

# COMMITTEE REPORT

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### APPLICATION DETAILS

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**APPLICATION No:** 4/13/01450/FPA

**FULL APPLICATION DESCRIPTION:** Erection of a two storey side and rear extension, rendering to side elevation, new boundary wall to frontage and erection of new boundary fence

**NAME OF APPLICANT:** Mr A Duncan  
10 Redhills Lane

**ADDRESS:** Durham  
DH1 4AJ

**ELECTORAL DIVISION:** Nevilles Cross

**CASE OFFICER:** Tim Burnham, Planning Officer, 03000 263963  
tim.burnham@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### SITE

1. The property which is the subject of this planning application is 10 Redhills Lane, which is a large detached property which sits on a reasonably sized plot. The property itself appears to have been relatively untouched since it was built and sits with garden areas to its south and west.
2. A single storey element sits to the western side of the property, while a detached garage sits further to the west on an area of land within the applicants control but subject to a separate current planning application. 8 Redhills Lane, a semi-detached residential property sits further to the west of the site, while 12 Redhills Lane, a residential bungalow sits to the west of the dwelling. Site levels slope downwards from east to west, with property further to the west of the site sitting at a lower level than the dwelling to which the application relates.
3. A new vehicular access is proposed to the eastern end of the site with a driveway accessed off Redhills Lane serving an integral garage.

#### PROPOSAL

4. The application seeks planning approval for the erection of extensions to the existing dwelling. A first floor extension is proposed above an existing single storey element at the eastern end of the property to provide additional bedroom and bathroom accommodation, while a modest two storey extension of approximately 2m in depth would be placed at the western end of the existing building to provide additional ground floor accommodation and a bathroom.

5. A fairly significant single storey rear extension is also proposed to the eastern side of the property. This would measure approximately 7.2mtrs in depth and 6.9mtrs in width, 2.4mtrs to eaves level and 3.8mtrs to ridge height.

6. A double and single bay window are proposed to the front elevation along with a modest porch. Brickwork to the front elevation of the existing property is proposed to be re built and painted render is proposed to the west facing gable and rear elevation. It is proposed to remove the existing window from the west facing elevation and provide a revised window arrangement to front and rear. It is proposed to re build the existing front wall and re roof the property in concrete tiles to match those existing.

7. Councillor Martin has requested that the application be determined by the planning committee due to issues surrounding massing, visual amenity and impact on a hedgerow.

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## **PLANNING HISTORY**

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8. There is currently an application pending consideration for outline planning permission on land immediately to the west of this dwelling.

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## **PLANNING POLICY**

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### **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 dependant.

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'

The following elements are considered relevant to this proposal:

11. *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:**

12. *Policy E14- Protection of existing trees and hedgerows* This policy seeks to protect trees and hedges on development sites where appropriate

13. *Policy E16 - Protection and Promotion of Nature Conservation* is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.

14. *Policy H13 - Residential Areas – Impact upon Character and Amenity* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

15. *Policy T1 - Traffic – General* - states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property

16. *Policy T10 - Parking – General Provision* - states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

17. *Policy Q9 – Alterations and Extensions to residential property* – this policy relates to the extension and alteration of residential properties. These are generally considered acceptable where appropriate in design, scale and materials and acceptable in relation to the privacy and amenity of adjoining occupiers.

18. *Policy U13 - Development on unstable land* This policy states that development on unstable land will only be permitted where there is no risk to users of the development or where appropriate remediation measures can be undertaken.

#### EMERGING POLICY:

19. The emerging County Durham Plan is now in Pre-Submission Draft form, having been the subject of a recent 8 week public consultation, and is due for submission in spring 2014, ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, 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 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> in relation to the City of Durham Local Plan and <http://durhamcc-consult.limehouse.co.uk/portal/planning/ps/> in relation to the County Durham Plan.*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **CONSULTEE RESPONSES:**

20. Highways Development Management: no objection.

21. Ecology: no objection.

### **PUBLIC RESPONSES:**

22. Councillor Martin has requested that the application be determined by the planning committee. Concerns have been expressed that the proposed rear extension to the existing property is excessive in its massing and will affect the visual amenity of the neighbours in No. 12 Redhills Lane. Concern is also raised that there is an established beech hedge to the rear of the existing property that is threatened by the development.

23. Letters of objection and concern have been received from three nearby occupiers.

24. Concern has been expressed from an adjoining occupier that long range countryside views would be lost when looking towards the west from the living room of the property. A preference has been expressed by an adjoining occupier that the existing beech hedge to the rear should be retained at its current height.

