
APPLICATION DETAILS

Application No:	18/0293/FUL
Location:	26 Amesbury Crescent Middlesbrough TS8 9HR
Proposal:	First floor extension to side and rear
Applicant:	Mr & Mrs Hamilton
Agent:	Mr Michael Gales
Company Name:	Engicad Ltd
Ward:	Hemlington
Recommendation:	Approve with Conditions

SUMMARY

The application seeks permission for the erection of a first floor extension to the side and rear of the dwelling.

Following the consultation exercise there have been three objections received relating to loss of privacy, loss of light, overbearing impact, loss of house value and future saleability, loss of skyline and the proposal being out of character with the street scene.

The property is a semi-detached property located within a modern housing estate in Hemlington. Since the original submission the window located on the side elevation of the rear extension has been removed.

The overall scale and design of the extensions are considered to be subservient to the original dwelling and are not considered to unduly affect the privacy and amenity of the surrounding properties given their position and orientation to the neighbours.

The development is considered to be in accordance with the requirements of relevant policies DC1, CS4 and CS5 and the Urban Design Supplementary Planning Document (UDSPD).

The application is recommended for approval subject to standard conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is 26 Amesbury Crescent a semi-detached property which is located within the Hemlington area of Middlesbrough. The adjacent property to the east is 28

Amesbury Crescent with 24 Amesbury Crescent located to the west. The rear boundary is shared with 15 and 16 Attingham Close and directly opposite the property to the north is 11 Abberley Drive.

The first floor rear extension will be positioned directly above the existing kitchen extension and will have a width of 2.9 metres and will project 2.4 metres from the original rear elevation of the property. The rear extension will have a maximum pitched roof height of 5.5 metres which is 1.5 metres lower than the original roof height. The rear extension will have no windows on the side elevations with an obscurely glazed window on the rear elevation.

The side extension will be above the existing attached garage with a width of 2.6 metres to be in-line with the existing side elevation of the garage. The front elevation will be set back 0.8 metres from the original front elevation of the property. The side extension will have a pitched roof design with the ridgeline roof height being 6.9 metres which is 0.2 metres below the original ridgeline roof height. There will be no windows on the side elevation with a window to the front and roof canopy over the garage and front door.

The brick work, roof tiles and white UPVC windows will match the original property.

PLANNING HISTORY

Previous planning permission for the property includes a single storey extension to the rear (application M/FP/1335/04/P) which was approved in August 2004.

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- a) *The provisions of the development plan, so far as material to the application*
- b) *Any local finance considerations, so far as material to the application and*
- c) *Any other material considerations.*

The following documents together comprise the Development Plan for Middlesbrough;

Middlesbrough Local Plan;

- *Housing Local Plan (2014)*
- *Core Strategy DPD (2008, policies which have not been superseded/deleted only)*
- *Regeneration DPD (2009, policies which have not been superseded/deleted only)*
- *Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)*
- *Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)*
- *Middlesbrough Local Plan (1999, Saved Policies only) and*
- *Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).*

The overarching principle of the National Planning Policy Framework (NPPF) is to support sustainable development, and that it should go ahead without delay. It defines the role of planning in achieving economically, socially and environmentally sustainable development and recognises that each are mutually dependent. The NPPF requires local planning authorities to approach development management decisions positively, utilising twelve core planning principles, which can be summarised as follows:

- *Being plan led*
- *Enhancing and improving areas*
- *Proactively drive and support sustainable economic development to deliver homes, business, industry and infrastructure and a thriving local economy*
- *Always seek a high quality of design and good standard of amenity for existing and future occupants*
- *Take account the different roles of areas, promoting the vitality of the main urban areas whilst recognising the intrinsic character of the countryside*
- *Support the transition to a low carbon future, taking full account of flood risk, resources and renewables*
- *Contribute to conserving and enhancing the natural environment*
- *Encourage the effective use of land*
- *Promote mixed use developments*
- *Conserve heritage assets in a manner appropriate to their significance*
- *Actively manage patterns of growth making fullest use public transport, walking and cycling and focus significant development in sustainable locations and*
- *Take account of local strategies to support health, social and cultural well-being and deliver community and cultural facilities to meet local needs.*

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

CS5 - Design
DC1 - General Development
UDSPD - Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

There have been three objections comments received from 15 and 16 Attingham Close and 24 Amesbury Crescent which in summary relate to :-

- a) Loss of privacy
- b) Loss of light
- c) Loss of view
- d) Impact on house values / future saleability
- e) Loss of skyline
- f) Out of character with street scene.

Public Responses

Number of original neighbour consultations	5
Total numbers of comments received	3
Total number of objections	3
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

The main considerations with this proposal are the impact on the privacy and amenity of the neighbouring properties, the impact on the character and appearance of the street scene, the impact on highway safety and any residual matters.

