

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	4/11/00897/FPA
FULL APPLICATION DESCRIPTION:	Proposed demolition of existing single storey flat roof area to rear and erection of single storey pitched roof extension to rear of existing dwelling
NAME OF APPLICANT:	Mr J Orr
ADDRESS:	165 Gilesgate, Durham
ELECTORAL DIVISION:	Gilesgate
CASE OFFICER:	Stephen Potter Assistant Planning Officer spotter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site lies to the southern side of Gilesgate Bank, a predominately residential area of terraced streets forming part of the principal approach into the city from the east and is within the Durham City Centre Conservation Area.

The Proposal

2. The application proposes the demolition of existing single storey flat roof extensions to the rear elevation and the erection of a single storey pitched roof extension to the rear elevation of the dwelling, a proposed projection of 3.8 metres a width of 6.2 metres and a height of 3.95 metres incorporating a pitched roof profile.

PLANNING HISTORY

3. No relevant history for the application site.

PLANNING POLICY

NATIONAL POLICY

4. In July 2011 The government published the National Planning Policy Framework in its draft form. The draft framework is based on the policy of sustainable development and establishes a presumption in favor of sustainable development. The presumption means that where local plans are not up-to-date, or not a clear basis for decisions, development should be allowed. However, the development should not be allowed if it would undermine the key principals for sustainability in the framework. Being in draft format and a consultation document it is subject to potential amendment. It can be a

matter for the decision maker in each particular case. The Current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

PPS1 Delivering Sustainable Development

5. PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997.

REGIONAL PLANNING POLICY

6. *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS)* was published in mid-July 2008 in its finalised format and forms part of the Development Plan. The RSS has a vision to ensure that the North East will be a Region where present and future generations have a high quality of life. Central to the RSS is a key principle of delivering sustainable communities. Of particular relevance are the following
7. In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when the forthcoming Local Government Bill becomes law. Both the RSS and the stated intention to abolish are material planning considerations and it is a matter for each Planning Authority to decide how much weight can be attached to this stated intention, having regard to the evidence base which informs the RSS. Policies of particular relevance to this application are as follows:
8. *Policy 8 Protecting and Enhancing the Environment* - seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.
9. *Policy 32 - Historic Environment:*
Seeks to preserve and enhance the historic environment

LOCAL PLAN POLICY: (City of Durham Local plan 2004)

10. *Policy E6 – Durham City Conservation Area* – Sets out the Council's aim to preserve the special character, appearance and setting of the Durham City Conservation Area by ensuring a high quality design
11. *Policy E21- Protection of the Historic Environment* – requires development proposals to minimize adverse impacts on significant features of historic interest.
12. *Policy Q9 – Alterations and Extensions.* – Sets out that extensions to residential properties will be permitted where the design, scale and materials are sympathetic to the character and appearance of the area, respects the character of the area and amenity of adjoining occupiers and properties.
13. *Policy T1 – General Transport Policy* – Requires all developments to protect highway safety and/or have significant affect on the amenity of occupiers of neighbouring properties

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

14. None

INTERNAL CONSULTEE RESPONSES:

15. *Design & Historic Environment* considered that the proposed extension would not have any detrimental affect upon the character or appearance of the building or the surrounding Conservation Area.

PUBLIC RESPONSES:

16. None

APPLICANTS STATEMENT:

17. The applicant considers that the proposed extension would be consistent with other extensions to properties in the area and that the scale of the proposal would nor appear our of keeping within its surroundings and would not detract from the appearance of the property and surrounding properties.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

18. 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 principle of development, layout and design, impact upon its surroundings, landscape and ecology, and highway safety and the loss of playing fields
19. National Planning Policy Statement 1 promotes high quality design and development that is sympathetic to its surroundings, this is reinforced in Planning Policy Statement 5 which seeks to preserve and enhance heritage assets. This approach is replicated in policies 8 and 32 of the Regional Spatial Strategy of the North East of England which requires that all developments are sympathetic to its surroundings while seeking to preserve and enhance conservation areas.
20. Polices E6 and E22 of the City of Durham Local Plan also seek to preserve the setting, appearance and character of conservation areas, particularly Durham City Centre. Policy Q9 also identifies that extensions to residential properties will not considered acceptable where they have an adverse effect on the character of the surrounding area and main dwelling.

21. Impact upon Visual Amenity and the Character and Appearance of the Area
22. The proposed extension would be positioned on the rear of the property and therefore screened from many public vantage points and would incorporate a pitched profile roof. The application would see the demolition of 2no. single storey flat roof extensions to the existing rear elevation and due to the modest scale of the proposed extension would appear subservient in relation to the host dwelling.
23. Design & Historic Environment have assessed the development and considered that the proposed extension would not have any detrimental affect upon the character or appearance of the building or the surrounding Conservation Area.
24. The design of the extension is considered acceptable with no harm caused to the character or appearance of the host property or local area.
25. Impact upon Residential Amenity
26. The proposed extension would project from the rear of the existing dwelling by 3.8 metres and would be set in from the shared boundary with 164 Gilesgate by 1 metre. The rear elevation of No. 164 houses a two storey pitched roof extension, the side elevation of which contains a ground floor access door, no windows are present in the side elevation. The original rear elevation of No. 164 contains windows to habitable rooms, a clear glazed window is proposed in the flanking elevation however a high level of screening is provided by a 2 metre high close boarded fence located on the shared boundary therefore no privacy concerns are raised.
27. To the west of the application site is the adjoining property of No.166 Gilesgate. No windows are proposed to the west elevation of the extension and given the presence of an existing 2.5 metre high boundary wall no concerns with regards to the creation of an overbearing impact or a loss of light or privacy for the adjacent occupiers.
28. No properties are situated to the rear of the application site with the property benefitting from a substantial rear garden space.
29. No letters of objection have been received in response the Councils consultation exercise. The proposed extension is not considered to cause any harm to the residential amenity of neighbouring occupiers in accordance with policy Q9 of the Local Plan.