25. Concern has been expressed by a local resident who lives opposite the site. They are concerned that they would lose low winter sun which assists in melting ice from the roof of their property due to the proposed extension. Objection is also put forward on the basis that the extension would have an over bearing impact upon windows at the bungalow opposite. Concern is also expressed for parking in the area and the adjoining occupier would not wish to see parking directly in front of their property as they are situated relatively closely to the highway. The resident opposite feels under threat in terms of highway safety due to being on the corner of the road.

#### **APPLICANTS STATEMENT:**

26. 10 Redhills Lane is currently an unattractive detached house which was constructed in approximately 1960. The gardens are overgrown and no modernisation or updating works have been carried out since it was originally constructed.

27. We are proposing to extend the property and improve its appearance to create a family home for ourselves. We propose to spend a considerable amount of money on the property and unless we end up with a property which suits our day to day requirements we may be forced to totally rethink our plans.

28. Comments from 21 Surtees Drive. No objections were raised but the owner would prefer it if the beech hedge was retained. We would be happy to comply as we consider this to be a feature of the house.

29. Comments and objections from 13 Redhills Lane. The owner says our proposed extension would be a massive building and restrict light and sun. We have been very conscious of our neighbours opposite and although we would have liked an attic conversion with dormer windows we had decided against this as we felt it would be too large. The frontage of our property is proposed to be reduced by one metre so that we can form a path down the left hand boundary. The outlook from his bungalow will be improved considerably by him having an attractive house opposite to look across to as oppose to what he looks across to at present. He suggests it would be used for student lets. This is certainly not our intention. He says our visitors will park in front of his bay window. This is not the case as we will have one garage and 2 parking spaces on our drive. Entry to his driveway will not be restricted in any way. In addition, new parking restrictions are to be introduced by the Council along Redhills Lane. He says water will freeze in his gutter and down pipe due to lack of sunlight. We are reducing the frontage of our house not extending it. If his gutter is aligned correctly water will flow to the downpipe. Water cannot freeze in a down pipe if it is kept clear.

30. Objection from 12 Rehills Lane. The owners are concerned about losing views over the countryside and sunlight. Until a few weeks ago they had no view whatsoever as our house had a huge unkempt privet hedge along the boundary and 3 feet into our garden there was a high thick unkempt Laurel hedge. There were also several mature and extremely high conifers which had never been pruned for 50 years. It is only now that these have been removed that they get any view at all. We had originally wanted a 2 storey extension at the rear of our property but we reduced this to a single storey extension with no windows on the side overlooking our neighbours to try to be considerate to them. In addition, we are proposing to move our whole gable wall away from their boundary by one metre to allow

more light into their garden. Also, we intend to construct a new boundary wall or fence down the whole of this boundary, which will enhance their property considerably.

31. No other objections or comments from other neighbours have been received.

32. To summarise, we feel that our proposals for the property will enhance the road considerably and be a huge improvement for all the neighbours.

33. We trust you will look favourably upon our application.

*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://fred:8080/IDOXSoftware/IG\\_search?app\\_id=1002&menu=1&FormParameter1=CE1301578FPA&FormParameter2=100110741166&code=QVGKPHUGJX](http://fred:8080/IDOXSoftware/IG_search?app_id=1002&menu=1&FormParameter1=CE1301578FPA&FormParameter2=100110741166&code=QVGKPHUGJX)*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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34. 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 the development at the site, design, scale and materials, impact upon amenity and highways issues.

### **The Principle of the development of the site**

35. Policy Q9 of the City of Durham Local Plan relates to alterations and extensions to residential property. It states that these will be permitted provided that the design scale and materials are sympathetic to the main dwelling and the character and appearance of the area, provided that a pitched roof is incorporated and provided that the extensions respect the privacy of adjoining occupiers of property.

36. The property as existing appears to have been relatively untouched since construction and currently has an arrangement that could be considered somewhat dated. The principle therefore of carrying out refurbishment works or extension to the property would appear logical and is considered acceptable.

### **Design, Scale and Materials**

37. Officers consider the alterations proposed acceptable in terms of design. While it is noted that significant changes in physical appearance are proposed to the property, first floor extensions of the type proposed are commonplace in residential areas within Durham. The first floor extension proposed to the eastern end of the property would sit neatly against the property and in line with the existing building line. The two storey extension to the western end of the site would also be relatively low impact, extending only 2mtrs from the rear elevation of the dwelling. The porch to the front of the dwelling would be modest in appearance and impact.

