
APPLICATION DETAILS

Application No:	18/0631/FUL
Location:	27 Green Lane Middlesbrough TS5 7SJ
Proposal:	Two storey extension to side and single storey extension to rear
Applicant: Company Name:	Mr A Aurangzeb
Agent: Company Name:	Mr Norman Poulter
Ward:	Linthorpe
Recommendation:	Approve with Conditions

SUMMARY

Planning permission is sought to construct a part single storey, part two storey extension to the side and rear.

Following the consultation process, objections from three nearby neighbours were received.

The main issues for consideration are the scale and design of the proposal, its impact on the character of the area and impact on the amenity of nearby residents.

The proposal has been considered against local guidance and policy and it is considered that the scale and design of the front and side element of the extension is in keeping with the host property and will not have an adverse impact on the character of the area. The rear element of the proposal is considered to be piecemeal design but given its location to the rear will not have a detrimental impact on the character of the main streetscene and wider area, instead being a restricted impact. Consideration was given to the positioning of windows, size of the proposal and its relationship to surrounding properties and it was considered that there would be no significant impact on the amenity of nearby residents in terms of appearance, overshadowing and loss of privacy. All other issues were considered but were not material considerations.

The proposal is considered to be an acceptable form of development, in accordance with National and Local policy and is therefore recommended for approval subject to appropriate conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application property is a traditional two storey semi-detached dwelling located in a residential area of Middlesbrough. The property has a hipped roof, an original two storey offshoot to rear and entrance door to side. There is a detached garage to the side/rear that is accessed via a driveway to the side. It has a large enclosed garden to front that is hard surfaced and bounded by a dwarf wall and high evergreen trees abutting Green Lane. The rear garden is relatively short with a maximum length of 8.5m. Properties immediately to the rear also have relatively small rear gardens.

Original plans submitted along with the application included a larger two storey extension to side with 1m first floor set back at front, spanning the full length of the property so that it was in line with the end of the existing rear offshoot and a single storey extension that extended to the rear boundary fence. Following concerns raised by the planning officer in relation to the appearance of the extension the length of both the two storey element and single storey element was reduced. The proposal now being considered is a part single storey, part two storey extension to side and rear comprising:

- Two storey, hipped roof extension to side with 1m first floor set back at front measuring 3m(w)x 6m(d)x5m(height to eaves) and 6.7m (max height to ridge).The extension features a front facing bedroom window at first floor level, garage door with mono-pitch roof above.
- New double entrance doors are to be inserted into the front elevation. This element of the proposal can be carried out under permitted development rights.
- Single storey, stepped extension to rear with hipped roof projecting 3m along the shared boundary with No.29 with a width of 5m then stepping out a further 5.1m for a width of 5.1m. The extension wraps around the side of the existing offshoot with a maximum length of 8.2m to meet the proposed two storey element of the proposal. Height to eaves is 2.7m and 3.7m max height to ridge. The extension features double access doors with side windows to the rear elevation and a single access door and window to the west facing side elevation.

PLANNING HISTORY

18/0204/FUL Two storey extension to rear, single storey extension to rear and extension to existing garage Refused
24th July 2018

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:

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

Public comment

Nearby Neighbours were notified of the proposal, comments from the following were received:

Ms Doonan 25 Green Lane
Ms Surtees 5 Eastgate
Mr Sullivan 7 Eastgate

Comments can be summarised as follows:

- Development is too close to properties to rear and side giving it overbearing appearance.
- Proposal is out of keeping with the design and scale of the host property and the character of the area.
- Proposal will create a sense of enclosure
- Access doors to the rear will be closer to properties to the rear.
- Overshadowing
- Loss of sunlight
- Loss of view
- Loss of privacy
- Encroachment onto neighbouring property
- Loss of fence and impact on security
- Trespass
- Drainage

Public Responses

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

PLANNING CONSIDERATION AND ASSESSMENT

Policy

1. The proposal should be assessed against Policies set out in the Development Plan. DC1, CS4 and CS5 in essence seek to ensure high quality sustainable development; ensure the amenity of nearby residents; character of the area and highway safety are not adversely affected by the development.

