

PLANNING COMMITTEE

Thursday 12th June 2008

This application is reported to Members because there have been more than 10 objections received in respect of the proposals.

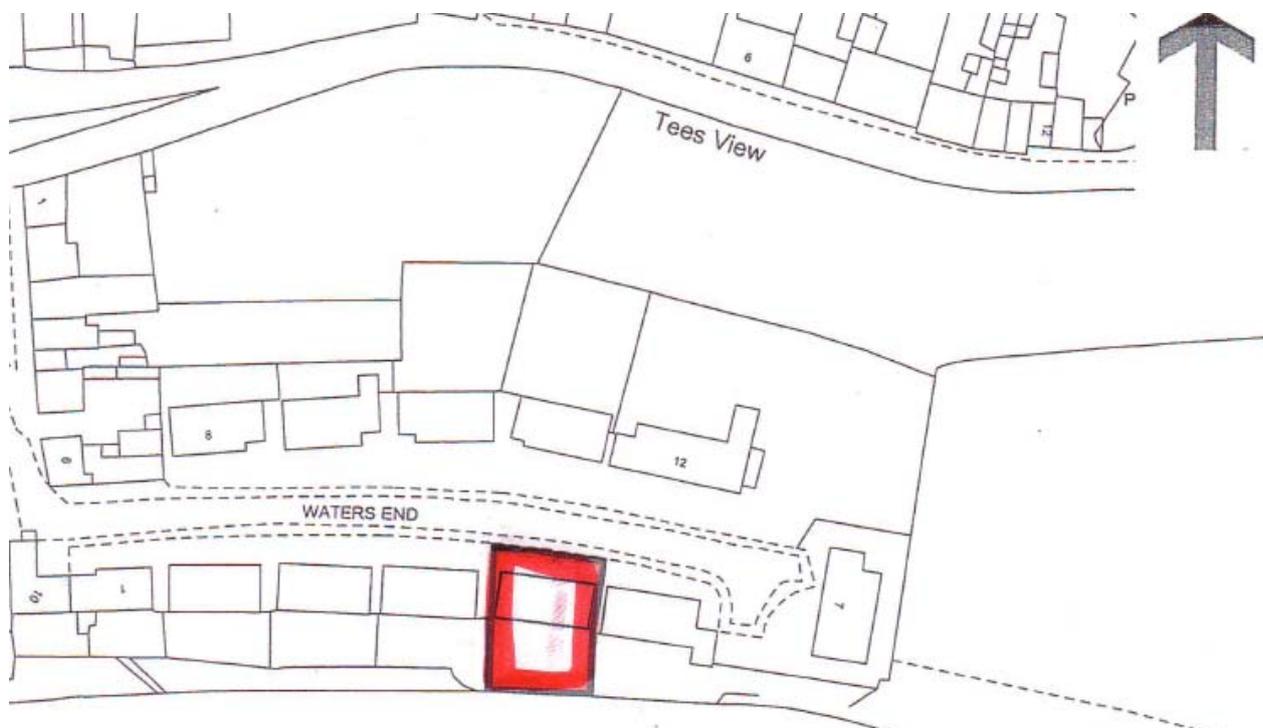
Case Officer - Mr Charlie Colling

Gainford - 6/2008/0180/DM

Members will recall that this application was deferred pending at site visit at the Planning Committee meeting on the 12th June 2008. The officer's recommendation remains the same and members should now be in a position to determine the application.

Extensions to provide porch and conservatory and conversion of garage to create additional bedroom (part retrospective) at 5 Waters End, Gainford for Mr Paul Rutter (28 April 2008).

THE SITE:



The property is a detached bungalow situated on the Northern Bank of the River Tees. The bungalow is in a cul-de-sac of modern circa 1970 properties. Two of the other properties with a rear elevation facing onto the River Tees have erected similar types of conservatory extension, although these are smaller than that proposed and have been erected under permitted development. To the southern side of the river bank there are agricultural fields.

THE PROPOSAL:

Planning permission is sought for the erection of a rear extension, a front porch and for the erection of a pitched roof above the existing attached garage and wc/store, which would be converted to an additional bedroom and bathroom. An area of raised decking was shown on the plans submitted with the application, however the applicant has now confirmed that this will be omitted from the scheme.

PLANNING HISTORY:

There is no planning history for this site.