Character and Appearance

1. The application site is a semi-detached property located within a predominantly residential estate in Hemlington. The properties within the street are modern with a mix of detached and semi-detached two-storey properties and bungalows. The front elevations of the properties are set back from the highway with small front garden with an open plan character.
2. Objection comments have been received that the proposal is out of character with the existing street scene due to the scale of the extension and there being no other two-storey extensions in the area.
3. The Council's Urban Design Supplementary Planning Document (UDSPD) guidance comments that extensions to the side should be set back from the main front elevation with a lower ridgeline roof height to ensure the extension is subservient to the original dwelling to avoid any potential terracing impact.
4. The front elevation of the extension has been set back 0.8 metres from the original front building line with the side extension ridgeline roof height being 0.2 metres lower than the original ridgeline roof height. The rear extension projects above the existing kitchen extension by 2.5 metres with the pitched roof design being 1.5 metres lower than the original ridgeline roof height. Both the side and rear extensions are of a scale and design which is considered to accord with the UDSPD design guidance and are considered to be subservient to the original property.
5. Although within the immediate street scene there are no similar two-storey extensions to the side the overall design of the extension with the lower roof height, canopy detail above the garage and matching window design and materials is considered to fit in with the modern design and character of the properties in the area.
6. Therefore, the design and the overall scale of the side extension is considered to be acceptable and accords with the guidance set out in Core Strategy Policies CS5, DC1 and the Urban Design Guide (UDSPD).

Privacy and amenity

7. Objection comments have been received regarding the loss of privacy. The extension will have no windows on the side elevations which face towards the neighbours at 24 and 28 Amesbury Crescent.
8. The guidance separation distance considered acceptable in the Council's Urban Design Guide is 21 metres between facing habitable room windows. The proposed window on the first floor rear elevation is a bathroom window which will be obscurely glazed and is not classed as a habitable room window. In addition, the bathroom window will be located at an angle to the neighbours rear gardens at both 24 and 26 Amesbury Crescent and will be located a minimum of approximately 16.5 metres from the properties to the rear at 15 and 16 Attingham Close. Although the

separation distance is less than the 21 metre guidance as the window will be a bathroom window and will be obscurely glazed, the proposal is not considered to have a significant impact on the privacy of the neighbouring properties. A condition will be placed on the application regarding the level of obscure glazing required for the window.

9. The window on the front elevation of the extension will be a habitable bedroom window. The window will be located a minimum of 24 metres from the side elevation of the neighbours opposite at 11 Abberley Drive, which accords with the 21 guidance and is therefore considered not to have a significant impact on their privacy.
10. Objection comments have been received regarding the potential overbearing impact and loss of light. The side extension will project to be in-line with the applicant's existing garage which is located alongside the garage at the neighbouring property, 24 Amesbury Crescent. The extension will project above the garage and the existing kitchen extension to the rear. The rear extension will project 2.5 metres beyond the applicant's original rear elevation and the neighbours rear elevation at 24 Amesbury Crescent. Consideration has been given to the overall projection length of the extension, the pitched roof height of the rear and side extension being lower than the original properties and the fact the neighbour's garage is located alongside the proposed extension. Taking these factors into account, the extension is not considered to have a significant impact in terms of loss potential overbearing or loss of light to these neighbours.
11. The side extension will be screened from the adjacent neighbour at 28 Amesbury Crescent by the applicant's main dwelling. The rear extension will be located a minimum of 5.5 metres from the boundary with the adjacent neighbours at 28 Amesbury who have a rear conservatory and a minimum of approximately 7 metres from the rear boundary and approximately 16.5 metres from the rear elevations of 15 and 16 Attingham Close. Taking into consideration the separation distances, the sun's orientation, projection length, location of the proposed extension alongside the lower pitched roof height of the rear extension, the proposal is not considered to have a significant impact in terms of potential overbearing or loss of light to these neighbours.

Highway safety

12. The proposal will not increase the number of bedrooms with the property remaining as a three bedroomed property. The Council's Design Guide Specification comments that a three bedroomed property should provide two car parking spaces. The property currently has an attached garage and a driveway to the front with the current parking provision of two spaces remaining unaltered. Therefore, the proposal is not considered to have a significant impact in terms of highway safety.

Residual matters

13. An objection comment has been received regarding the impact of the development on the house price values and potential resale problems. These comments are noted however are not material planning considerations which can be considered.
14. An objection comment has been received with regards to loss of view and the openness from the extensions. The potential loss of view or impact on the openness is not a material planning consideration which can be considered.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the following plans :-

Plan montage combined drawing EC-2018-04-D0005 REV P3 dated 25th June 2018

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Materials

Notwithstanding the submitted plans, the materials for the brickwork and roof tiles shall match the original property, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the character and appearance of the street scene.

4. Obscurely glazed window

Notwithstanding the submitted details, the first floor rear elevation window shall be obscurely glazed to a minimum level 4 and shall be retained for the lifetime of the development, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure a satisfactory form of development

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed side and rear extension accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition the extensions accords with the local policy requirements (Policies CS5 & DC1 of the Council's Local Development Framework).

In particular the side and rear extensions are designed so that their appearance is complementary to the existing dwelling house and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The side and rear extensions will not prejudice the appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the dwelling.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

INFORMATIVES

Informative 1- Deliveries

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

Informative 2- Debris on highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Case Officer: Debbie Moody

Committee Date: 27th July 2018

