
APPLICATION DETAILS

Application No:	18/0549/FUL
Location:	1 Cambridge Avenue Linthorpe, Middlesbrough TS5 5HQ
Proposal:	Two storey extension to rear.
Applicant: Company Name:	Mr Majid Mousa
Agent: Company Name:	Mr Stuart Pinches The Planman
Ward:	Linthorpe
Recommendation:	Approve with Conditions

SUMMARY

Permission is sought for a two-story extension to the rear of the property.

Following a consultation exercise four objections were received. The scheme was subsequently amended to significantly reduce the scale of the extension and no objections have been received to the revised scheme.

The development is considered to be an appropriate design and scale of development which will not have a significant impact on the amenities of the neighbouring properties, the character and appearance of the Linthorpe Conservation area and highway safety. The development is considered to be in accordance with the requirements of relevant guidance and Policies DC1, CS5, the Linthorpe Conservation Area Appraisal and Management Plan and the Urban Design Guide Supplementary Planning Document.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is 1 Cambridge Avenue an end of terraced property which is located within the Linthorpe Conservation Area and Article 4 designated area. The site is within a residential estate with residential dwellings to the north, east and west.

The proposal is for a two storey extension to the rear of the property to replace the existing single storey lean to kitchen extension. The extension will project 3 metres with a width of 3.82 metres with no windows on the side elevations and a set of patio doors with windows on either side on the ground floor and a first floor the rear elevation. The extension will have

a hipped roof design with the ridgeline roof height being 1.6 metres lower than the original ridgeline roof height. The brick work will match the original property with the roof tiles being grey interlocking concrete and the windows and French doors being white UPVC.

PLANNING HISTORY

M/FP/0206/07/P – Conservatory to the rear and loft conversion including 1 No roof light to front and rear and dormer to the side, approved with conditions, 2nd April 2007.

M/FP/0620/10/P - Conservatory to the rear and extension to existing garage, approved 28th July 2010

M/FP/0745/10/P – Re-siting of existing piers and erection of metal railings on existing front boundary wall and creation of hardstanding, refused and enforce 16th August 2010

M/FP/1424/10/P- Additional block paving to widen driveway, approved with conditions 17th January 2011.

16/5308/FUL – Single storey garage extension to side, approved December 2016

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application

can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

CS5 - Design

DC1 - General Development

UDSPD - Urban Design SPD

Linthorpe Conservation Management Plan

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

There have been no objections received to the revised plans which have been submitted. Four objections were received to the initial design from the neighbouring properties at 3 and 4 Cambridge Avenue and 54 and 58 Cambridge Road.

In summary the objection comments to the initial scheme related to the following:-

- Materials not reflect the building, should be reclaimed brick and timber windows rather than UPVC proposed on the side elevation with the property being in the Conservation Area.
- Visual impact of the development
- Loss of view
- Overbearing impact
- Loss of light to the neighbouring garden areas
- Out of scale with the existing properties
- Out of character with the street
- Overdevelopment
- Conversion of loft space already which would make the proposal 8 bedrooms

- Increase in traffic
- Impact on highway access as four driveways currently merge at this point
- On street parking issues due to increase in number of bedrooms
- Restrict access to the neighbours garage for maintenance
- Potential damage to the foundations of the neighbours garage during development
- Noise and disturbance

MBC Highway Officers

No objections

MBC Conservation Officer

The proposed extension is in proportion with the host dwelling and has been designed to match; there is potential for improving the window dimensions so they match existing taller window openings. The application proposes to use materials to broadly match; uPVC windows and grey interlocking roofing slates are not ideal but we have no control over their use to the rear so it would be inconsistent to insist on timber windows and a slate roof.

- I advise materials are conditioned, primarily to ensure the bricks to be used are a good match to the host dwelling.

Providing the above is achieved I am satisfied this proposal should sustain the significance of Linthorpe Conservation Area, meaning this application can be approved.

Public Responses

Number of original neighbour consultations	6
Total numbers of comments received	4
Total number of objections	4
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

The main considerations with this proposal are the impacts on the character and appearance of the street scene and the Linthorpe Conservation area, the impacts on the privacy and amenity of the neighbouring properties and the impacts on highway safety.

Character and Appearance on the street scene and the Linthorpe Conservation Area

The application site is a large end of terrace property located within a residential area within the Linthorpe Conservation Area. Cambridge Avenue is tree lined with the front elevations of the properties being set back from the main highway with low front boundary walls and brick pillared driveway entrances.

The Linthorpe Conservation Area Appraisal Management Plan identifies the properties along Cambridge Avenue as being fine examples of interwar housing which have remained relatively unaltered from their original design. The properties along Cambridge Avenue are characterised by the red brick with painted quoins, bay windows with leaded detailing on the front elevations, hipped slate roofs with chimney detailing. With the application site being an end of terrace property the side elevation has an original first floor oriel window above the main entrance door.

The application site has been historically extended with a conservatory and single storey lean to kitchen extension to the rear and a loft conversion to include a dormer window on the side elevation. Planning permission has been granted for a single storey garage to the side of the dwelling in 2016 under planning application 16/5308/FUL.

The proposed extension will be located to the rear of the property and will be partially visible from the highway due to the property being the end terrace. The overall scale of the extension with the lower hipped roof height, the width being half the width of the original dwelling and the projection of 3 metres means the proposal is considered to be subservient to the original scale of the property.

