
APPLICATION DETAILS

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| Application No: | 24/0216/FUL |
| Location: | 36, Nuneaton Drive, Middlesbrough, TS8 9PR |
| Proposal: | Single storey extension to rear and single storey workshop extension to side and rear of existing garage |
| Applicant: Company Name: | Mr Ged O'Leary |
| Agent: Company Name: | Sean Mclean Design |
| Ward: | Hemlington |
| Recommendation: | Approve with conditions |

SUMMARY

The application seeks approval for a rear extension to the property and an extension to the existing garage.

Following the consultee exercise, objections were received from nearby residential properties. Concerns have been raised with regards to overbearing, overlooking and noise from the development. The scheme has been amended during the application process in order to lower the extension from the main ridge of the dwelling and it is noted that this also inset the built form from the side elevations.

Taking into account all material considerations, it is considered that the proposed extensions and alterations to the property would not harmfully dominate the host property or wider street scene and would also have no significant detrimental impact on adjacent properties. This impact would not be so significant as to warrant refusal of the scheme. As such the scheme is able to accord with relevant Local Plan Policies CS5 and DC1.

SITE AND SURROUNDINGS AND PROPOSED WORKS

1. The application site is an established residential area close to Hemlington Lake. The application property itself sits adjacent to the turning head of the cul-de-sac of Nuneaton Drive. Dwellings are predominantly single storey and detached of traditional appearance however some two-storey properties are evident. Dwellings are set-back from the road but plot sizes differ, with the application dwelling having a larger sized plot compared to other properties on Nuneaton Drive. The rear of the site backs onto

Newquay Close, a cul-de-sac which contains detached and semi-detached two-storey dwellings.

2. It is proposed to erect a rear extension to the property forming a bedroom and lounge/diner area, and also to extend the existing garage.
3. These are to be of matching materials to the host property and garage.

PLANNING HISTORY

4. None relevant

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).
- Stainton and Thornton Neighbourhood Plan (2022)

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:

DC1 - General Development, CS5 - Design, CS4 - Sustainable Development, UDSPD - Urban Design SPD

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

During the initial consultation process, three third party representations were received (three objections).

Comments received are summarised below:

17 Newquay Close

- Proximity of build to boundary
- Noise from workshop
- Concern over drainage
- Overbearing and out of character development

15 Newquay Close

- Noise and disturbance from the proposal
- Overbearing
- Loss of privacy
- Lack of spacing

12 Hallview Grove, Darlington

- Noise
- Overlooking

- Loss of privacy
- Overbearing

Public Responses

| | |
|--|---|
| Number of original neighbour consultations | 6 |
| Total numbers of comments received | 0 |
| Total number of objections | 3 |
| Total number of support | 0 |
| Total number of representations | 3 |

PLANNING CONSIDERATION AND ASSESSMENT

Principle of development

5. The application site is within an established residential area. The general principle of extensions to the dwelling is acceptable subject to detailed consideration of the specific scale, design, appearance and relative impacts of what has been proposed. Please note there is no change of use proposed and this application seeks approval for domestic extensions only.

Impact on the character and appearance of the area

6. The host dwelling comprises a red brick, single storey dwelling with a detached single storey garage.
7. The relevant local plan policies to be considered in determining this application are Policies CS5 and DC1. Policy CS5 aims to secure a high standard of design for all development, ensuring that it is well integrated with the immediate and wider context. Policy DC1 takes account of the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials. This is to ensure that they are of a high quality and to ensure that the impact on the surrounding environment and amenities of nearby properties is minimal. This application is seeking approval for a rear single storey extension to the dwelling and an extension to the garage.
8. The proposed extensions and alterations to the dwelling are considered below which takes into changes to the scheme since the application was submitted;

Proposed Rear Extension

9. The proposed rear extension extends approx. 4m from the rear wall with a ridge height of approx. 4.5m. As submitted, the extension was full width and extended from the ridge line of the host but amendments were requested by the case officer in order to make the addition more subservient. As such, the revised extension to be considered is now set down from the ridge and has an inset from either side of the host property. Therefore, at single storey height, the extension is subservient to the main dwelling and retains sufficient rear garden curtilage. It is considered to be of acceptable design and constructed of suitable matching materials.

