

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/03533/FPA
FULL APPLICATION DESCRIPTION:	Front canopy, two-storey side extension and single-storey rear extension (part retrospective).
NAME OF APPLICANT:	Mrs Victoria McKenna
ADDRESS:	7 Friars Row, Gilesgate, Durham, DH1 1HF
ELECTORAL DIVISION:	Neville's Cross
	Allan Fenwick
	Planning Officer
CASE OFFICER:	03000 261957
	allan.fenwick@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is a two-storey semi-detached property situated at the head of a cul-de-sac on a residential estate in Gilesgate. Residential properties border the property on all sides. The front of the site is mainly open planned with a small wall enclosing part of the garden in front of the bay window.

The Proposal

2. This application seeks partially retrospective consent for the erection of a front canopy/porch, two-storey side extension and single-storey rear extension.
3. Consent was originally granted under a 2015 permission for a similar scheme, however, an application was received earlier this year to amend the canopy proposed to the front elevation. During the course of that application, it was found that the works that had been undertaken were not fully in accordance with the approved scheme. On this basis, the applicant was advised to withdraw the application for the canopy and submit a further application to seek to regularise all of the works. The amendments to the original proposals and the canopy are therefore included in this current application.
4. The changes include:
 - A larger canopy/porch to the front
 - A deeper bay window to the front and a change in window design
 - The dormer window to the front elevation is smaller and roof light is omitted.
 - The dormer windows to the rear are smaller and four roof lights have been replaced with three in different locations.
 - Two windows to the rear elevation have been replaced with a window and patio doors

- The roof lights to the single-storey projection to the rear have been removed and the window and door fenestrations have been altered
 - The window/door design and positions have been altered on the south elevation.
 - The layout of the extension has been altered to allow a splay in the side elevation to continue as opposed to being stepped.
5. The application has been requested to be heard at committee by Councillor Bill Moir due to the scale and appearance and the possible effect on the local amenity of any additional building.

PLANNING HISTORY

6. DM/16/01998/FPA – Revision to front canopy. Withdrawn 13/9/2016.
7. DM/16/00414/FPA - Erection of detached garage to rear. Approved 26/4/2016.
8. DM/15/02917/FPA - Front Canopy, Two-storey side extension and single-storey rear extension. Approved 18/11/2015.

PLANNING POLICY

NATIONAL POLICY:

9. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
10. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
11. The following elements are considered relevant to this proposal;
12. NPPF Part 4 – Promoting Sustainable Transport. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
13. NPPF Part 7 – Requiring Good Design. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

City of Durham Local Plan

14. Policies Q1 and Q2 (General Principles Designing for People and Accessibility) states that the layout and design of all new development should take into account the requirements of all users.
15. Policy Q9 (Alterations and Extensions to Residential Properties) state that extensions will only be approved when they met a set of specific criteria for example, including impact on residential amenity of neighbours and impact on streetscene.
16. Policy T1 (General transport Policy) requires all development to protect highway safety and/or have no significant effect on the amenity of occupiers of neighbouring properties.
17. Policy T10 (Parking – General Provision) states that vehicles parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

RELEVANT EMERGING POLICY

The County Durham Plan

18. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. Highways – No highway objection is raised.

INTERNAL CONSULTEE RESPONSES:

20. None

PUBLIC RESPONSES:

21. The application has been advertised by way of a site notice and neighbouring residents were also notified individually of the proposed development. At the time of report preparation, no letters of representation have been received.

APPLICANTS/AGENTS STATEMENT:

22. With regards to the planning application for the above project which is part retrospective, the application submitted on 29th October 2016 is a revision of the proposals previously submitted and approved on 18.11.2015 for the erection of a front porch, alterations to the ground floor bay window, side & rear extension including dormer windows and detached garage (DM/15/02917/FPA).
23. The building work is now partially complete. The building is not built according to the approved plans; however the variations are minor in nature and should not therefore have a major impact on neighbouring properties or the street scene in general.

PLANNING CONSIDERATIONS AND ASSESSMENT

24. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the impact on the residential amenity of the neighbouring properties and the impact on the visual amenity of the area as well as any highway safety issues.

