

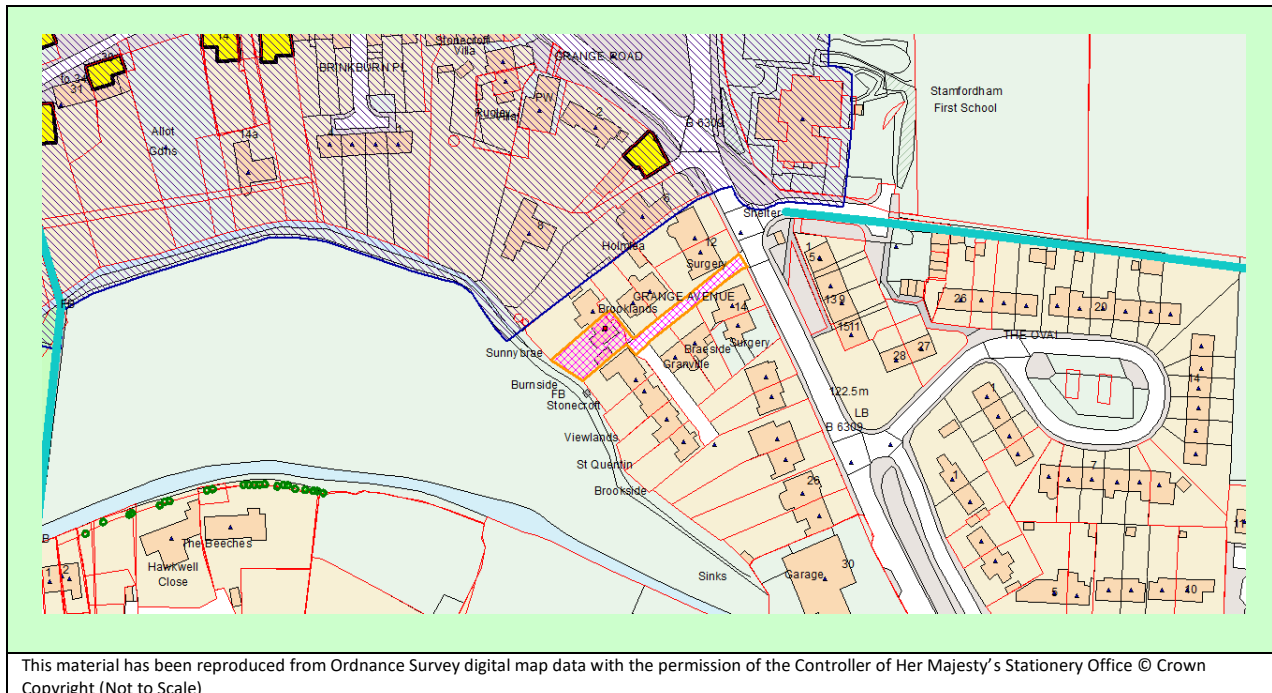


Northumberland County Council

Castle Morpeth Local Area Committee 11th September 2023

Application No:	23/01593/FUL		
Proposal:	Proposed Single Storey Extension		
Site Address	Burnside, Grange Avenue, Stamfordham, Northumberland NE18 0PG		
Applicant/ Agent	Miss Abby Smith Burnside, Grange Avenue, Stamfordham, NE18 0PG.		
Ward	Ponteland West	Parish	Stamfordham
Valid Date	3 May 2023	Expiry Date	25 August 2023
Case Officer Details	Name: Miss Holly Dunleavy Job Title: Planning Technician Email: holly.dunleavy@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



1. Introduction

- 1.1 The application has been referred to the Director of Planning and Chair and Vice-Chair of the Castle Morpeth Local Area Council Planning Committee under the Council's delegation scheme due to the number of objections

received. It was agreed that the application raises issues of wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

