

COMMITTEE REPORT

APPLICATION DETAILS

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| APPLICATION NO: | CE/13/00786/FPA |
| FULL APPLICATION DESCRIPTION: | Single storey rear extension and single storey side extension |
| NAME OF APPLICANT: | Mr N. Lofthouse |
| ADDRESS: | 47 Beech Close, Brasside, Durham DH1 5YB |
| ELECTORAL DIVISION: | Framwellgate Moor |
| CASE OFFICER: | Sinead Turnbull |

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site constitutes an east facing semi detached dwelling house with detached garage to the side. The existing garage is not attached to the host property; it is however attached to the neighbouring property, no. 48 Beech Close. The dwelling is brick built with a roof covering of Marley modern tiles. To the north of the host property is number 48 Beech Close, to the east is highway, to the south is 46 Beech Close and to the west is the rear garden of the host property, beyond this there is no development.

The proposal

2. Planning permission is sought for a single storey rear extension and single storey side extension. The existing detached garage would be demolished to accommodate the proposed single storey side extension. The single storey side extension would accommodate a garage and utility room and the single storey rear extension would provide a garden room.
3. The application is reported to committee at the request of the divisional Councillor for Framwellgate Moor, Councillor Wilkes.

PLANNING HISTORY

4. There has been no recent relevant planning history.

PLANNING POLICY

NATIONAL POLICY

5. 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 dependant.

6. 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'.
7. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
8. The following elements of the NPPF are considered relevant to this proposal;
9. *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.

LOCAL PLAN POLICY:

10. *Q9 Alterations and Extensions to Residential Property* –sets out the requirements which alterations and extensions to residential property should adhere to.
11. *T1 Highways – General Policy* considers traffic generation of new development and resists development, which would be detrimental to highway safety and/or have a significant affect on the amenity of occupiers of neighbouring property.
12. *T10 Parking* – sets out the requirements for provision of off road parking in new residential development.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

13. *The Highways Authority* raises no objections.

INTERNAL CONSULTEE RESPONSES:

14. None

PUBLIC RESPONSES:

15. The application has been advertised by way of letters to individual residents. Two objections have been received making the following comments:
 - The front extension would connect with the boundary wall thus changing the status of my property from detached to terraced, significantly reducing the market value of my property. It will also impinge adversely on the street scene and change the nature of the established residential development.

- Demolition of the existing garage and excavation for new foundations and services for the garage and utility room might compromise the stability of my property, in particular the boundary wall.
- The erection of this extension will mean that the house will have no side access and rubbish bins will therefore be left on the street.
- For the past 24 years my detached property has only been attached to a garage meaning it has been relatively quiet. The new extension also contains a utility room which I am sure will provide additional noise as it will contain washing machines etc. My son resides in the adjoining room and the additional noise factor could affect his ability to concentrate on his studies.
- Renovation has been on going for over two years with disruption to the street, and with work commencing some mornings at 7am including weekends causing noise and disturbance. If the plans are accepted work will go on for a considerable length of time.

APPLICANTS STATEMENT:

The applicants' statement is a response from the applicant to issues raised within the application and by objectors.

It has not been possible to contact the applicant to provide a statement.

PLANNING CONSIDERATIONS AND ASSESSMENT

16. 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 visual amenity, residential amenity, highway safety and other issues.

Visual amenity

17. Policy Q9 'Alterations and Extensions to Residential Property' of the City of Durham Local Plan 2004 states that alterations and extensions to residential property will be permitted provided that the design, scale and materials are sympathetic to the main dwelling and the character and appearance of the area and wherever possible the development incorporates a pitched roof.

18. It is considered that the design, scale and proposed construction materials for the proposed extensions would be in keeping with the character and appearance of the host dwelling and the surrounding area. The side extension would be visible within the street scene; it is considered that it would be subordinate to the host property and would be constructed of materials to match the main dwelling.

19. Flat roofs are generally to be avoided, this is set out in Policy Q9 of the City of Durham Local Plan 2004, however in this case this part of Beech Close is characterised by flat roofed garages with a number of neighbouring properties having flat roof garages to the side, including the other half of the semi number 46 Beech Close. It is considered that the flat roof will assist with retaining a balance between the pair of semis. The flat roof is therefore considered to be in keeping with the host property, the streetscene and the surrounding area and lack of a pitched roof would not provide justification for refusing planning permission.