10. The requirement for good design is not limited to elements visible from public vantage points. Poor design to the rear of the property where it is visible to neighbours to the side and rear will reduce the appreciation neighbouring properties have of the environment in which they live. This is set out in recent appeal decisions (APP/W0734/D/23/3317384, 20/3260409 & 19/3242426) the character of the area comprises all spaces seen at the principle elevation or at the rear. The rear of the property is not visible from the public realm so would not be prominent in the street scene however despite this, it is necessary to uphold good design principles.
11. Para 5.4c of the adopted Urban Design Guide SPD advises that extensions should be subservient to the host property, being of a scale appropriate to the existing building and not be of an overbearing nature, indicating that oversized extensions can completely change the character of an area and should be avoided.
12. In this case, the extension would be approx. 4m in length from the rear wall and is now inset from the full width of the dwelling. Whilst the garden areas serving this property are shorter in depth, it is not considered that the footprint would be of such scale which would unduly change the character resulting in a notable negative impact. However, it is considered that this would be towards the upper limit of what may be acceptable in terms of footprint and plot coverage without negatively changing the character of these properties.
13. With this in mind, on balance the proposed footprint is considered acceptable and would not cause notable harm by way of appearing oversized to a degree which would warrant refusal of the scheme.
14. Further, the adopted Middlesbrough Urban Design SPD at para 5.4h specifically references flat roofs and that these should be avoided. The plans show a pitched roof which is considered an acceptable roof form in this case.
15. In view of the above, there is not judged to be notable harm to the character or appearance of the area which would warrant refusal of the scheme.

Proposed Garage Extension

16. It is proposed to extend the garage/workshop to the side and rear. Whilst wrapping around the garage, the extension contains a modest projection of approx. 1.2m from the respective elevations. The extension would also contain a matching sloping roof. As such, the extension is considered to be an appropriate scale and design which would not overwhelm the existing built form.
17. It would not be highly visible in the street scene as it is set back towards the rear of the plot and sits away from the public highway. As such, it is not considered that the proposed works would appear prominently in the public realm or upset the appearance of the street scene.

Cumulative Impact

18. It is noted that the cumulative impact would clearly change the bulk of the dwelling and its associated garage but the site-specific circumstances are relevant. In this case, given the scale of extensions and the position of the application property set back from the road, it is not considered that the additions would appear overly

prominent as to cause significant harm to the street scene, nor would they dominate the original form and scale of the host property to a degree which would warrant refusal of the scheme in terms of overdevelopment.

19. In light of the above, the proposal would result in additions to the dwelling and garage. The additional mass/bulking is noted but overall, the extensions would be of subservient form and scale. Also considering the orientation and position of the host dwelling which is set back from the road, the proposals would not notably harm the character and appearance of the area to a degree which would warrant refusal of the scheme in this case. It is also noted that these properties benefit from permitted development rights and therefore could erect an extension 4m in length subject to meeting the relevant criteria. On balance, the scheme is considered acceptable, being in accordance with the general principles of the adopted Urban Design SPD as well as Local Plan Policy CS5.

Impact on privacy and amenity

Rear Extension

20. The Council's SPD sets out that (in relation to semis or terraced properties where there is an attached neighbour) that a single storey rear extension, should be limited to 3m in projection but a greater allowance can be achieved in the case of a detached dwelling. If in excess of this, an extension should be set in from the shared boundary by a sufficient distance and with consideration given to roof type, orientation and distances from the boundary and principal windows. The extension projects approx. 4m as mentioned previously which would not be contrary to the SPD. The site specific circumstances also require assessment.
21. In terms of potential overbearing or overshadowing to neighbours either side, it is noted that the extension would be at a distance of approx. 5m from the boundary with no. 38 Nuneaton Drive with further separation from the main neighbouring dwelling as a result of the driveway area serving the application property. With regards to no. 34 Nuneaton Drive which sits to the north of the extension, there is a separation distance of approx. 2m again with further separation from the main neighbouring dwelling due to their driveway area. The pitched roof would also be sloping away from these neighbours. Considering the position, orientation and roof type, the proposed projection is not judged to result in notable overbearing or overshadowing to neighbours either side.
22. With regards to the neighbours which border the rear of the property, it is noted that there is a separation distance of approx. 6.5m from the rear corner of the extension to no. 15 Newquay Close at its widest point and 4.8m at its narrowest point. In relation no. 11 Newquay Close, there is approx. 4.8m at its widest point and 3.4m at its narrowest point. Whilst the gap is closing due to the built form, there would be screening by the boundary fence in situ, it is also noted that these neighbours benefit from more generous gardens and therefore the neighbouring properties themselves sit at a further distance from the extension. As such, this is considered sufficient as to not result in harmful overbearing or overshadowing as a result of the extension.
23. In accordance with the Council's SPD, windows are placed on the rear elevation. There are no windows proposed on the side elevation of the extension so views would be directed over the site's garden area. The separation distances are outlined above and combined with the boundary fence, views would look out on to this, much

