approximately 1.7 metres, which is considered to have mitigated the impact somewhat.
37. Given the overshadowing impact would be minimal, and the host dwelling is sited approximately 14 metres away from the neighbouring dwelling utilising the existing footprint, it is also not considered that the proposed development would create an adverse overbearing impact for this neighbouring occupier to warrant a reason for refusal of the application.



38. Concerns have been raised in relation to overlooking and privacy impacts between the host dwelling and neighbouring dwelling as a result of the proposed development. Whilst appreciated the host dwelling faces an area of outside amenity space for this neighbouring dwelling, and 1no habitable room window, it should be acknowledged that the proposal has been significantly amended so that the only windows now facing the neighbouring dwelling would be a series of small rooflights serving non-habitable spaces. Through negotiations with the Applicant, the base of each of the

rooflights would be 1.9 metres above the internal floor level which is considered to suitably mitigate the potential for overlooking of the neighbouring dwelling (image shown above shows a section of plan P02 recommended for approval).

39. Whilst the perception of being overlooked is a consideration, consideration should be given to the fact that a series of rooflights could be inserted into the principal elevation roof slope of the host dwelling without requiring planning permission and without obscure glazing, subject to compliance with Schedule 2 Part 1 Class C of the General Permitted Development Order 2015, and therefore a similar impact could be created without planning permission. Given the base of the windows are 1.9 metres above the internal floor level of each non-habitable room, it is not considered that obscurely glazing the windows is necessary in this instance, as overlooking has been suitably mitigated due to the base height of the rooflights above internal floor levels.

#### No.76 Darlington Road

40. Concerns have been raised by this neighbouring occupier in relation to the proposed extension being overshadowing or overbearing. This neighbouring dwelling is a bungalow to the west of the host dwelling.
41. The proposed extension would be sited approximately 3 metres from the neighbouring boundary, and a further 6.5 metres from the closest habitable room neighbouring window to the side elevation facing the host dwelling.
42. The Applicant has completed a solar study to model overshadowing of the neighbouring dwellings, and although the most recent solar study does not model the exact plans under consideration, it does model a similar iteration of the plans in terms of scale and built form and is therefore considered applicable to consider in this instance.
43. The submitted solar study finds that there would be a marginal increase in overshadowing as a result of the proposed development, however, the extent of the overshadowing from the proposed extension would be limited to periods when the sun is at its lowest point during the winter months and would occur for only a limited duration of the morning (a marginal increase in overshadowing above the existing relationship at 09:30 in October). As such, the overshadowing impact on this neighbouring occupier is not considered to be significant enough to warrant a reason for refusal, as for the vast majority of the year, the impact is considered to be negligible. The amended plans have reduced the overall height of the original submission by approximately 0.6 metres, which is considered to have mitigated the impact somewhat.
44. Concerns have been raised in relation to overlooking. It should be acknowledged that there are no window-to-window relationships proposed, with windows inserted to the principal and rear elevation roof slopes of the host dwelling. In relation to overlooking of the outdoor amenity spaces, there would be an increase in overlooking of the

neighbouring site as a consequence of the implementation of the proposed scheme and although it is not an existing relationship between these particular sites, it is not considered that the proposed relationship differs greatly from existing two storey dwellings; a relationship that can be commonly found across the Borough where there is overlooking to the gardens of dwellings and is therefore considered to be acceptable.

45. Due to the existing built form of the host dwelling, the buffer maintained between the host dwelling and the neighbouring dwelling's side elevation windows, and the modest increase in height of the proposal, it is not considered that the increase in height by 1.2 metres would present adverse enough overbearing impacts to warrant a reason for refusal of the application.
46. In considering the separation distances involved and siting of the host dwelling and the proposed development for all other surrounding neighbouring occupiers, it is not considered that the proposed development would have an impact on their amenity and is therefore considered to be acceptable.

#### Highway Safety

47. The application proposes raising the number of bedrooms within the host dwelling from 3no bedrooms to 5no bedrooms. In accordance with SPD3 Parking Provision for the Borough, a 5no bedroom dwelling should provide 4no in-curtilage parking spaces.
48. The application site has a large driveway forward of the principal elevation of the host dwelling, which is able to accommodate more than 4no vehicles. Therefore, the parking requirement for the host dwelling should the proposed development be minded for approval would be acceptable.
49. Additionally, visibility splays have been considered by the HTD Manager due to increased height of the boundary treatment to the front. Overall, the HTD Manager has no objections to the proposed development and there is therefore not considered to be an adverse impact on the local highway network.

#### Nitrate Neutrality

50. As advised by Natural England, householder extensions are unlikely to increase population and are therefore outside of the scope for Nitrate Neutrality.

#### Biodiversity Net Gain

51. Biodiversity Net Gain is not required as householder developments are exempt.

#### Protected Species

52. Concerns regarding bats are acknowledged. No accompanying protected species surveys have been submitted to consider impact on bats. That said, the property is of relatively modern construction with sealed soffits and appears to be generally low risk for bat presence. An informative has been applied to consider any residual impact in this regard.

53. Notwithstanding this, a search of MAGIC and NBN Atlas have confirmed that no bats have been recorded in the area, nor have any licenses been granted within the area surrounding the Site. An informative could be applied to consider any residual impact in this regard.

#### Other matters

54. Concerns in relation to the impact on wildlife and habitats raised by neighbouring occupiers are acknowledged, however, given the proposal is for a householder extension within a residential area it is considered that there is limited scope for wildlife or habitat to be impacted upon.
55. Concerns have been raised in relation to Human Rights and the right to light. In reaching this recommendation, regard has been had to the provisions of the Human Rights Act 1988, in particular Article 8 relating to the right to respect for private and family life and Article 1 of the First Protocol relating to the peace enjoyment of possessions. Whilst concerns have been raised regarding loss of light to neighbouring occupiers, matters relating to an individual's "right to light" are primarily private civil matters rather than material planning considerations. In this instance, although the proposed development may result in a limited degree of additional overshadowing, it is not considered that the impact would be so significant as to result in unacceptable harm to the living conditions of neighbouring occupiers or to warrant a reason for refusal of the application.
56. Concerns in relation to restrictive covenants have been raised however these are not material planning considerations.
57. Concerns in relation to the financial circumstances of a neighbouring occupier have been raised however are not a material planning consideration.

#### **Conclusion**

58. 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.
59. 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.

### **Legal Implications**

No known legal implications.

### **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	Hartburn
Ward Councillor	Councillor Lynn Hall
Ward Councillor	Councillor Niall Innes
Ward Councillor	Councillor Jason French

### **Background Papers**

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
Householder Extensions and Alterations SPD Adopted May 2021  
SPD3 Parking Provision for Developments

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