20. The proposed rear extension would not be readily visible within the street scene, it would be subordinate to the host dwelling and would be constructed from materials to match the host property.
21. It is considered that the proposed extensions would not be detrimental to the visual amenity of the host property or the surrounding area in accordance with policy Q9 of the City of Durham Local Plan 2004 and the NPPF Part 7.

Residential Amenity

22. The existing garage at number 47 Beech Close is attached to number 48 Beech Close. There is then a gap of 1.2 metres between the garage and the host dwelling number 47 Beech Close. The proposed extension to the side would effectively infill this gap.
23. There are no windows in the side elevation of the proposed side extension which would overlook number 48 Beech Close.
24. There are no windows in the side elevation of the proposed rear extension facing onto number 46 Beech Close. There would be a glazed folding door facing onto the garden of number 48 Beech Close, however it would be located almost 9 metres from the boundary of number 48 Beech Close and views would be screened by existing boundary treatments.
25. The impact of the rear and side extension is further reduced as the neighbouring property number 48 Beech Close is set forward 2 metres from number 47 Beech Close. The effect of this street layout is that the side extension would not be readily visible from number 48 Beech Close. The proposed side extension would not be set back any further into the rear garden of the host property than the existing detached garage.
26. Due to the orientation of the site it is considered that the proposed rear extension would not create any significant loss of light to number 46 Beech Close. In addition due to the design and scale of the proposed rear extension it is considered that it would not create any significant overbearing issues for neighbouring properties.
27. Concerns have been raised in relation to the potential disturbance arising during the construction period of the development; it is considered appropriate to attach a considerate working informative to any planning permission for the development, as a planning condition would not be appropriate for this scale of development.
28. A neighbour comment relates to the potential disturbance activities in the utility room may cause in terms of noise impacts. It is considered unlikely to give rise to significant noise levels which would be considered detrimental to the amenity of neighbouring properties.
29. It has been stated within a neighbour objection that the property would have no side access as a result of the development and this could result in bins being left on the street. It is considered that there is adequate space at the front of the property to store bins off the street, alternatively they may be stored in the proposed garage.
30. The proposed development is considered to be acceptable in terms of residential amenity and would be in accordance with policy Q9 of the City of Durham Local Plan 2004.

Highway Safety

31. Durham County Council's highways engineer has assessed the proposal and raises no objection to the development. The proposed development is considered to be acceptable in terms of highway safety in accordance with policies T1 and T10 of the City of Durham Local Plan 2004.

Other Matters

32. An objection to the development states that the side extension would connect with the boundary wall thus changing the status of number 48 Beech Close from detached to terraced, significantly reducing the market value of the property. The market value of a property is not a material planning consideration. Further, it is noted that the joining of the two properties has resulted from the extension of number 48 Beech Close up to the boundary line. In these circumstances it would be unreasonable to prevent the applicant from utilising the space between the house and garage for the side extension. It is considered that in terms of the relevant planning considerations the proposal would be acceptable in terms of visual amenity, residential amenity and highway safety.

33. Concerns have been raised in relation to the potential damage the construction of the side extension may cause to the foundations and party wall at 48 Beech Close. Damage to a neighbouring property as a result of development is a civil matter. Property owners are protected through the Party Wall Act 1996.

34. The ward Councillor has raised the issue of access to the rear of the property and the problems this may cause for works to trees in the rear garden. There would still be access from the rear garden to the front of the property via the dwelling house and via the utility room and garage extension. As a result of the development the applicant would still be able to remove garden waste from the rear of the property.

CONCLUSION

35. The proposed development would not be detrimental to the visual amenity of the area or the residential amenity of neighbouring properties in accordance with policy Q9 of the City of Durham Local Plan 2004.

36. The proposal would be acceptable in terms of highway safety in accordance with policies T1 and T10 of the City of Durham Local Plan 2004.

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:

| Plan Ref No. | Description | Date Received |
|---------------------|--------------------|----------------------|
| | Site Location Plan | 8/8/2013 |
| 1B | Proposed Views | 8/8/2013 |
| 1A | Proposed Plans | 8/8/2013 |

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

3. The external surfaces of the proposal hereby approved shall be formed using materials which closely match in colour and texture those used on the existing building on which the extensions will form part.

Reason: To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy Q9 of the City of Durham Local Plan 2004.

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. The decision has been made in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

Submitted Application Form, Plans and Supporting Documents
National Planning Policy Framework
City of Durham Local Plan 2004
Consultation Responses



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|  <p>Planning Services</p> | <p>Single storey rear extension and single storey</p> | |
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