

Residential Amenity Standards
Supplementary Planning Document
January 2023



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Background

1.1 This Supplementary Planning Document (SPD) promotes high quality amenity and design standards. High quality design is important in all communities within the County. It is not solely a visual concern; it has important economic, social and environmental consequences too. Good design helps people feel positive about places and take pride in their communities. It can help attract interest and investment to an area, which is important for the continued development of an area as a place where people want to live, work and invest. The guidance provided in this document deals with householder development - for example rear extensions, roof alterations, garages and driveways, and walls and fences - and provides guidance in relation to privacy/separation distances for residential development, along with garden specifications.

1.2 This document replaces the previous version of the Residential Amenity Supplementary Planning Document (January 2020). The SPD builds upon policies set down in the County Durham Plan and will form a material consideration for determining planning applications. The SPD is primarily linked to Policy 29 (Sustainable Design) of the CDP. This policy sets down a range of general design and amenity requirements that are applicable to all development proposals. This SPD should be read alongside the Plan, along with further supplementary guidance as appropriate, and other key design guidance, for example the National Design Guide/Code, Manual for Streets and Secured by Design. The SPD was adopted 16 January 2023.

Purpose of this document

1.3 This SPD has been produced to provide guidance for all residential development across County Durham and will form a material planning consideration in the determination of appropriate planning applications. It sets out the standards Durham County Council will require in order to achieve the Council's commitment to ensure new development enhances and complements existing areas, in line with the aims of the County Durham Plan.

1.4 This document will provide specific guidance for anyone undertaking works within the confines of their **residential property**, in relation to the following areas:

- Single Storey Rear Extensions (including Conservatories, Sunrooms and Orangeries)
- Two Storey Rear Extensions
- Forward Extensions (including Porches)
- Side Extensions
- Dormer Windows and Extensions into Roof Space
- Hip to Gable Extensions
- Roof Windows and Openings
- Garages and Outbuildings (including Conversions)
- Driveways and Hardstandings
- Fences and Walls
- Decking and Balconies
- Materials
- Minimum separation rules that provide amenity and privacy
- Gardens and leftover spaces

1.5 The SPD should be read alongside related documents, including for example the Building for Life SPD, the County Durham Design Code SPD, Highway Design Guide and the Parking and Accessibility SPD, as well as any locally-specific guidance documentation such as Conservation Area Appraisals and Management Plans. You should contact the County Council to confirm specific requirements for your development proposal.

General Amenity and Design Principles

2.1 Most properties have 'permitted development' rights. These rights are set out within the General Permitted Development Order 2015 (as amended) which allow for certain extensions and alterations to a dwelling, or ancillary outbuildings and structures within the curtilage of a dwelling, without the need to apply for planning permission. These will depend on the type of house, its location and the type of development proposed.

2.2 However, not all properties have permitted development rights¹. For example, in certain areas Article 4 Directions are in place, which remove certain permitted development rights (i.e. in some conservation areas to protect original features). Also, within some new build developments permitted development rights may be removed as part of the grant of planning permission. It is therefore important that prior to undertaking any works advice is sought from the Development Management team to ensure that planning consent is not required for the proposed works.

2.3 Whether planning permission is required or not, there are certain basic principles which ensure that your development and investment have a positive impact on your property and the character and appearance of the area. These are:

