

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
9 OCTOBER 2024
REPORT OF ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND DEVELOPMENT**

**24/0578/FUL
15 Swinburne Road, Eaglescliffe, Stockton-on-Tees
Dormer extension to rear plus skylight to front**

Expiry Date 10 October 2024

SUMMARY

The application is an end of terrace, two storey property on Swinburn Road located within Eaglescliffe conservation area.

The application has been revised and now seeks planning permission for a small dormer extension to the rear and a skylight to the front.

6 objection comments were made to the original application which included 2no dormers, one to the front and one to the rear of the host dwelling. The majority of objection comments were regarding the impact on the Conservation Area, the impact on the character of the area, the precedent it may set for future developments and overlooking impacts.

The Historic Buildings Officer also made an objection to the original application with regards to the impact on the conservation area and the impact on the character of the street scene.

As above the scheme has been amended to address the concerns raised. There were no objections made to the revised scheme.

Skylights are present elsewhere in the street scene at no.'s 1, 2, 12, 12A and 16 Swinburne Road. The proposed dormer would be located on the roofscape it would be screened by the roof and therefore would not be visible in the street scene. Consequently it is not considered that the proposals would be significantly out of character within the street scene or conservation area.

Separation distances comply with the council's guidance and ensure satisfactory amenity for neighbouring occupiers. Additionally parking provision will meet with the council's required standards.

RECOMMENDATION

That planning application 24/0578/FUL be approved subject to the following conditions and informatives below;

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	Date Received
SBC00002	7 August 2024
(00)04 A.	22 July 2024
(-9)03 A	22 July 2024
(-9)04 A	22 July 2024
(00)03 A	22 July 2024
(05)02 A.	22 July 2024
(21)03 A	22 July 2024
(21)04 A.	22 July 2024

Reason: To define the consent.

03 Materials

The proposed external finishing materials shall be in accordance with the external finishing materials described within the submitted application form.

Reason: To ensure a satisfactory form of development

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

BACKGROUND

1. No relevant planning history.

SITE AND SURROUNDINGS

2. The application site relates to 15 Swinburne Road in Eaglescliffe Conservation Area. The dwelling is a two storey, end of terrace dwelling. The surrounding properties on Swinburne Road are predominantly two storey, terraced dwellings.
3. North of the host property is the adjoining property, 16 Swinburne Road, a two-storey terraced dwelling. East of the host property is 576 Yarm Road, a two-storey end of terrace property. West of the host property is 14 Swinburne Road, a two-storey end of terrace property

PROPOSAL

4. The application seeks planning permission for the erection a dormer extension to the rear and skylight to the front. The proposed dormer would serve a bedroom.

CONSULTATIONS

5. Consultees were notified and the following comments were received.

Historic Buildings Officer

This proposal seeks the installation of a dormer window to the front and rear of 15 Swinburne Road, a late Victorian end terrace property within Eaglescliffe with Preston Conservation Area. This conservation area was designated for its intricate and embellished urban environment, with strongly defined urban street scenes with clear architectural merits.

Swinburne Road consists of late Victorian terraced properties with intricate architectural details and a cohesive design and a simple slate roof scape. Due to the uniformity of the street scape, it is considered that the addition of a dormer window to the front of this property would add an incongruous feature onto the street scene, causing less than substantial harm to this part of the conservation area.

The rear roofscapes of such carefully designed terraced streets are usually more varied than the principal elevations and, historically, subject to regular change and amendments to suit the changing needs of the occupiers. In principle, it is considered that an addition to the rear roof may be acceptable subject to appropriate design and materials. The flat roof design and grey cladding as proposed are not in keeping with the high architectural quality and sensitive materials of surrounding properties. Dormer windows within the conservation area historically are of a pitched roof design and in matching brick to the host dwelling. As such, it is recommended that the design for a rear roof dormer is revisited, and a more appropriate design is resubmitted.

This proposal does not respond positively to, nor conserve or enhance, the surrounding conservation area contrary to Local Plan Policies HE 2, part 1 and 3. NPPF paragraph 205 states that great weight should be given to a heritage assets conservation and paragraph 206 requires any harm to a heritage asset should require clear and convincing justification. From a heritage perspective, the submitted application cannot be supported, and should be withdrawn or amended in line with the above comments.