2. Supplementary Planning Document the Middlesbrough Urban Design Guide which sets out the principles by which high quality development can be achieved is also relevant.

Design

3. In respect of design, the Middlesbrough Urban Design Guide states that extensions should be consistent with the design of the original dwelling and should be subservient to it, and development should enhance not detract from the character of the area. In relation to two storey side extensions the guidance advises that there should be a 1m set back at first floor level with a drop in the main ridge height and that the extension should be no more than half the width of the host property to help the extension appear subservient to the main dwelling.

4. In this case the first floor of the extension has been set in from the front elevation by 1m with a mono-pitch roof sloping back from the front of the garage, the ridge line of the first floor element of the extension sits below the main ridge of the dwelling and is less than half the width of the property. The hipped roof design is in keeping with that of the host dwelling. It is considered that in view of the design and scale the proposal will be subservient to the main dwelling and will not have an adverse impact on the character of the area in accordance with policy and guidance.

5. When viewed from the rear, roof lines of the proposed extension and their relationship to the host dwelling present a piecemeal appearance. Whilst this is undesirable it will be largely screened from view from the street by the main body of the building and will not in itself be so significant to the characteristics of the rear area of the property, to warrant refusal of the scheme.

6. In view of the above, although parts of the extension are considered to offer a piecemeal appearance, the front and side facing element is in keeping with the host dwelling in terms of scale and design and so the proposal will not have an adverse impact on the character of the area, as such it is considered that the proposal is, on balance, in accordance with CS5 (test c) and DC1 (test b).

Impact

No.25 Green Lane

7. Concerns were raised regarding the impact of the proposal on windows and door to the side of No.25 Green Lane. The property is a bungalow with a single storey offshoot to the side. An entrance door and window are located in the side elevation of the offshoot with a side facing window in the main body of the property. The proposed extension will be closer to windows at the side of No.25 but the closest window is a secondary window to the kitchen, it will have a direct aspect towards the single storey element of the proposal and is offset from the two storey element; there will be an intervening distance of at least 3m to the extension. It is considered that given the intervening distance and the secondary nature of the window, any impact in terms of overshadowing or overbearing appearance will not be so significant as to justify refusal of planning permission. The side facing window in the main body of No.25 will have a direct aspect towards the two storey element of the proposal however this is a secondary window to the main lounge and there is an intervening distance of at least 6.5m at this point. Again it is considered that due to the secondary nature of the window and the intervening distance, any impact will not be so significant as to justify refusal of planning permission.

8. Concerns were also raised regarding the possibility of soffits and guttering overhanging the boundary of No.25. Original plans submitted with the application showed the soffits and guttering to the first floor extension projecting out from the side elevation, this resulted in the guttering having a slight overhang. The plans have subsequently been amended so that the soffits are flush to the wall and as a result whole of the extension including soffits and guttering is shown as wholly within the site.

9. There are no side facing windows to the proposed extension and so little prospect of loss of privacy.

No.'s 5 and 7 Eastgate

10. Concerns were raised that the proposal will, due to its size design and location, create a sense of enclosure and overbearing appearance, loss of sunlight and overshadowing. In the case of two storey extensions, the Middlesbrough Urban Design Guide advises a distance of 14m between a blank elevation and rear facing windows to avoid undue impact in terms of appearance. In this case the two storey element of the proposal will be at least 16m from the rear elevation of both No.5 and No.7 Eastgate so is in accordance with guidance. As such it is considered that given the intervening distance, the two storey part of the proposed extension will not have a significant impact in terms of overbearing appearance or create a sense of enclosure.

11. In respect of loss of sunlight, the extension will have a southerly orientation where there is greater potential to block sunlight, however the existing offshoot is closer to the properties and while the roof of the extension is slightly higher than that of the offshoot, it is set back from it and so will have a lesser impact. Also, given the intervening distance between the properties, it is considered that there will be no significant loss of sunlight.