- a) Consistent design, so that window styles and proportions and architectural details match the existing property. The inclusion of similar design features, (such as bay windows), is encouraged where appropriate. The extension should not look out of place within the site, or in the street, and should enhance, and not detract, from the character of the area.
- b) The roof design of any extension is an important, and often the most notable, feature. Where the extension is more than one storey, or, above an existing single storey extension, the roof should normally be of a matching design and pitch to the existing host dwelling, unless an alternative roof design is already a prevalent feature which now forms part of the character of the area. Flat roof and contemporary single storey extensions to the rear may be acceptable where they do not have a detrimental impact on the character and appearance of the streetscene.
- c) Consistent materials which ensure that the same type of brick or roof covering are used across the new development. In addition, brick features, such as brick banding or brick soldier courses above windows, should be consistent.
- d) Subservience whereby all new development should be of a scale that is appropriate to the existing building and does not have an overbearing appearance or nature. Development which would dominate the street scene is likely to be resisted. Oversized extensions can completely change the character of an area and should be avoided. Extensions should be designed to ensure harmony with the original building.
- e) Consideration and regard to neighbouring properties should be ensured, so that neighbouring windows do not become dominated by any extensions and their daylight is not excessively obstructed.
- f) Ensuring that all parts of the extension/development, including gutters, and all other rainwater goods, fascia boards, drains and foundations, are within your boundary unless you have agreement with your neighbour to do otherwise. Please bear in mind that boundary disputes of this nature are civil matters that the Council cannot get involved in.

¹ <https://www.planningportal.co.uk/permission/responsibilities/planning-permission/permitted-development-rights>

- g) Consider access arrangements for workmen, machinery and materials to enable the works to be constructed and maintained from your own land. Creation of extensions with elements that are only accessible from neighbouring properties should be avoided, as permission may not always be given for use of their land.
- h) Extensions at the front of houses are generally unacceptable in principle as they can assume an extremely conspicuous and inappropriate appearance, however, a limited form of well-designed extension may be acceptable in certain circumstances.
- i) Corner plots occupying sensitive locations within street scenes will require careful attention to design, in order to preserve building lines, appropriate areas of open space, and, include a level of detailing to avoid blank and featureless facades.
- j) Privacy is an important principle and is of particular note in relation to first floor extensions, which may overlook habitable windows in a neighbouring property.
- k) Borrowing; when designing your extension do not assume that you can benefit from, or otherwise 'take', aspect or light from across another person's property or land. They may for example subsequently decide to construct a building or fence, which does not need planning permission and would prejudice the new window/s. It is therefore recommended that your extension ensures that the primary habitable room windows face over your own land and only secondary windows or those serving non-habitable rooms face another person's land (w.c. or hall windows for instance). Habitable rooms are those which the resident can expect to enjoy for their normal day-to-day activities. This would include any room used or intended to be used for sleeping, cooking, living or eating purposes. This excludes such enclosed spaces as pantries, bath or toilet facilities, service rooms, corridors, laundries, hallways, utility rooms or similar spaces.
- l) Amenity space; new residential developments shall be provided with sufficient amenity space commensurate to the size of the host dwelling and/or the character of the area to allow adequate outdoor amenity space for the enjoyment of future occupiers.



Please note drawings are used for illustrative purposes only. They identify good (green) and bad (red) examples of householder development. They are not to scale and do not imply that planning permission will be granted as there may be exceptions depending upon the local context (for example in relation to dormer windows).

2.4 In summary, development should not negatively affect neighbouring properties and should complement the main house.

2.5 The following guidelines are supportive of imaginative architecture and innovative design. They will be applied taking into account the characteristics of the surrounding street scene and any designated or non-designated heritage assets such as Conservation areas and Listed Buildings.

45 Degree Code

2.6 Sunlight and daylight are important factors in securing a good quality living environment. In order to minimise the potential for overshadowing to neighbouring properties, and to help determine whether a more detailed daylight and sunlight assessment is needed, the Council operate what is known as a '45-degree code'.

2.7 The code is applied by drawing a notional line at 45-degrees from the mid-point of the window serving the nearest habitable room on any of the adjoining owner's property and a line 45-degrees above the horizontal from the mid-point of the window. If any of these lines cut through any part of the proposed development this is a clear indication the extension may result in a detrimental impact on the neighbouring property. The extent of the impact will however depend upon a number of factors including the orientation of the property, distance between the window and the proposed extension, existing features such as boundary walls, outbuildings and other solid structures, ground levels and the type of window impacted upon (i.e. whether it is a primary or secondary window). As such a breach in the 45-degree code will not result in an automatic refusal but rather mean that further assessment of the proposal will be necessary, including daylight and sunlight tests to gauge the acceptability of proposals in terms of the overshadowing/loss of light impact upon neighbouring properties.