like the existing rear windows. As also mentioned above, the neighbouring properties themselves sit at a further distance away. As such there is no notable overlooking associated with the proposed development which would warrant refusal of the scheme.

24. In view of the above, whilst the extension is creating built form closer to neighbours at the rear, the impact itself is not considered notably adverse due to remaining separation distances and the orientation of dwellings. The hipped rear roof is then sloping away from the neighbours at the rear, creating additional breathing space between these properties. As such, the extension is not considered to result in harm to neighbours which would warrant refusal of the scheme. The proposal is therefore in accordance with Policy CS5.

Garage Extension

25. The garage extension would see an increase in built form a further metre towards the rear boundary (facing no. 15 and 17 Newquay Close) and side boundary (facing 38 Nuneaton Drive). Given the modest footprint this is not considered to pose concerns of harmful overbearing or overshadowing.
26. Third party representations raised concern with regards to noise from this element. Clarification was sought from the agent that the garage is to be used as a domestic garage/workshop and this was confirmed. Therefore the use would not be expected to produce harmful noise and disturbance. It is not considered appropriate in this case to add a condition which prevents the garage from business use as it is noted that this can be done without planning permission. In any event, noise levels are also controlled via separate legislation under Environmental Health. As such, the proposal is not judged to result in a notable level of noise and disturbance which would warrant refusal.
27. Fenestration would direct views over the site's garden area so no notable overlooking impacts would be associated with the garage extension. In light of the above, the proposal is considered in accordance with Local Plan Policy CS5.

Other matters

28. Third party representations raised concern in relation to the use of the garage. As stated above, the use is to be domestic and not for separate commercial activities.
29. The proposal would result in an additional bedroom being created, going from 2 to 3 bedrooms. Under the Council's Parking SPD, no additional spaces are required with this change so there would be no implications on the highway. It is noted that additional paving is being proposed to the driveway. Concerns of drainage were also mentioned by third parties. Whilst also falling under Building Regulations, it is noted however that the plans show permeable hardstanding.

Conclusion

30. In view of the above, the proposal would have some impact on the amenity of neighbouring properties. However it is considered that the impacts would not be so significant as to amount to a notable harm which would necessitate the refusal of the application. This is due to the design and scale of the extensions in relation to the site-specific circumstances of the application dwelling being suitably subservient.

31. Officer recommendation is to approve subject to the following conditions;

RECOMMENDATIONS AND 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: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

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 no. 2455/01 'O', received 03 June 2024
- b) Existing Site Plan – Drawing no. 2455/ 02 'O', received 03 June 2024
- c) Existing Ground Floorplan – Drawing no. 2455/04 'O', received 03 June 2024
- d) Existing Elevations – Drawing no. 2455/05 'O', received 03 June 2024
- e) Proposed Site Plan – Drawing no. 2455/03 'A', received 17 July 2024
- f) Proposed Ground Floorplan – Drawing no. 2455/06 'A', received 17 July 2024
- g) Proposed Elevations – Drawing no. 2455/07 'A', received 17 July 2024

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

3. Materials - Matching

The materials to be used in the construction of the external surfaces (including walls, roof & windows) of the development hereby permitted shall match those used in the existing building. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