Impact on residential amenity

25. The proposal is considered to have an acceptable impact upon the amenities of the adjoining neighbouring property 8, Friars Row situated to the north of the application site given the majority of the proposal being located to the other side elevation. The bay window to the front elevation which is the closest element to the common boundary has a limited projection, therefore, is not considered to impact negatively on this neighbour. The porch element and the part of the extension located beyond the rear elevation of the dwelling are sited some 4.5m and 7.5m respectively from the common boundary, therefore, the proposal is not considered to cause any significant loss of light or overshadowing. Overlooking issues are also not considered to occur given these distances and the existing boundary treatment in place.
26. Similarly, it is considered the proposals will have an acceptable impact upon the amenities of the adjoining neighbouring property 6, Friars Row situated to the south of the application site given the orientation of the extension and the neighbour being located at right angles on the return frontage as well as an existing detached building being located between the proposal and the neighbour.
27. The application is therefore considered an appropriate addition in relation to policy Q9 of the Local Plan with regards to impact upon amenity of adjoining neighbours.

Impact on the visual amenity of the area

28. Generally, the alterations to the property which include a front canopy/porch, ground floor front bay window, side and rear extensions and dormer window may all be accommodated where there is no loss of direct daylight, outlook, privacy, space and sunlight to neighbouring properties bounding the application site.
29. The City of Durham Local Plan: Quality of Development: Policy Q9: Alterations and Extensions suggest all residential extensions and alterations shall be sympathetic and subordinate to the host dwelling.

30. The front canopy/porch and ground floor front bay window were both previously approved under the 2015 consent and are both considered to relate well to the host dwelling. They have both been extended in size slightly however the canopy/porch has been designed in such a way so as to incorporate a pitched roof and the bay window will use glazing similar to the host dwelling. The front garden is of an adequate depth whereby such features as are hereby proposed will have an acceptable impact upon the visual amenity of the immediate street scene and the wider setting. The material used for the framing is timber which is currently untreated and it is felt that this should be stained to be darker in appearance allowing it to blend in more with the surroundings. This will be dealt with via a condition of any permission to be granted.
31. The principle of the side and rear extensions with dormer windows again have previously been agreed under the 2015 consent and the extension has been designed in such a way as to be set back from the established building line of the original host dwelling by approximately 2m and line through with the existing ridgeline of the original pitched roof. This will ensure the side extension will have a reduced dominance in relation to the host dwelling. In respect of the change to the layout, a stepped element was originally proposed before a splayed building line however, the stepped element has been removed and the splayed element extended. This is considered to be of an appropriate scale and style in relation to the host property and is not considered to be dominant in the streetscene given it is mainly hidden from public views given its corner location and the position of the extension.
32. In respect of the changes to the window fenestrations in terms of the numbers and design/styles, these are considered minor alterations which are in keeping with the host property and are not considered to have a significant detrimental impact on the host property or the streetscene.
33. The proposed dormer windows are of a similar design and scale to the existing dormer windows and given this, it is not considered that these would result in a significant detrimental impact on the host property or the streetscene.
34. To summarise, it is considered the proposals will incorporate design features of the original host dwelling and will respect the character and appearance of the host dwelling by reason of its scale, form, design and use of materials and in turn the streetscene in which the property is located.
35. As a result, it is considered the proposals are in keeping with the appearance, character, design and scale of the existing property and will not have a detrimental impact upon the amenities of the surrounding area or the wider setting. It is therefore considered the proposed development is acceptable and accords with saved Policies Q1, Q2 and Q9 of the City of Durham Local Plan.

Highway Safety

36. Policy T10 of the current Local Plan requires new development to comply with the parking standards of Durham County Council in its capacity as Highway Authority.
37. The existing detached garage sited within the side garden of the application site was approved under application reference DM/16/00414/FPA and has been constructed in accordance with those approved plans. Due to this, the proposed development will include a block paved driveway capable of comfortably accommodating 3no parked cars within the curtilage of the application site.

38. No objection has been raised from the highways team in respect of this application as suitable off-street parking is considered to remain as part of the proposal. The proposal, therefore, is considered acceptable in terms of policy T1 and T10 of the City of Durham Local Plan.