2.8 The code will be applied to applications for all new extensions (inc. conservatories). However, where the construction materials are of a transparent / semi-transparent nature this will be taken into account when considering the impact on neighbouring properties.

2.9 In applying the 45-degree code due consideration will be given to genuine and realistic 'fall-back' positions afforded by permitted development rights.

Single Storey Rear Extensions (including Conservatories, Sunrooms and Orangeries)

2.10 A single storey rear extension is the most common type of residential extension and usually the simplest and most acceptable way of extending your home. As single storey rear extensions are rarely visible from the street, it is possible to have a greater degree of flexibility in relation to design and appearance. However, whilst there may be greater tolerances for flexibility in design, the following principles should be noted:

- a) Single storey extensions can create a particular impact on attached neighbours if the extension is located along the shared boundary, as this may affect the neighbour's habitable room windows in terms of sunlight/daylight and residential amenity. In order to minimise the potential for impact to neighbouring properties, and, to help determine

whether a more detailed daylight and sunlight assessment is needed, the Council operates a 45-degree code.

- b) A solution to reduce the potential impact of an extension along a shared boundary is to reduce the length of the projection of the extension from the house to 3.0m. If the proposed extension is in excess of this dimension, it is often necessary for the extension to be inset from the boundary by a sufficient distance. This is dependent on the roof design type, the orientation of the property, and the distance the neighbour's habitable windows are from the common boundary and the 45-degree code. Twinning with an existing neighbour's extension may also solve the problem.
- c) Windows on the side elevation of the extension, conservatory, sunroom or orangery, facing on to the neighbouring property are not recommended. This is to avoid loss of privacy for the adjoining occupier. If the windows are essential, then high-level obscure glazed windows should be considered.
- d) On detached houses the same principles apply, though these may be relaxed where privacy can be achieved.

2.11 Conservatories, sunrooms and orangeries should adhere to the same guidelines as single storey extensions. However, as they are constructed largely from glass, this will be taken into account when considering the impact on neighbouring properties in terms of impact on daylight of neighbouring properties. As detailed above where the conservatory, sunroom or orangery is to be constructed adjacent to a shared common boundary and serve as a habitable room, the Council will normally request the common side elevation is constructed from obscured glass or another opaque material as appropriate. A suitable screen fence may also be acceptable, but in such circumstances the Council will ensure such fencing will be retained for the lifetime of the development via the imposition of a planning condition.

Two Storey Rear Extensions

2.12 Two storey rear extensions to houses will usually require planning permission. Given the mass and bulk of this type of extension (especially where they are close to a boundary) greater care and consideration is required in the design of the extension. The following principles should be noted:

- a) Rear extensions should be of a size commensurate to the host property. If extensions are excessive in length, a two-storey rear extension can have a wider impact on the character and appearance of the streetscene and therefore should be kept to a minimum and inset in off the common shared boundary where possible.
- b) Two storey extensions on semi-detached and end terrace properties, along a common boundary are discouraged, due to their impact on the neighbour's primary habitable rear room windows. However, this may be mitigated if the neighbours have an existing ground floor extension (notwithstanding potential impacts upon any bedroom windows).
- c) Two storey extensions to mid-terraced properties will rarely be acceptable due to the overbearing impact on the adjoining property's windows where light is often already limited. They can also cause a 'tunnelling effect' to the rear habitable room windows.
- d) First floor extensions over the footprint of an existing extension, or original offshoot, can be problematic depending on the location, spatial relationship and orientation. As such they may be acceptable provided that they do not extend beyond the footprint of the

existing extension, or offshoot, but this would be dependent on the individual circumstances of the location.

- e) Windows at first floor level should be located so that their aspect should look down towards the rear boundary of the property and not on side elevations, unless they are opaque glazed. In addition, the privacy and separation distance criteria and 45-degree code will apply.