INFORMATIVES

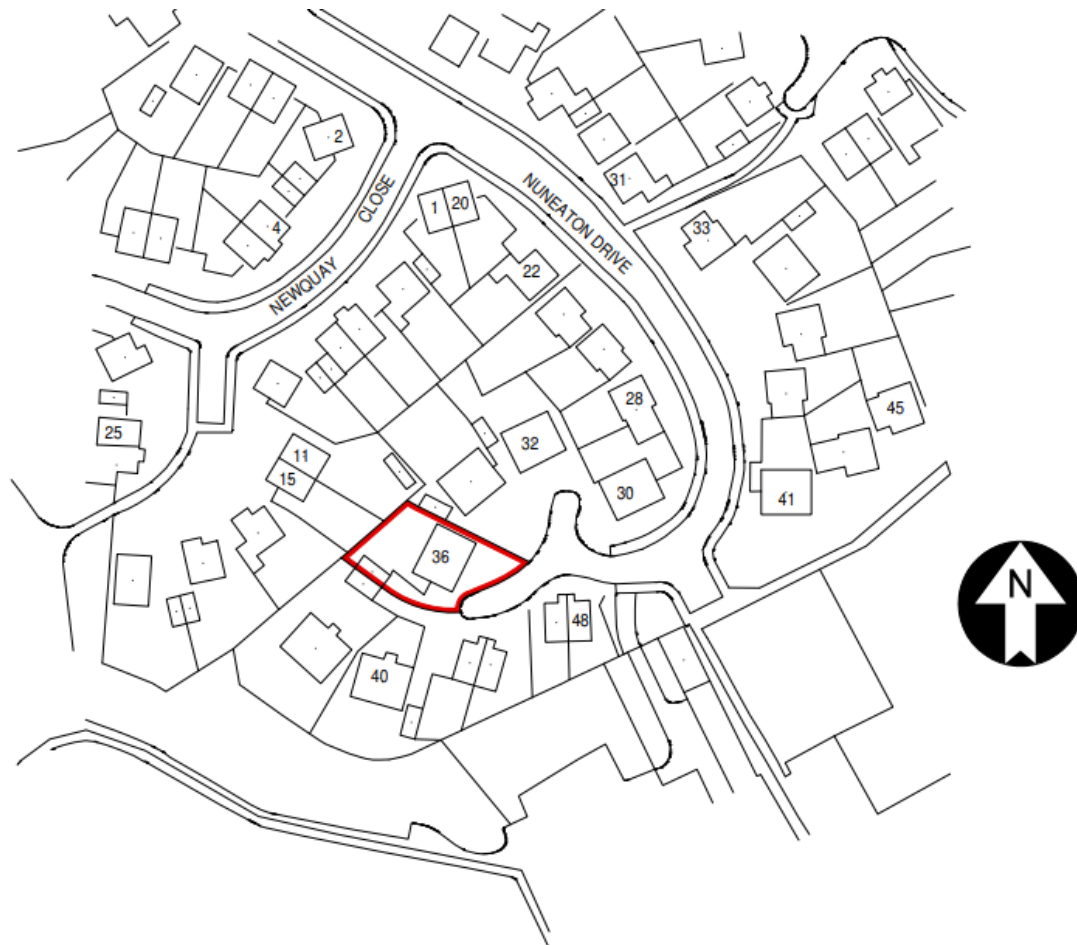
None

Case Officer: Victoria Noakes

Committee Date: 5th September 2024

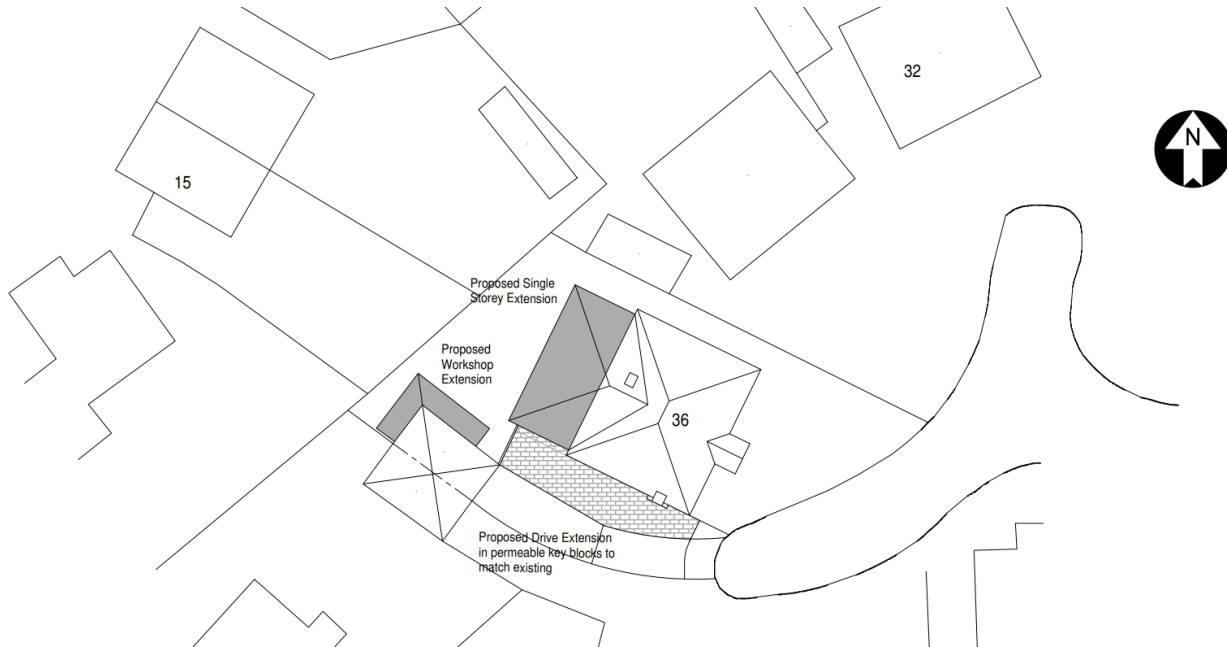
Appendices

Appendix 1 – Location Plan

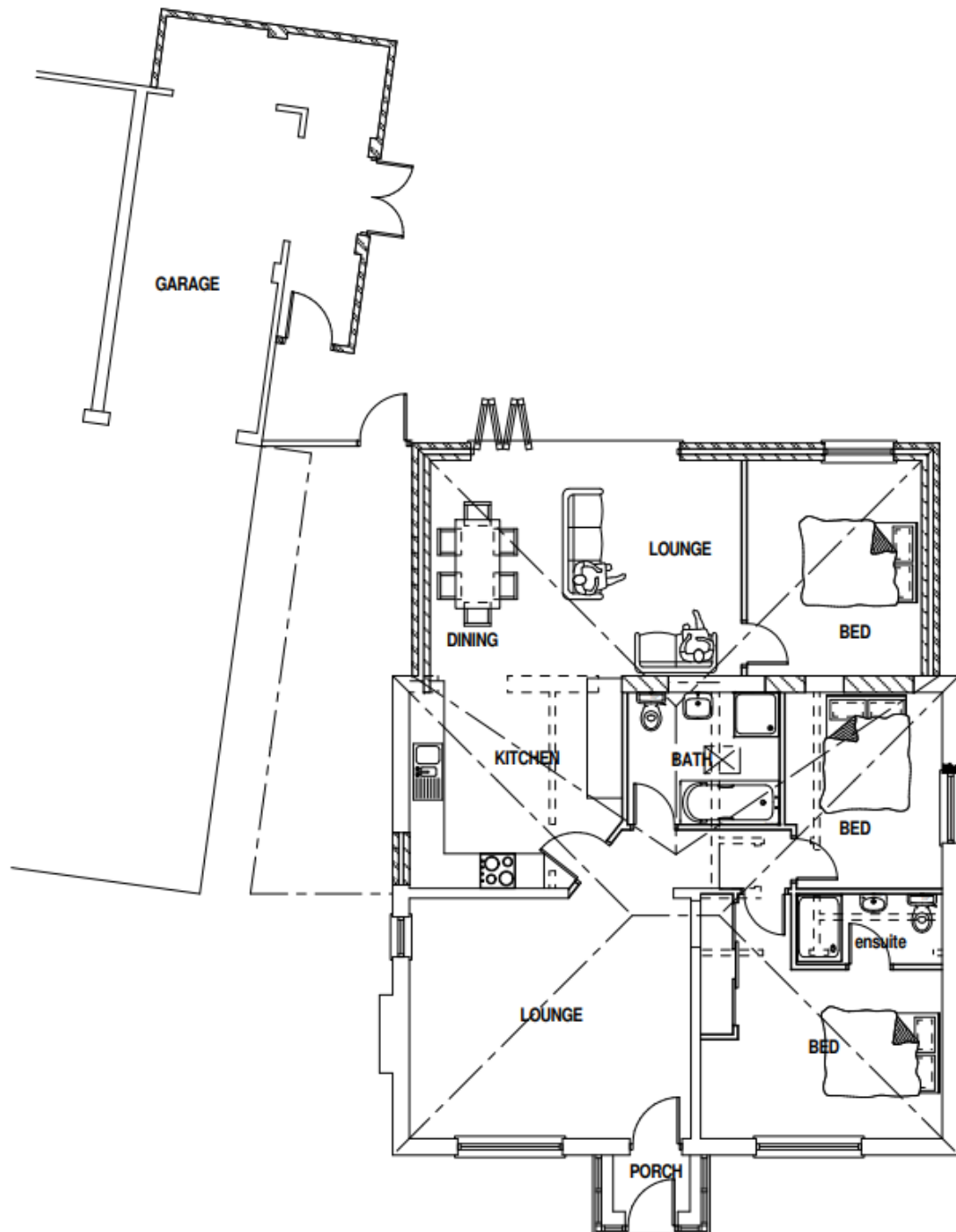


Location Plan (scale 1:1250@A4)

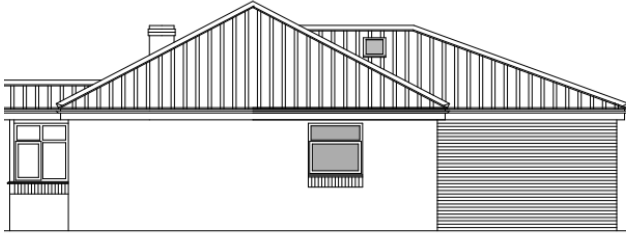