38. Officers acknowledge that the single storey extension proposed is significant in terms of depth and width. However the principle for the acceptability of such extensions has become established through the recently introduced permitted development regime for large single storey rear extensions, which subject to neighbour consultation procedures allows on detached dwellings for extensions of between 6 and 8mtrs in depth.

39. While the predominant building material in the area is brick, there are some examples of the use of render. Officers do not consider that the application of render to part of the rear elevation and a side elevation would be inappropriate within this location.

40. A double and single bay window are proposed for introduction to the front elevation. Bay windows are a common feature on older housing stock within the locality. Officers consider that the extensions to the property would be sympathetic to the main dwelling and the character and appearance of the area. There are a variety of house types in the area.

### **Impact upon amenity**

41. Officers have made a careful assessment of the extension in relation to the amenities of neighbouring occupiers, particularly in relation to the occupiers at 12 Redhills Lane who are situated immediately to the east of this development site.

42. This property has a window in the side elevation which serves a living area to the rear of the house facing west. This window does currently have long range views towards countryside to the west of Durham. Officers acknowledge that these long range views may be lost to the occupiers of this property if the single storey extension were to be developed. Officers do however note the stumps of former boundary planting in this part of the site, suggesting that this planting may have previously restricted outlook from the neighbouring property. Further, the room which this window serves also has an additional window in the rear elevation facing into the neighbouring occupier's own garden to the south. The planning system is concerned with outlook, rather than views and it is of note that the outlook enjoyed by the occupiers of 12 Redhills Lane is partially borrowed over land that is not within their ownership or control.

43. Officers have assessed the impacts of the development not only in terms of any loss of outlook but , also in terms of loss of light, overshadowing and potential over bearing impacts that any development may cause.

44. In this instance, the single storey rear extension would be set around 5mtrs away from the side window at No.12. Given that 10 Redhills Lane is set slightly down from the property at no.12, Officers do not consider that the single storey rear extension would offer such overshadowing, loss of light, outlook or overbearing impact to warrant refusal of the application. The applicant also has a fall back position whereby a single storey extension of up to 4mtrs in height and 4 metres in depth could be built under permitted development rights with no neighbour consultation required. Officers consider that such an extension would have a similar impact to the proposal. It is therefore necessary to assess what impacts the proposal would give rise to over and above those impacts which would arise if an extension of the dimensions permitted by the PD regime were to be built. When assessed in this way, it is clear that any additional impacts would be minimal.

45. Officers acknowledge that the two storey side extension would have some impact on 12 Redhills Lane, although this would appear limited to some minimal restriction of late evening sunshine given its position to the north west of the neighbouring property.

46. Officers have also assessed the likely impact of the extension on the occupier of 13 Redhills Lane which is a residential bungalow sitting to the north of the application site and across the road. Officers acknowledge that the extension could cause limited reduction in low winter sun due to the position of 10 Redhills Lane directly to the south. However, the two storey extension would be closely related in massing to the existing dwelling and would maintain the existing building line. It is likely that low winter sun could still reach the property above the garage serving 12 Redhills Lane.

47. Taking into account the relationship of the application property with adjacent dwellings, there are not considered to be grounds for refusal in relation to amenity either in terms of impact to the occupiers of 12 or 13 Redhills Lane. Officers have noted no detrimental impact upon privacy to adjoining occupiers.

### **Highways Issues**

48. Highways Development Management has offered no objections from a highways aspect. A driveway of suitable length to park a car is proposed along with an internal garage. Officers acknowledge comments made by objectors in relation to highways matters, although highways development management do consider the development acceptable in this respect.

### **Other issues**

49. Due to the age and condition of the property Officers requested that a bat risk assessment be submitted alongside the application. The site has been identified as being low risk for bats and the Council's senior ecology Officer has offered no objections to the application.

50. The application proposes to reduce the height of the established beech hedge to the rear to 2.4metres. This beech hedge does not benefit from formal protection and no consent from the Council would be required to carry out works to it. Nethertheless it is proposed for retention to the rear of the dwelling and Officers do not consider that a reduction in height to 2.4mtrs would be inappropriate. The beech hedge currently appears to have a height of around 3mtrs.

51. The site is within the Coal Authorities High Risk Area and in relation to householder extensions within such areas, Officers are required to attach an enhanced informative to draw any developers attention to this.