Forward extensions (including porches)

2.13 The front face of a residential property is normally the most important aspect of a house where it fronts onto a public highway. In order to maintain the characteristics of the dwelling and the surrounding street scene, large scale extensions to the front of properties will not usually be acceptable.

2.14 Front extensions to existing dwellings should:

- a) not extend beyond the defined building line due to their location and setting, and, excepting porch extensions (for example, where the front elevations of all buildings within a street form a common building line - which can also be curved);
- b) be designed to incorporate design features of the original dwelling;
- c) be sympathetic in scale and character to the building itself and the area generally; and
- d) be designed to respect the immediate outlook of adjacent residents and in this respect should not adversely affect the amenities they currently enjoy.

2.15 Two storey front extensions will be assessed on their merits taking into consideration the scale and character of the existing property and the surrounding area.

2.16 The addition of porches to properties can substantially affect the character of a street given they are most often to the front and it is therefore important that the design is appropriate. Where a porch needs planning permission it should not be of an excessive size and should not be an extension to a front primary room (e.g. living room). Porches should usually:

- a) be of a size commensurate to the host dwelling;
- b) avoid being of a size that would disrupt an established building line within the area, unless similar developments are prevalent in the area and have formed an established character and are part of the building line (porch projections in excess of 1.5m from the front wall of the house are generally discouraged as this will usually result in a prominent and incongruous feature in the building line);
- c) not be higher than 3m; and
- d) be positioned at least 2m from the highway.

Side Extensions

2.17 Side extensions can be particularly visible and, as a result, can have a significant impact upon the character and appearance of the street scene. It is therefore essential that they are well-

designed, especially on a corner plot to avoid having a negative impact upon their surroundings, and, to complement the host property.

2.18 The character of an area derives not only from the design of individual dwellings but also from their layout, rhythm and spatial relationship. The space between houses can provide a sense of rhythm and character. Inappropriate infilling or interruption can result in a fundamental change to an area's character and can create terracing between properties (the closing of gaps between houses by extending the houses sideways so that it gives the appearance of a continuous frontage). In order to ensure that proposals do not have a significant effect on the character and appearance of the host dwelling and streetscene, or create a terracing effect; side extensions will normally be expected to accord with the following design principles:

- a) Side extensions should remain subordinate to the original property. This can be achieved at ground floor by setting back the front elevation from the existing building line. To prevent two storey and first floor extensions becoming visually connected (terracing), the first floor section of the extension should be set back from the building line by 1.0m along with an associated reduction in the ridge height of the extension relative to the original roof, and, where possible retaining or introducing a personal side external access path of 1.0m wide. Exceptions to the above will only be made where the character of the area is such that the introduction of a terracing effect will have little impact on the streetscene, or where the dwelling is on a corner plot.
- b) As a general rule, side extensions should be of a size which is no more than 50% of the overall width of the original dwelling or 3.0m whichever is the greatest.
- c) The roof pitch and design should reflect that of the host dwelling so that the character and appearance of the area can be maintained. An exception to this would only be acceptable where there is a clear precedent of similarly designed side extension in the immediate street scene, and as such this has become the prominent character within the street scene.

2.19 Single storey extensions to the side of houses do not always require planning permission. Where they do, however, consideration should be given to the height and design of the extension relative to the adjacent neighbour's windows.