Highway Safety

30. The existing dwelling does not benefit from in-curtilage parking; current parking arrangements consist of on street parking to the front of the property. Policy Q9 of the Local Plan states that additional parking provision may be required where there is an increase in bedroom accommodation. The proposed extension would not provide additional bedroom accommodation and as a result no harm to highway safety considered to occur in accordance with policies Q9 and T1 of the Local Plan.

CONCLUSION

31. The proposal is considered to accord with relevant development plan policies. The design of the extension is considered acceptable with no harm caused to the character or appearance of the host property or local area. The proposed extension is not considered to cause any harm to the residential amenity of neighbouring occupiers with

no objections raised with regards to other material planning considerations and approval is therefore recommended.

RECOMMENDATION

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

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

Reason: 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 approved shall be carried out in strict accordance with the following approved plans and details Plans and elevations as received 31st October 2011

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies Q9 and T1 of the City of Durham Local Plan 2004.

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved

Reason: In the interests of the appearance of the area and to comply with Policy Q9 of the City of Durham Local Plan 2004.

REASONS FOR THE RECOMMENDATION

1. The proposed development is considered to be an acceptable development in principle with no harm caused to the character or appearance of the area, the amenities of neighbouring occupiers or upon highway safety in accordance with Policies Q9, E6, E21, E22, and T1 of the City of Durham Local Plan 2004.

This decision has been taken having regard to the policies and proposals of the North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008 and the City of Durham Local Plan 2004 which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004.

In particular the development was considered to cause no harm to the character or appearance of the Conservation Area or upon the residential amenity of neighbouring occupiers

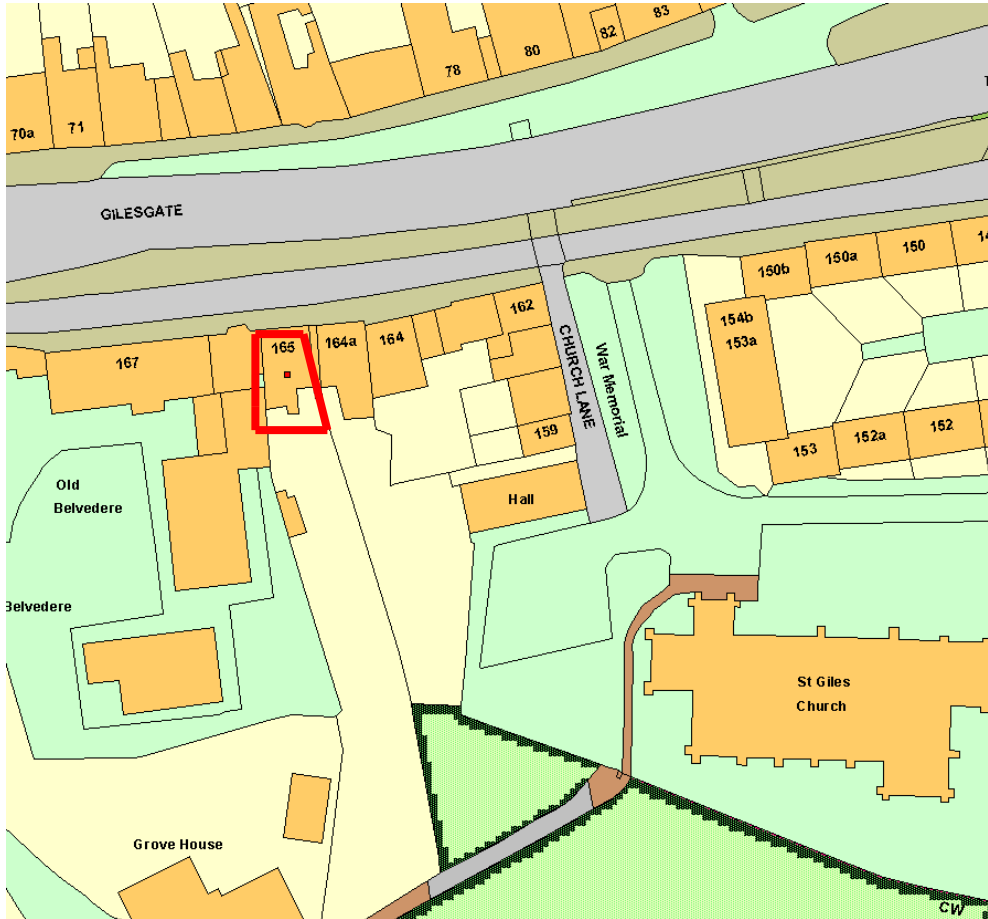
BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents

Planning Policy Statements PPS1 and PPS5

North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008

City of Durham Local Plan
Response from Design & Historic Environment



Planning Services

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Comments

165 Gilesgate
Durham
DH1 1QH

Date 10th January 2011

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