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. [N.B This should take account of the existing parking provision and any existing shortfall in the current provision, i.e. A 3-bed property, with no parking provision, that is increasing in size to a 4-bed property would only need to provide 1 space. A 3-bed property, with 2 existing spaces, that is increasing in size to a 4-bed property would also need to provide 1 additional space and retain the existing provision. A parking space should be 5m (long) x 2.4m (wide)]

Highways Transport & Design Manager

General Summary

The Highways, Transport and Design Manager requires further information.

Highways Comments

In accordance with SPD3: Parking Provision for Developments 2011, a 4-bedroom property should provide 3 in curtilage car parking spaces (each space being a minimum of 2.4m x 5m) the applicant needs to demonstrate on a plan how the 3 car parking spaces can be achieved.

PUBLICITY

6. Neighbours were notified and a site notice was displayed, a total of six objections to the original proposal were received. The main issues raised are detailed below;

Objections Received:

- Adverse impact on the character of the street scene
- Adverse impact on the Conservation Area
- Set a precedent for future developments
- Overlooking impacts

PLANNING POLICY

7. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
8. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

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

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 users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 200

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 201

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 203

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 205

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Local Planning Policy

11. 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.

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.

4. New development will seek provision of adequate waste recycling, storage, and collection facilities, which are appropriately sited and designed.

Policy 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.
4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.
5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.
6. The following are designated heritage assets:
 - a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge
 - b. Registered Parks and Gardens - Ropner Park and Wynyard Park
 - c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm

Householder Extensions and Alterations SPD

1.6 Conservation Areas and Listed Buildings

Conservation Areas are areas that the Council has designated because they have special architectural or historic interest. Additional rules apply to the extension, alteration or demolition of some buildings and structures in these areas, which could also include an Article 4 Direction. Therefore, planning permission may be required for most works, such as, for the installation of dormer windows in a roof, satellite dishes and erection of walls/fences.

To check if your property is within a Conservation Area, you can view the Council's [Local Plan Policies Map](#). Any proposed development in a Conservation Area should respect the character of both the property and the area and any key architectural features retained. The materials used in any development will be especially important and traditional materials and styles, such as timber windows and doors, are generally more appropriate than modern ones.

A Listed Building is a building, object or structure that is of national importance in terms of architectural or historic interest. Where a building is listed, it may be necessary to apply for Listed Building Consent to carry out any works. You can view the Council's Validation Checklist for further guidance on what is required to be submitted with Listed Building Consent applications. Applications relating to heritage assets may need to submit a heritage statement to explain how these issues have been addressed in the submission.

If you intend to carry out any works to a Listed Building or a property within a Conservation Area, it is advised that you submit a planning enquiry to determine what may be appropriate prior to applying for planning permission or Listed Building Consent.

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 6.5m², 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.

3.4 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.

MATERIAL PLANNING CONSIDERATIONS

12. The main planning considerations of this application are the impacts on upon Eaglescliffe conservation area and the character of the area, amenity of neighbouring residents and highway safety.

Character

13. 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.
14. Swinburne Road is made up of predominantly made of two storey Victorian terraced dwellings. The dwellings have a uniformed character and there are no dormers visible in the street scene. North of the host property is 16 Swinburne Road, an adjoining two storey terraced property. West of the host property is 14 Swinburne Road, a two-storey end of terrace dwelling.

15. The original application included two dormers, one to the front of dwelling and one to the rear of the dwelling. The objections and comments from the Historic Building Officer were taken into consideration by the planning officer and they revised plans were sought.
16. The revised plans removed the dormer to the front and included a dormer to the rear and a skylight to the front, other skylights are present in the street scene at no.'s 1, 2, 12, 12A and 16 Swinburne Road. Consequently it is not considered the skylight to the front would be significantly out of character within the street scene.
17. The proposed dormer to the rear would be a grey cladded, flat roof dormer. The host property is located on a corner plot, due to where the proposed dormer would be located on the roofscape it would be screened by the roof and therefore would not be visible in the street scene. Due to this, it is not considered that the proposed dormer would have such an adverse impact on the character of the street scene.
18. In view of the above considerations the proposed dormer to the rear and skylight to front is therefore considered to be appropriate to the style, scale and proportions and accords with policies SD3 and SD8 of the Local Plan.