52. A replacement front wall and boundary fencing is proposed, these are considered appropriate developments that are unlikely to require planning approval in their own right due to their proposed heights..

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## **CONCLUSION**

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53. Officers consider that the design scale and materials are sympathetic to the main dwelling and the character and appearance of the area and that the extensions respect the privacy of adjoining occupiers of property. Officers consider that amenity impacts of the development relating to those living in the surrounding area are acceptable. Officers consider the development acceptable in terms of highway safety and in relation to impact upon Ecology interests and an existing hedgerow.

54. Taking all relevant planning considerations into account, Officers consider the application to meet the requirements of the National Planning Policy Framework Part 7 and Policies E14, E16, H13, T1, T10, Q9 and U13 of the City of Durham Local Plan 2004.

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## **RECOMMENDATION**

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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. Notwithstanding any details of materials submitted with the application no development shall commence until details of all materials proposed for use have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter 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 Local Plan 2004.

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

Drawing 02 proposed floor plans, Drawing 03 proposed elevations, Drawing 04 site and roof plan, Drawing 05 external works received 14<sup>th</sup> November 2014, Bat Risk Assessment, Dendra Consulting Ltd received 17<sup>th</sup> January 2014.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with the National Planning Policy Framework Part 7 and Policies E14, E16, H13, T1, T10, Q9 and U13 of the City of Durham Local Plan 2004.

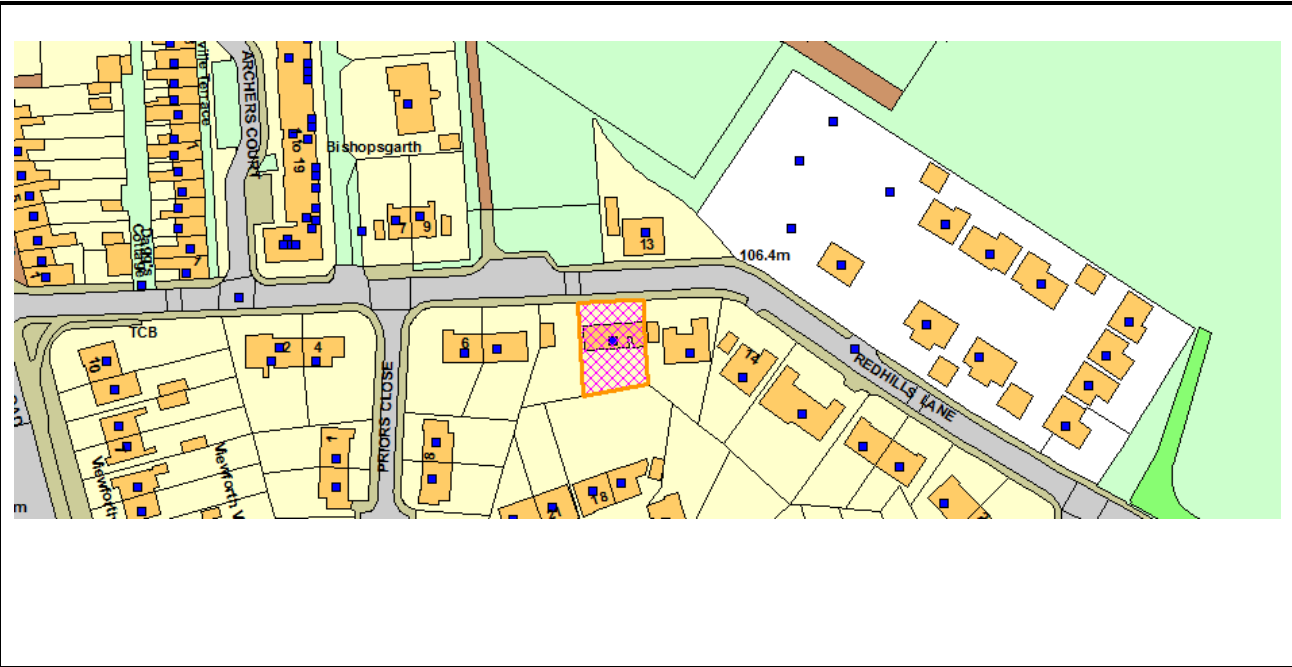
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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documents  
National Planning Policy Framework  
City of Durham Local Plan 2004  
Response from Councillor Martin  
Consultation responses





**Planning Services**

Erection of a two storey side and rear extension, rendering to side elevation, new boundary wall to frontage and erection of new boundary fence

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**Date 11<sup>th</sup> March 2014**