Although the first floor window design does not replicate the existing taller window design on the rear elevation, the design of the window with the six panes and the upper openings is considered to reflect the current window design at the property.

Objection comments to the original scheme related to the fact reclaimed bricks and timber windows should be used for the extension. The proposed brick work for the extension will match the original property. The proposed windows and French doors will be white UPVC with grey interlocking roofing slate tiles. Whilst the use of UPVC and grey interlocking slate tiles is not encouraged in the conservation area the conservation officer has commented that with the extension being to the rear of the property and less visible there would not be the requirement for timber windows or slate roof tiles. The specific material details will be secured by condition.

It is considered that the extension will not have a detrimental impact on the character and appearance of the street scene or the Linthorpe Conservation Area and is in accordance with the requirements of Policies DC1 and CS5 and the urban design guide.

Residential Amenity

The proposed two-storey extension projects 3 metres from the original rear elevation with planning permission being required due to the removal of the permitted development rights under the Article 4 directive. The extension will have no windows on either side elevation which will face the neighbours at 3 Cambridge Avenue or 54, 56 and 58 Cambridge Road. The French doors and window on the rear ground floor elevation will replace an existing window on the original kitchen extension. Both the French doors and the first floor window on the rear elevation will not directly face towards any habitable rooms or the rear gardens of the neighbours at 3 Cambridge Avenue, 54, 56 and 58 Cambridge Road and 3 Wycherley Avenue.

There are existing windows located on the first floor rear elevation of the applicant's property and the location and position of the proposed first floor window is not considered to have any additional significant impact on the privacy or amenity of these neighbours.

The extension is set off the boundary with the adjoining neighbours at 3 Cambridge Avenue by a minimum of approximately 2.6 metres and from the neighbour's rear gardens at 54, 56 and 58 Cambridge Road and 3 Wycherley Avenue by a minimum of 18 metres. The hipped roof height of the extension will be 1.6 metres lower than the original ridgeline roof height of the property. Taking into consideration the height of the proposed extension, the separation distances to the neighbour's boundaries and the sun's orientation, the proposed extension is not considered to have a significant impact in terms of potential loss of light or overbearing impact to these neighbours

The extension is considered to be in accordance with the requirements of Policy DC1 and the Urban Design Guide.

Highway Safety

The proposal will increase the number of bedrooms at the property from a four bedroomed property to a five bedroomed property. Objection comments have been received that the development will generate more traffic, on-street parking and impact on highway access particularly as four driveways merge at this location.

The guidance set out in the Council's Design Guide and Specification is that a five bedroomed property should provide three car parking spaces within the curtilage of the property. The applicant was granted approval in December 2016 for a single storey garage extension to the side (16/5308/FUL) with works having recently commenced on the foundations. Taking into consideration the approved garage space and the remaining driveway space the property can provide three car parking spaces to design guide standards.

The submitted plans are annotated to show the driveway will be extended which given the existing car parking provision is not a requirement for the planning application. With the property being located in the Linthorpe Conservation area and the loss of any front garden areas being discouraged, a condition will be placed on the application that the driveway will not be widened due to the potential impact on the character and appearance of the conservation area.

The Council's Highway Engineers have no objections to the proposal. The application is considered to be in accordance with the requirements of Policy DC1.

Residual Matters

There were objection comments received to the original scheme which related to the loss of light, overbearing impact, visual impact of the development and the overdevelopment of the site. The reduction in the scale of the revised scheme is considered to address these objection comments with no objections having been received on the revised scheme.

An objection comment was received to the previous loft conversion and that this extension would make the property an 8 bedroomed property. The loft conversion approved in 2007 (M/FP/0206/07/P) provided an additional bedroom to make a four bedroomed property. The current proposal would provide an additional bedroom which will make the property a five bedroomed property.

Concerns were raised regarding the potential damage and restrictions on the required access for maintenance of the neighbour's garage. The revised scheme has set the side elevation further away from the neighbour's garage. Furthermore, maintenance or access would be a civil issue and not a material planning consideration which can be considered.

Objection comments have been raised in terms of noise and disturbance. The proposal is for a residential extension to the property and any potential noise issues would be considered under the Environmental Health legislation.

An objection comment to the original scheme related to the loss of view which is not a material planning consideration which can be assessed as part of the proposal.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions

1. **Time Limit**
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:

- a. Location plan drawing 1 dated 13th August 2018
- b. Existing elevation drawing sheet 1 of 4 dated 13th August 2018
- c. Existing floor plan drawing sheet 2 of 4 dated 13th August 2018
- d. Proposed elevation drawing sheet 3 of 4 dated 17th October 2018
- e. Proposed Floor plan drawing sheet 4 of 4 dated 17th October 2018

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Sample of materials

Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area.

4. Driveway

Notwithstanding the submitted plans, the existing driveway width shall not be extended forward of the original front elevation of the property without the prior approval of the Local Planning Authority.

Reason: In the interest of the character and appearance of the street scene and the conservation area.

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed two-storey extension to rear accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition the extension accords with the local policy requirements (Policies CS5 & DC1 of the Council's Local Development Framework).

In particular the extension is designed so that its appearance is complementary to the existing dwellinghouse and Linthorpe Conservation Area so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The extension will not prejudice the appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the dwelling.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

INFORMATIVES

Informative 1- Mud on Highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Informative 2- Deliveries to site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

Case Officer: Debbie Moody

Committee Date: 30th November 2018