Dormer Windows and Extensions into Roof Space

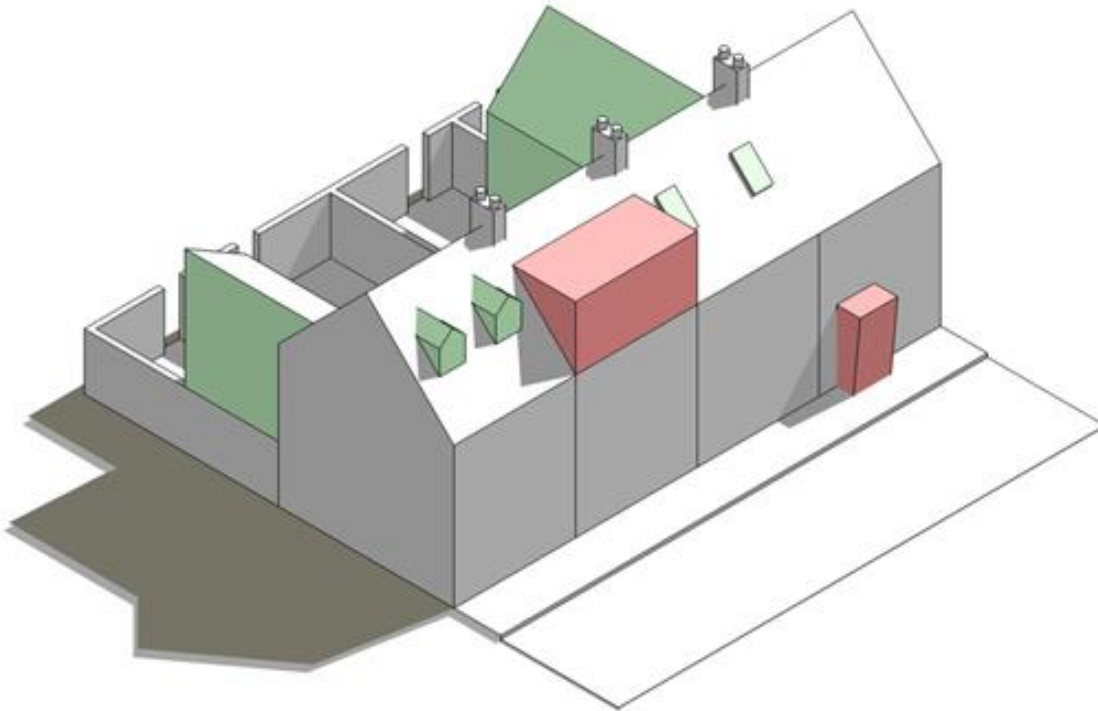
2.20 Planning permission is not normally required for loft conversions, providing the works are entirely internal, however it will be necessary to apply for Building Regulations approval.

2.21 Planning permission is likely to be required where you extend or alter the roof space and it exceeds permitted development limits as set out within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2.22 Dormer extensions to the roof of a house can drastically alter the appearance of the property and particular care is necessary in their design.

- a) Front dormers facing a road will always require planning permission.
- b) Rear dormers may not need planning permission depending on whether they meet the restrictions of permitted development rights.

- c) The general rule is to attempt to minimise the visual impact of the dormer by reducing its scale to that of a roof window, with a pitched roof and the cheeks of the dormer set in from the edge of the roof. Full width flat roofed extensions are to be avoided.



2.23 Dormer extensions should:

- a) Use materials that are matching or of similar appearance where appropriate;
- b) be set below the ridge line;
- c) not dominate the roofscape of the property;
- d) be set back from the eaves line by an appropriate dimension sufficient to achieve a subordinate appearance; and
- e) ensure any side facing windows are obscure glazed.

Hip to Gable Extensions

2.24 Where a property has a hipped roof proposals to create a gabled roof will be required to include materials that are matching or of similar appearance and design details, such as decorative ridge tiles, wherever possible.

2.25 Extensions should not impact on the amenity of neighbouring occupiers or the uniformity of the street scene. If all properties in the area have hipped roofs, a hip to gable extension may not be appropriate.

Roof Windows and Openings

2.26 Where velux-type windows require planning permission they should:

- a) protrude no more than 150mm in height from the roof plane;
- b) not be above the ridge line;
- c) ensure they are positioned in the least intrusive location possible (usually to the rear);
- d) be of an appropriate scale and layout; and
- e) have obscure glazed windows where they are located on side elevations or in hip to gable extensions.