PLANNING POLICY:

GD1 General Development Criteria

H11 Extensions and alterations to existing dwellings.

BENV4 Development within and/or adjoining a conservation area

ENV3 Area of High Landscape Value

REPRESENTATIONS:

Statutory and Internal Consultants:

Gainford Parish Council – Recommend approval of the application.

Public Responses:

Adjacent properties 4 and 6 Water's End have been consulted and a site notice posted. Fourteen letters of objection have been received along with a single letter from Chris Padgett: Architect, who is acting on behalf of two of the objectors. Concerns in summary are:

- The garages has been converted to living accommodation, where will cars now park?
- The property will be used as holiday accommodation, creating concerns over parking, disturbance and safety regulations.
- It is totally out of keeping with the area and seriously impacts upon the appearance of the area and the value of other properties.
- Potential slippage and subsidence
- The building work has frequently obstructed the footpath to the fronts of the bungalows during construction.
- The building is far too dominant and out of proportion.
- The decking area will overlook neighbouring properties.
- Commercial use of the houses in Waters End is not permitted under the restrictions of original title.
- The neighbours view from their houses will be affected.

- This development will undoubtedly open up a new vista and magnet for the curious and ill-mentioned members of public.
- The type and design of these plans appears particularly out of place in a recognised conservation area.
- The plans do not convey the levels of the land to the rear
- The extension and decking is aggressive and overwhelming in this location
- Loss of privacy and degradation of the quality of life for the neighbouring occupiers.
- The Plans do not clearly identify the ground levels on site.

PLANNING CONSIDERATIONS:

Planning permission is sought for the erection of a rear extension, front porch and a pitched roof with some alterations to the existing attached garage in order to accommodate the conversion of this to living accommodation. The property is a detached bungalow situated with the rear elevation overlooking the River Tees. The land slopes away steeply to the rear and the land is terraced from the bungalow down to the river.

This application is part retrospective as the pitched roof above and alterations to the external walls of the garage have largely been completed and the steel frame work for the proposed rear extension has been erected.

The plans submitted with the application show an area of raised decking, however this has now been completely omitted from the scheme, via an email received by the applicant 3/6/08.

The property originally had an attached flat roofed garage with wc/store to the side of the property. As part of these proposals a pitched roof would be added to this and the external wall to the rear of the garage replaced and moved in line with the rear of the building. The external single skin walls of the garage would also be altered to cavity walls, consisting of additional blockwork to the outside of the garage which would be rendered to match the existing property.

The proposed pitched roof would improve the appearance of the property, and would be constructed in materials to match those existing. As the garage is existing and the proposed works would involve only increasing the width of it by a further 0.16m (approx) along with the addition of a pitched roof, this part of the proposals is considered to be acceptable and would accord with Local Plan Policy H11.

A small porch is proposed to the front of the property, this would have a footprint of 2.2m x 1.3m and would again be constructed with a pitched roof and materials to match the existing property. This aspect of the proposals is considered fairly minor and would not have any negative impact upon the appearance of the dwelling or neighbouring amenities in accordance with Local Plan Policy.

To the rear of the property it is proposed to erect an extension, which would project out for 4m with a width of 5.2m. The extension would be largely glazed, with a conservatory type appearance to the side and front elevations. The roof would however be a solid pitched roof, covered with tiles to match the existing property. The land falls away steeply to the rear of this property towards the river. As such the extensions would require steel supports, which the applicant has indicated would be covered with timber cladding and then trellis with the intention of growing plants in front, to aid with

screening. The floor level of the extension would be the same as that inside of the existing dwelling.

The proposed extension would be sited approximately 3m away from the neighbouring property to the west and approximately 11.5m from the nearest property to the east. Both side elevations of the extension would be largely glazed. In order to ensure the amenity of the neighbouring properties are protected in terms of overlooking, it is suggested that if Members are minded to approve the application then a condition be attached requiring the elevation of the conservatory running adjacent to the closest property, 4 Waters End to the west, is fitted with obscure glazing.

The visual impact of the proposed extension is accentuated as a result of its elevated position, however the extension would have a pitched roof and be constructed in materials sympathetic to the existing dwelling. The bungalows within this cul-de-sac are of no particular merit in terms of their appearance or their contribution to the conservation area. It is considered that the proposed extension would not adversely affect the character or appearance of the property.