12. Concerns were also raised that, as a result of the extension, the French doors to the rear of the property will be 3m closer to properties to the rear. However, the doors will be screened from view to a significant extent by the intervening boundary fence and so will have minimal impact in terms of loss of privacy or appearance, it should also be taken into account that this part of the proposal which is 3m in length could be carried out under permitted development rights and so any impact should be given significant weight in the consideration of this application.

13. In respect of the single storey element of the extension that projects towards the rear boundary, it is set back from the rear boundary by 2m and will be largely screened from view by the existing boundary fence. It will project above the height of the fence by approximately 800mm with the hipped roof sloping away from the boundary. There will be an intervening distance of approximately 10m between the rear elevation of the extension and the main body of the dwellings at 5 and 7 Eastgate Road. It is considered that, given the 2m set back from the boundary, intervening distance, screening afforded by the fence and that the extension is single storey, there will be minimal impact on properties to the rear by way of overbearing appearance or overshadowing.

14. With regard to concerns raised about loss of privacy and increased noise resulting from the proximity of the proposal, there are no rear facing, first floor windows in the extension and the ground floor French windows will be screened by the boundary fence. Side facing windows to the proposed single storey rear offshoot will have an aspect across the application site and will in any event also be screened by the boundary fence. As such there is little prospect of loss of privacy as a result of the proposal. In respect of noise, the reduced distance between the properties is not in itself considered to raise noise levels at the site. In any event noise nuisance is controlled under other legislation.

No.29 Green Lane

15. The proposed extension will be single storey where it is adjacent to the shared boundary with No.29. There is a rear facing window that will have an aspect towards the extension, however it projects only 3m along the shared boundary, will be screened to a large extent by the boundary fence and so will have minimal impact. Furthermore a single storey extension of this length could be built without the need for planning permission and so any impact on the window at No.25 should not be given significant weight in the consideration of this application.

16. Side facing window to the proposed offshoot to rear will have an aspect towards No.29 but will be screened to a large extent by the boundary fence and so there is little prospect of loss of privacy.

17. In light of the above, it is considered that the proposed alterations will not have a significant impact on the amenity of nearby residents in accordance with Policy DC1 (test c).

Highways

18. The proposal will not result in loss of parking at the site nor will it have any impact on safe operation of the highway as such the proposal is considered to be in accordance with Policy DC1 (test d).

Other matters

19. Other matters raised are not material planning considerations and can have no bearing on the outcome of this application.

Summary

20. The proposal has been assessed against local policy and guidance and it is considered that although the rear element of the proposal will be at odds with the host dwelling, given its location to the rear it will not have any significant impact on the character of the area. The front and side facing element of the extension is considered to be in keeping with the scale and design of the host dwelling. Given its design and relationship to surrounding properties it will not have any significant impact on the amenity of nearby residents. All other issues raised have been considered but do not justify refusal of planning permission.

Conclusion

21. In view of the above, the proposal is on balance considered to be an acceptable form of development fully in accordance with National and Local policy and is therefore recommended for approval.

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 following plans and specifications and shall relate to no other plans:

Location plan received 20th September 2018.
Proposed elevations drawing No.2018/9/1XX received 19th November 2018
Proposed layout and elevations drawing No.2018/9/1D received 19th November 2018.
Proposed first floor plan 2018/9/1B received 19th November 2018.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
Reason: To ensure the use of satisfactory materials.

4. No first floor window shall be inserted into the rear facing elevation of the extension hereby approved without the written consent of the Local Planning Authority.

Reason: To avoid overlooking in the interests of the amenity of occupants of nearby properties.

5. This application is satisfactory in that the design of the proposed extension 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 paragraph 38 of the NPPF (2018). 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 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

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

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: Maria Froggatt

Committee Date: 30th November 2018