Garages and Outbuildings (including Conversions)

2.27 Domestic garages and outbuildings should generally follow the same guidelines as those for extensions and should be of a high quality of design especially where they are proposed in a prominent location. Garages should be subordinate to the house and unobtrusively sited in relation to existing houses and the street scene. They should not restrict access to neighbouring properties, drives or garages, or have a detrimental impact on the windows of neighbouring properties.

2.28 Garages to existing dwellings should be designed to incorporate design features of the original dwelling and should normally be constructed of materials used in the construction of the original dwelling. They should incorporate a pitched roof design to reflect the character of the host dwelling.

2.29 The conversion of an integral or attached garage to a habitable room may require planning permission in certain cases. It is essential to check with the Council's Development Management team whether this applies to your property before starting work.

2.30 Whether planning permission applies or not (and it is a building regulations application you are making), proposals should ensure matching or similar appearance window details and materials are utilised; the windows should be of the same style, form and appearance as the main house and any sills or lintels should be replicated.

Driveways and Hardstandings

2.31 Planning permission may be required for a creation of a new drive. However, if this is not the case, the consent of the Council's Highways Department may be required and they should be contacted directly for further information. The advice of the Design and Conservation Team should also be sought through pre-application advice for alterations to the front of properties in a Conservation Area.

2.32 Where a garage is to be accessed directly from the road, it should be provided with a minimum driveway length of 6m. The drive should be at least 2.7m wide along the entire length, to ensure that a vehicle can be parked fully within the curtilage of the property so as not to obstruct the highway. Some flexibility will be allowed where appropriate, for example where driveways are a nonstandard shape, if it can be demonstrated that safe access can still be provided. The Parking and Accessibility Supplementary Planning Document provides further details in this regard.

2.33 Where permission is required for new or replacement driveways, it will only be granted where appropriate drainage can accommodate surface and rainwater without flowing on to the highway or using existing rainwater drains, and the layout of the front garden is in keeping with the character of the surrounding area with soft landscaping as well as hardstanding.

Walls and Fences

2.34 The design and detailing of boundary gates, walls and fences, particularly on highway frontages, plays an important role in defining the character of all residential areas. Means of enclosure can be a very prominent feature in the street scene and can have a high visual impact. It is therefore important to ensure that the style and materials match, or complement, the existing boundary treatment in the surrounding area or, where appropriate, the dwelling itself.

2.35 Fences or walls should not obstruct sight lines for moving vehicles. It is therefore advised that fences along the side of a property are reduced in height as they approach the highway. This will also prevent the boundary treatment becoming an overbearing presence in the street scene.

2.36 Some housing developments within the County have had the right to erect front boundary treatment restricted (this is known as open plan) to ensure an open and uncluttered appearance to the street scene. In these cases, permission will always be required for a built enclosure, such as a wall or fence, but this does not apply to planting such as a hedge.

2.37 Special consideration will be given to corner plots within open plan areas where trespass is a problem. However, in the middle of a street permanent structures are inappropriate as they detract from the openness. Planting is instead encouraged as an alternative that does not require permission.

Decking and Balconies

2.38 Decking and balconies which are close to boundaries and overlook neighbouring properties can have a significant impact upon privacy both within neighbouring properties and outside amenity areas.

2.39 Raised decking, over the tolerance set within the permitted development rights, will not be allowed where it would result in significant overlooking of a neighbouring garden/yard or a main living room window that cannot be appropriately mitigated.

2.40 Balconies to the front of dwellings will generally be resisted and are unlikely to be granted consent where they will be visible within the wider street scene. Balconies to the rear and side are more likely to be approved where they are able to meet privacy and separation distances.

2.41 In some cases privacy issues from balconies can be overcome by screening, for instance with frosted glazing, or, by inseting the balcony into the building or roof.

Materials

2.42 Materials should normally be in keeping with those of the host property. The use of contemporary materials may be permitted, provided they reflect and respect the characteristics of the host property and the surrounding streetscape.

2.43 Special regard should be given to the use of materials within Conservation Areas. They should normally comprise traditional materials, and reflect coursing and other construction methods, for example, unless it can be demonstrated that contemporary materials are appropriate.