Appendix 2 – Proposed Site/Block Plan



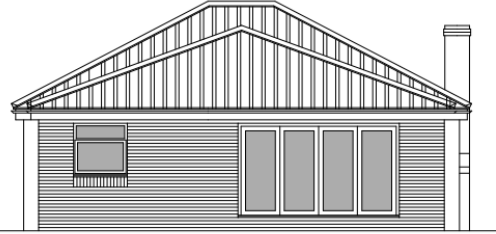
Appendix 3 – Proposed Ground Floorplan



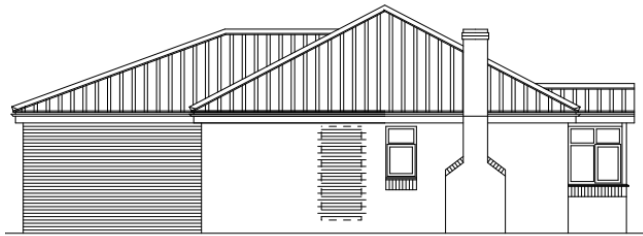
Appendix 4 – Proposed Elevations



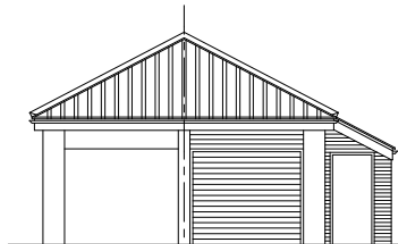
Proposed S.W. Elevation
(scale 1:100)



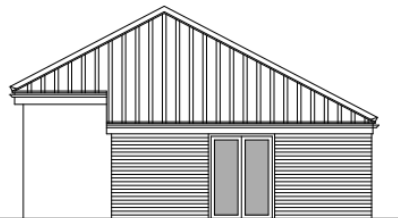
Existing N.W. Elevation
(scale 1:100)



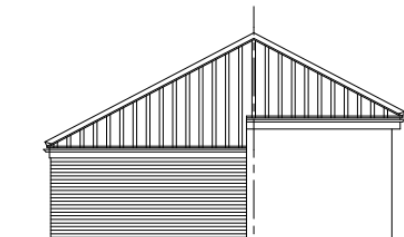
Proposed N.E. Elevation
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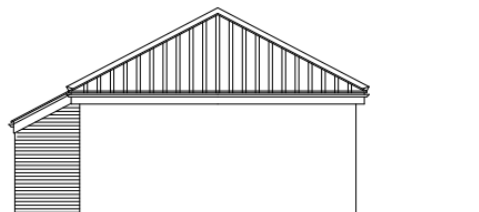
Proposed Garage S.E. Elevation
(scale 1:100)



Proposed Garage N.E. Elevation
(scale 1:100)



Proposed Garage N.W. Elevation
(scale 1:100)



Proposed Garage S.W. Elevation
(scale 1:100)