- 2.1 Planning permission is sought for works to a residential property. The works propose to construct a single storey extension to the front elevation at Burnside, Grange Avenue, Stamfordham.
- 2.2 The application site is located in the central service village of Stamfordham. The site is not within the Stamfordham conservation area situated to the south of the boundary and is outside of the designated Green Belt to the west of the boundary.
- 2.3 The property subject to this application is a semi-detached red brick dwelling with a slate tiled roof. It is proposed to construct a single storey extension to the front elevation of the property. The proposed extension would extend approximately 1.9m from the front elevation of the property and would measure approximately 8.4m in width and would measure approximately 3.4m in height at the ridge and approximately 2.5m to the eaves. The proposed front extension would be finished with red brickwork and slate look roof tiles to match the existing building, and white uPVC windows also in keeping with the original dwelling.
- 2.4 The application has been altered and amended plans submitted in order to remove the step in the front elevation of the proposed extension. The application previously proposed the northwest side elevation of the extension to extend from the front elevation for the existing dwelling by approximately 2.2m. The amended plans propose the front elevation remains flush across the elevation. Therefore, the whole extension is now proposed to extend from the front elevation by approximately 1.9m. The description has remained the same throughout the course of the application and one re-consultation period has been carried out following the amendments.

3. Planning History

Reference Number: CM/00/D/621

Description: Extension to dining room and provision of lobby and shower room on ground floor with 2 additional bedrooms on first floor and internal alterations

Status: Permitted

4. Consultee Responses

Stamfordham Parish Council	No Objections.
Highways	No objections to the proposals subject to the imposition of conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	9
Number of Support	0
Number of General Comments	1

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

Eight letters of objection and one general comment has been received from five neighbouring properties and four other properties. The objection is specifically regarding potential loss of light, outlook and access to the neighbouring property as a result of the proposed works. The objector's concerns are summarised below for information:

- Block visibility of Sunnybrae from Grange Avenue, the impact of this on locating the property, deliveries, emergency service access.
- Accessibility to the property in regard to the narrow alleyway.
- Accessibility to the property in regard to access with pram or wheelchair if required, current and future access to the property.
- Loss of both natural light and street lighting to the access path, safety concerns in regard to this (Trips and falls etc).
- Negative impacts on the enjoyment of the neighbouring property.
- Detrimental impact upon residential amenities.
- Loss of outlook.
- Loss of daylight/sunlight to the property, particularly the kitchen.
- Grange Avenue streetlight obscured: safety and security implications of this.
- Loss of line of sight.
- The extension will create a blind spot, safety concerns regarding mugging and crime as a result.
- Impact on safety and security concerns.
- Concerns regarding community safety.
- 'Slate' look of the proposed roof is not in keeping with the existing dwelling or surrounding properties.
- Non-compliance with design principles.
- Concerns regarding the over development of the property.
- Out of keeping with extensions seen on other dwellings in the street scene.
- Concerns regarding disruption of the building works to vehicle access.
- Concerns regarding parking.
- Builders blocking access to neighbouring property.
- Windows on the front elevation of the proposal when open would be over the access to Sunnybrae.

- Impact of extension upon resale of neighbouring property.
- Impact on value of neighbouring property Sunnybrae and appeal to future prospective buyers.
- Consider the plans submitted to be inaccurate.
- Siting of the oil tank at Burnside.
- Fire escape from Burnside.
- Concerns regarding the access to the main drain on Burnside's access path.
- 'Box' outside of the redline boundary marked on site plan.
- Proximity of extension to the front door of neighbouring property Sunnybrae.

A site visit has been carried out in order to assess the application and the potential impacts of the proposed works on neighbouring amenity, including upon attached neighbouring dwelling Sunnybrae. Please note the informatives attached to this application to remind the applicant about third party rights and the Party Wall Etc. Act 1996 in relation to the proximity of the works to the neighbouring property, and other permissions that may be required. These informatives aim to satisfy the objections in regard to the access to the neighbouring site, windows over the boundary line, works out of the red-boundary line and the access for building works during the implementation of the works.

Following the re-consultation after the application was amended a further 17 responses were received, eight in support and nine in objection. The objections followed the above points previously set out; one was from a new dwelling the other eight follow objections previously submitted to highlight their previous objections still stand. The eight support comments arise from seven neighbouring dwellings. It is noted that one comment appeared to be a duplication or one already submitted, therefore this comment has only been counted once. The comments of support that have been received during the re-consultation period are summarised below:

- Required as more space is needed within the dwelling.
- Required due to lack of affordable housing within the area for a growing family.
- Applicants have ties to village preventing re-locating as an alternative.
- Proposed development is of modest proportions and in keeping with the neighbouring properties.
- Development is within the boundary of the applicants' property.
- Considered an improvement to this property.
- Grange Avenue is extremely well lit.
- Do not consider plans would be drawn to limit access for emergency services.
- The application site and attached neighbour are almost north facing and look onto the gable view of another house in the street, consider this more likely to cause darkness, than the application by Burnside.
- Most of the properties on Grange Avenue have been extended, varying in style and materials.
- Access to the adjoining property could be improved as the extension sits within the boundary and the existing hedge will be removed which encroaches over the boundary.
- Stamfordham is a safe community-based village with a low crime rate.
- Offer of parking for applicant during the course of the works to minimise impact.
- Feel objections are not material planning considerations.
- Sunny Brae has always had effectively only pedestrian access, therefore the

proposal will not worsen the access.