Minimum Separation and Privacy Distances

3.1 All new development, including new dwellings, will have some bearing on neighbouring properties and it is important to ensure that the impact does not result in a significant loss of privacy, outlook or light for occupiers of new dwellings and existing dwellings. The design and layout of new development should ensure that reasonable privacy and light is provided for surrounding residents and occupiers, particularly in relation to residential use and enjoyment of dwellings and private gardens. Spacing between the windows of buildings/dwellings should achieve suitable distances for privacy and light, whilst also preventing cramped and congested layouts.

3.2 In order to achieve these objectives, in residential housing developments (including extensions or residential outbuildings), the following minimum distances will usually be required to protect the privacy, outlook and residential amenity of habitable room windows:

- A minimum distance of 21.0m between habitable room windows, where either dwelling exceeds single storey, and a minimum of 18.0m between habitable room windows and both dwellings are single storey.
- Where a main facing elevation containing a habitable room window is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13.0m shall be provided where either dwelling exceed single storey or 10.0m where both dwellings are single storey.

Habitable room windows that are adjacent to each other across a public highway may not be required to meet these standards, for example, where doing so would not be in keeping with the established building line and character of the immediate vicinity and where this is considered desirable. The above standards will be used as a guide for non-residential buildings facing onto dwellings.

Factoring in changes in levels, storey heights and mitigating factors

3.3 Changes in levels and the storey heights of buildings will either exaggerate or diminish overlooking, loss of light, shadowing and overbearing impacts. To compensate for these changes the separation / privacy distances cited above should be increased by 3m for every additional storey height (including rooms within the roof space which contain windows) above two storeys.

3.4 Where there is a significant change in levels, the minimum separation/privacy distance will increase by 1m for every full 1m that the floor level of the development would be above the affected floor level of the neighbouring property.

3.5 It is not intended to apply the above separation/privacy distances rigidly, and there may be instance where these distances can be relaxed; for example, where the impacts on privacy can be reduced. This may occasionally be achieved, using obscure glazing, boundary treatments, restricted openings and directional windows. There may also be scope to relax distances between public facing elevations within housing schemes to allow for a variation in layout where this will add interest and help create a sense of place. Such a relaxation will normally only be allowed if it can be demonstrated that future residents will still enjoy a satisfactory level of privacy, amenity and outlook.

3.6 Distances may also be relaxed having regard to the character of an area. Shorter distances than those stated above could be considered in those urban areas typified by higher densities. It will however be important to ensure that the amenity of existing residents is not significantly impacted upon. Similarly, greater distances may be required in some suburban and rural areas where the predominant character of the area exhibits greater separation distances. Distances may vary where this is necessary to protect the historic interest and setting of designated and non-designated heritage assets such as listed and locally listed buildings and conservation areas.

3.7 Nevertheless, where new development forms an interface with existing housing any relaxation in standards will only be permitted where it is clearly demonstrable that the privacy of existing residents will not be significantly compromised. Prospective residents can decide whether or not to move into a new house unlike existing residents who have already invested in their homes. It is therefore important to ensure that the amenity that existing residents can reasonably expect to enjoy is not significantly compromised.

Gardens and 'leftover' spaces

3.8 New residential housing developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property, or properties, it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area.

3.9 The length of gardens will generally be dictated by the minimum separation distancing standards, however they should be no less than 9m in length when measured from the rear elevation to the rear boundary, unless site specific circumstances allow for an alternative solution and it is deemed that privacy and amenity would not be adversely affected.

3.10 In general terms layouts should be appropriately designed in order to avoid 'leftover' spaces, which typically provide little benefit or relevance to the residential area.

3.11 Any space which does not make a positive contribution to the overall design, sense of place or general public amenity, such as areas behind rear gardens, inaccessible corners, over-enclosed passages/alleyway or corridors, should be avoided as these areas are frequently under-used and may become prone to anti-social behaviour, fly-tipping, or present long-term maintenance issues.