It is common practice to assess the amenity impact of such an extension by taking a 45 degree line, from the central point of the neighbouring properties nearest principal window and across the common boundary. If the extension would break this line at any point then it is likely to be considered unacceptable. In this instance the extension would easily accord with this assessment and would not contravene such a line from properties to either the east or west. It is appreciated that the extension would be in an elevated position, however in terms of outlook from the neighbouring properties' windows which predominantly overlook the Tees, the extension is considered to be acceptable.

The extension to the rear would not be clearly visible from within the Gainford conservation area, and would only be seen from the rear of adjacent properties, 'backing' onto the river Tees. There are no properties on the south side of the river opposite this dwelling, with this area consisting of agricultural fields, with a public right of way a considerable distance to the north around a bend in the river. As such it is considered that there would be no detrimental impact upon the character or appearance of the conservation area in accordance with Local Plan Policy BENV4.

A number of objections have been received in respect of this application which relate to the property being used for holiday accommodation, and raising question as to the acceptability of this use. It should therefore be made clear that to let this property out as holiday accommodation, does not require a change of use and comments in respect of this cannot be considered as material planning considerations.

Similarly the actual conversion of the garage would not require planning permission. It is the pitched roof and alterations to the external walls which require planning permission. Therefore those comments made in respect of parking issues cannot be taken into consideration, as the applicant could have converted the garage without planning permission.

The types of people who may stay in this property, the effect upon house value and views from neighbouring dwellings are again not material planning considerations.

Some of the objections do however raise concerns regarding the impact of the proposals in terms of amenity and these have been assessed within the report. It is your officer's view that the extension in this respect is acceptable and the impact upon

amenity would not be of such a degree to warrant refusal of the application. Some objections made reference specifically to the proposed decking, however as mentioned earlier in the report, this has now been omitted from the scheme.

Some comments have also been made in respect of the plans not taking into account the site levels. This was a valid point and an additional plan was requested from the applicant to show the development in relation to the levels on site, which was received on the 27th May 2008.

Chris Padgett, architect, has written a substantial three page letter of objection on behalf of the occupiers of 4 and 6 Water's End. Given the detail and specific nature of some of the comments it is not possible to include all of this within the report. However the key issues can be addressed as follows

- Decking – The decking has now been completely omitted from the proposals.
- Levels - The applicant has now provided plans to show the levels of the site in relation to the rear extension, and has also provided details of the screening of the void space beneath.
- Impact - Comments made in respect of the impact of the proposals in respect of the conservation area, amenities of the neighbouring occupiers, parking and scale of the development have already been addressed within the report.
- Subsidence/structural problems - Concerns relating specifically to subsidence and the nature of the structure would be assessed through the applicant obtaining building regulations approval for the development.

In summary the proposed extension is considered to be an acceptable form of development, without any significant impact upon the amenity of the neighbouring occupiers or the conservation area. It is appreciated that the appearance of the extension is emphasised due to its elevated position as a result of the difference in ground levels. However it is not considered that this is of such a degree which would warrant refusal of the application.

Plans No.'s

SL1 – Site Location Plan (rec 23/4/08)

0800- 1 Existing and Proposed Floor Plans and Elevations (rec 23/4/08)

0800- 3 Elevation Plan to Show Site Levels (rec 27/5/08)

RECOMMENDED: That Full Planning Permission be granted

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

To ensure that the development is carried out in accordance with the approved plans.

3. The materials used in the construction of the external surfaces of the extension hereby approved shall closely match in colour, texture and appearance those of the existing building of which the extension will form part.

To protect the visual amenity of the surroundings and the character of the building in accordance with Policies GD1 of the Teesdale District Local Plan 2002.

4. This permission relates to the application as amended by plans received 27th May 2008 showing the extension in relation to the site levels, and the email received 3rd June 2008 confirming that the decking as shown on the plans submitted for this application shall be omitted from the scheme and therefore would not form part of this decision.

In order to define the consent.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the glass to be used in the boundary elevation of the conservatory adjacent to 4 Water's End shall be obscure to level 3 or higher of the Pilkington scale of privacy or equivalent as may be previously agreed in writing by the Local Planning Authority. The obscure glass shall remain in place unless the further written permission of the Local Planning Authority has been received for its removal or replacement.

In the interests of protecting the residential amenity of the adjacent property in accordance with Policies GD1 and H11 of the Local Plan.