It is noted some of the concerns raised within both the support and objection comments from the consultation periods are not material planning considerations.

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

- HOU 9 - Residential development management
- QOP 1 - Design principles
- QOP 2 - Good design and amenity
- TRA 2 - The effects of development on the transport network
- TRA 4 - Parking provision in new development

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)

National Planning Practice Guidance (NPPG) (2021, as updated)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 The main considerations in the determination of this application are:

- Principle of the Development
- Design and Visual Amenity
- Impact upon Residential Amenity
- Highway Safety

Principle of the development

7.3 The application site is located within the service village of Stamfordham. The application proposes development that is domestic in nature within the residential curtilage of an existing dwellinghouse. The principle of development is therefore acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF, provided it meets other requirements of the development plan policies.

Design and visual amenity

- 7.4 Burnside, Grange Avenue, is a semi-detached dwelling located in the service village of Stamfordham. The site is to the west side of Grange Avenue and is surrounded by other residential properties to the northwest, northeast and southeast. The southwest boundary of the site borders on to Protected Open Space. The existing dwelling is predominantly screened from the main public highway (B6309) by the other dwellings on Grange Avenue.
- 7.5 Policy QOP 1 of the Northumberland Local Plan relates to design principles for all forms of development. Policy QOP 1 states development proposals should “respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting”.
- 7.6 In addition to ensuring development is of a proportionate scale to the host property, Policy HOU 9 of the Northumberland Local Plan also seeks to ensure development “respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting in terms of its design and use of materials, or on the character of the surrounding area”. Similarly, Policy QOP 2 of the Northumberland Local Plan seeks to ensure that the physical presence and design of development preserves the character of the area.
- 7.7 The application proposes to construct a single storey hipped roof extension on to the front elevation of the property. The new extension (to the front, northeast elevation) would be in keeping with the architectural style of the main dwelling. The extension proposes to provide a larger open plan kitchen and a utility room. The proposed roof design would also be in keeping with the character of the existing dwelling house. The scale and massing of the proposed extension would remain subservient to the host dwelling and read as an obvious later addition. Externally the extension will be finished with materials that are in keeping with the existing materials on the main dwelling and would not negatively impact the visual amenity of the property and the wider street scene. The design of the windows is also in keeping with those seen on the main dwelling.
- 7.8 The proposed works would not have a significant adverse impact on the visual amenity of the dwellinghouse or street scene. Therefore, the proposal is considered acceptable in terms of design in accordance with Policies QOP 1 and HOU 9 of the Northumberland Local Plan and the NPPF.

Impact on residential amenity

- 7.9 The dwelling is a semi-detached property, and the proposed development is situated on the front (northeast) elevation of the property. It is acknowledged that a number of objections have been received specifically regarding the impact of the proposed development upon attached neighbouring property Sunnybrae. The objections are primarily surrounding the impact to the amenity in regard to loss of light, outlook and access issues. Policy HOU 9 of the Northumberland Local Plan sets out that *‘Householder proposals for the extension and/or external adaptation of existing dwellings will only be supported where the enhancement: (2b.) Does not have a significant adverse*

impact on the amenity of adjoining properties in terms of structural proximity and unacceptable loss of daylight/sunlight, privacy and visual outlook’.