Impact on Heritage

19. Another main consideration is the impact of the proposed development on Eaglescliffe conservation area. Swinburne Road is predominantly made up of Victorian, two storey, terraced, residential properties.
20. A number of the objection comments and the comments from the Historic Buildings Officer to the original proposal spoke about how the proposed dormer to the front of the property would have an adverse impact on the character of the conservation area as there is no existing dormers visible in the street scene.
21. The revised scheme took the objection comments into consideration and removed the dormer to the front of the property. The dormer to the rear of the property would not be highly visible in the street scene and therefore is not considered to have an adverse impact on the overall character of the conservation area.
22. In view of the considerations above it is the proposed dormer to the rear and skylight to front is therefore considered to be appropriate to the style, scale and proportions and accords with policy SD5 of the Local Plan.

Impact on Neighbouring Amenity

23. 16 Swinburne Road is the adjoining neighbouring property to the north and offers a side-to-side relationship. The proposed rear dormer would be set on the boundary with the neighbouring property. The proposed dormer would have no windows facing the neighbouring property. Given the proposed rear dormers position on the host properties roof scape and given its scale and design it is not considered to have a significant impact on the neighbouring properties amenity in terms of causing loss of light, being overbearing, overshadowing, or have an impact on privacy.
24. 13 and 14 Swinburne Road are the neighbouring terraced properties to the west of the host property and offers a front-to-front relationship. The proposed roof light would set on the front projection of host property and therefore would face these neighbouring properties. The proposed roof light would serve a bedroom which is a habitable space. The proposed roof light would be set approximately 21.4 metres from the front projection of the neighbouring properties, No.13 and No. 14 Swinburne Road. This would comply with the 21-metre

separation distance which has been set out in the SPD for a front-to-front relationship. The proposed rooflight is not considered to have an overlooking or privacy impact and would be considered acceptable.

25. 576 Yarm Road is the neighbouring property to the east and offers a rear-to-rear relationship. The proposed dormer would be set approximately 21.7 metres from the rear projection of the neighbouring property. This would comply with the 21-metre separation distance set out in the SPD for a rear-to-rear relationship. The proposed rear dormer would not have a window facing the neighbouring property. Therefore, the proposed rear dormer is not considered to have an impact on the neighbouring property in terms of being overbearing or overlooking and would be acceptable.

Highway Safety

26. The existing dwelling is a 3-bedroom dwelling. The proposal would be adding a bedroom to the property meaning it would become a 4-bedroom property. However, the conversion of the roof space to a bedroom could occur without the need for planning permission and an uplift in parking provision could not necessarily be controlled.
27. Nevertheless, a 4-bedroom property requires a minimum of 3 car parking spaces (5 metres by 2.4 metres). The Highways and Transport Design Manager requested a plan to show how these spaces would be achieved. Plan SBC00002 shows that 3 parking spaces (5metres by 2.4metres) can be achieved (including the existing garage). Therefore, the proposal is considered acceptable in this regard.

CONCLUSION

28. Skylights are present elsewhere in the street scene at no.'s 1, 2, 12, 12A and 16 Swinburne Road. The proposed dormer would be located on the roofscape it would be screened by the roof and therefore would not be visible in the street scene. Consequently it is not considered that the proposals would be significantly out of character within the street scene or conservation area.
29. Separation distances comply with the council's guidance and ensure satisfactory amenity for neighbouring occupiers. Additionally parking provision will meet with the council's required standards.
30. It is recommended that the application be approved with conditions for the reasons specified above.

Director of Finance, Development and Business Services
Contact Officer Hannah Whiting Telephone No 01642 526326

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe East
Ward Councillor	Councillor Stefan Houghton
Ward Councillor	Councillor Jim Taylor

IMPLICATIONS

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background papers:

Adopted Stockton on Tees local Plan

SPD1 – Sustainable Design Guide - Oct 2011

SPD3 – Parking Provision for Developments - Oct 2011

SPD4 – Conservation and Historic Environment Folder - Jan 2006

SPD – Householder Extensions and Alterations - Adopted May 2021