CONCLUSION

39. The changes to the previously approved scheme are relatively minor and are considered acceptable in principle, being considered to be in keeping within the existing property and the streetscene in which it is sited. There are not considered to be any significant adverse impacts on the amenities of adjacent residents. In addition to this, highway safety is not considered to be compromised.

40. As such, it is considered that the proposed development would be in accordance with saved policies Q1, Q2, Q9, T1 and T10 of the City of Durham Local Plan and parts 4 and 7 of the NPPF.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby approved shall be carried out in strict accordance with the following approved documents.

Drawing Number 01a Existing Floor Plans received 7 November 2016
Drawing Number 01b Existing Elevations received 7 November 2016
Drawing Number 02a Proposed Floor Plans received 7 November 2016
Drawing Number 02b Proposed Elevations received 7 November 2016
Drawing Number 03 Site Location received 7 November 2016
Drawing Number 04 Roof Plan received 7 November 2016

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved Policies Q1, Q2, Q9, T1 and T10 of the City of Durham Local Plan.

2. Notwithstanding the details shown on the submitted application and prior to any further works being carried out, details of the render (including colour and texture) as well as details of a stain to be applied to the front porch should be submitted to and approved in writing by the local authority. The remainder of the development shall then be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policy Q9 of the City of Durham District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation

City of Durham Local Plan 2004

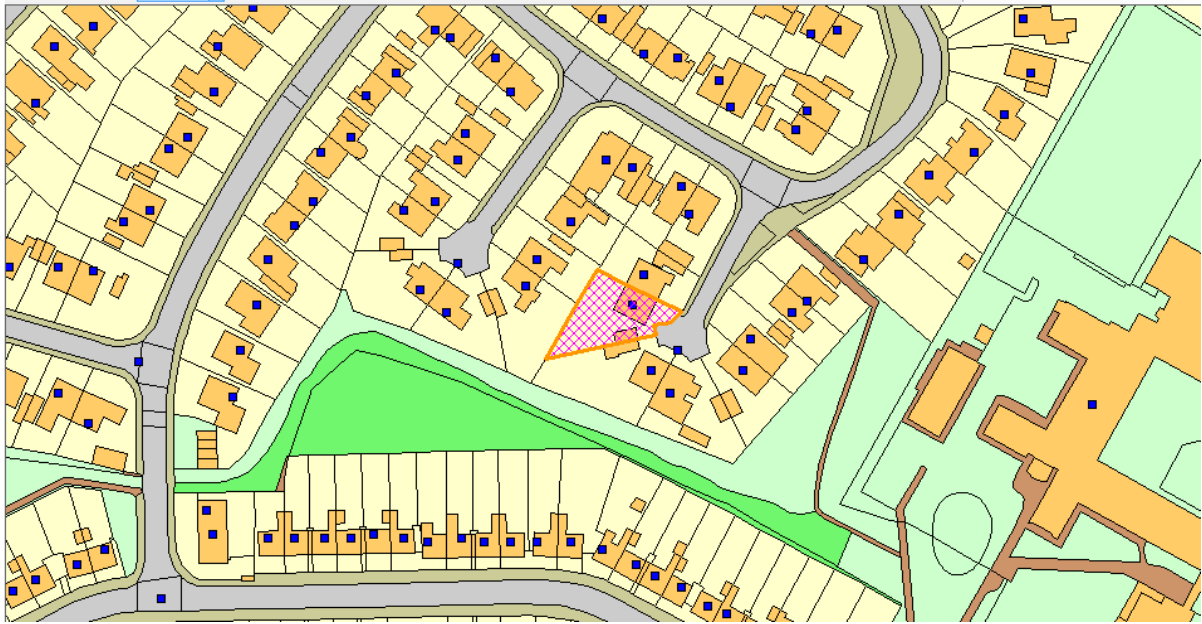
National Planning Policy Framework

Internal consultee responses

Public responses

Responses from statutory and other consultees

National Planning Policy Guidance



Planning Services

Front Canopy, Two-Storey Side Extension and Single-Storey Rear Extension (Part Retrospective) at 7 Friars Row, Gilesgate, Durham, DH1 1HF
Application Reference: DM/16/03533/FPA

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