- 7.10 In order to assess the impact of the proposed development on the attached neighbouring dwelling the 45-degree rule has been considered. The 45-degree rule is a guide used to aid the assessment of the impact of an extension/ enlargement of a property upon an immediately neighbouring dwelling in regard to loss of light, outlook and overbearing impact. It is set out on the ‘Existing and Proposed Ground Floor Plan’, that the immediately neighbouring ground floor window is acceptable in line with the 45-degree rule for width and depth of the extension. In regard to the height of the extension the proposal is acceptable in this respect, as the extension does not come within the 45-degree splay from the centre of the neighbouring window.
- 7.11 In regard to the structural proximity of the extension as set out in HOU 9, the proposed works are set back from the adjoining boundary line by approximately 0.7m. The eaves height adjacent to the immediately neighbouring site is approximately 2.5m. The roof has been hipped to both sides of the extension which further sets the ridge height of the extension away from the boundary by approximately 2.5m, minimising the impact in terms of loss of light and outlook. Therefore, it is considered that the proposed works would not have a significant adverse impact on the amenity in this respect.
- 7.12 The northwest elevation of the proposed development is adjacent to Sunnybrae, there are no windows proposed to be located on this side elevation of the development therefore there would not be a loss of privacy in line with HOU 9. The design of the extension is acceptable in relation to the neighbouring properties; therefore, it is considered that the proposal would not negatively impact the visual amenity of the property and the wider street scene. As such the proposed extension has been assessed and it is considered that it would not result in unacceptable negative impacts on residential amenity, in terms of an overbearing impact, loss of light / outlook, and it would not cause a loss of privacy upon neighbouring properties. The proposals are therefore considered acceptable in this respect, in accordance with Policies QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.
- 7.13 The concerns and objections raised to this application are noted and it is understood the works will have some impact upon neighbouring dwellings. However, they do not justify a refusal of this application. Following a thorough assessment, it is of Officer opinion that the proposed development would not have a significant unacceptable impact upon the residential amenity of the occupiers at the neighbouring dwelling. The proposals are therefore considered acceptable in this respect in accordance with Policies QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

Highway Safety

- 7.14 The application proposes to add a front extension which could have an impact on the immediate entrance to the site in terms of the occupier’s access to their parking. Therefore, comments on the application have been sought from

NCC's Highways development Management team. When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. Access to the site would remain unchanged. The host dwelling is a four-bedroom property, which would require a total car parking requirement of three parking bays in line with appendix E. However, officers note the number of bedrooms has not changed as a result of this proposal. Therefore, the parking requirements remain as existing. The Highways officer raises no objection to the proposal from their assessment of the works subject to the imposition of conditions and informatives. Therefore, in this instance the proposal can be considered in accordance with Policies TRA 2 and TRA 4 if the Northumberland Local Plan and the NPPF.

Equality Duty

- 7.15 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

- 7.16 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

- 7.17 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.18 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

- 7.19 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision-making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

- 8.1 National and local planning policies have been taken into consideration when assessing this application. The proposed development at Burnside, Grange Avenue is considered acceptable in principle and would not result in inappropriate development. The proposed works would not have an adverse impact on the appearance of the host dwelling or the character of the area, and the proposed works would not have an unacceptable adverse impact on the amenity of neighbouring properties. Therefore, the proposed development is supported for the reasons set out within this report in accordance with the Northumberland Local Plan and the NPPF.
- 8.2 The application would also be acceptable in all other respects, including technical matters, and it is therefore recommended that the application be approved.

9. Recommendation

That this application be GRANTED planning permission subject to the following:

Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:

- 001-02: OS Site Location and Existing Boundary Plan
- 010-03: Proposed Site Plan
- 031-03: Proposed Elevations
- 022-03: Existing and proposed Roof Plan
- 021:03: Existing and Proposed First Floor Plan
- 020-03: Existing and Proposed Ground Floor Plan
- 100-03: Existing and Proposed Isometric Views

Reason: To ensure that the approved development is carried out in complete with the approved plans.

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy QOP 1 of the Northumberland Local Plan.

04. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Informatives

1. The applicant is reminded that this permission does not convey approval for works affecting third party rights which may exist on the land or any adjoining. The applicant is therefore advised to seek the approval of any parties having an interest in any land affected by this permission.
2. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary. The applicant should seek independent legal advice about this legislation.
3. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
5. This is a planning permission granted under the Town and Country Planning Act. It does not convey any other form or consent that may be required from the Council. In particular building works may require approval under the Building Regulations and works affecting listed buildings may well require Listed Building Consent. Further information on these approvals can be obtained from the planning department at Northumberland County Council.

EIA

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

Date of Report: 27th July 2023.

Background Papers: Planning application file(s)