

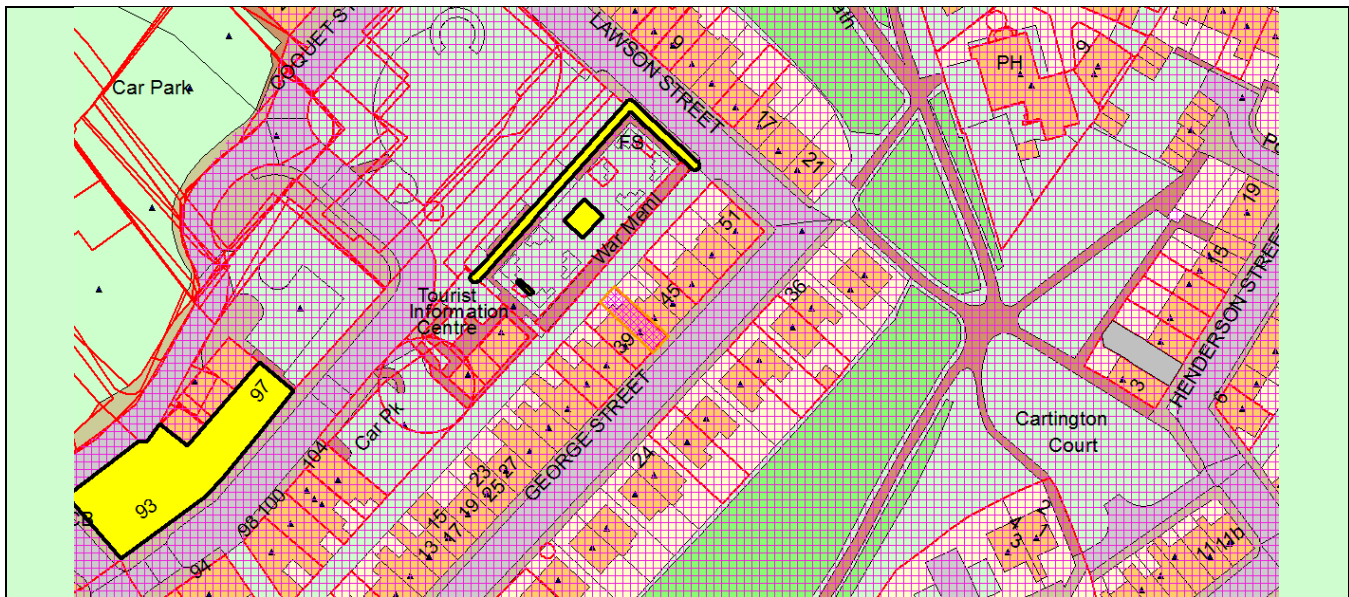


# Northumberland County Council

## North Northumberland Local Area Council Planning Committee 24 February 2022

<b>Application No:</b>	21/03766/FUL		
<b>Proposal:</b>	Resubmission: Proposed front and rear pitched roof dormers		
<b>Site Address</b>	41 George Street, Amble, NE65 0DW,		
<b>Applicant:</b>	Mrs Elaine Abrol Collingwood House, Fir Tree Copse, Hepscott, Northumberland NE616LH	<b>Agent:</b>	None
<b>Ward</b>	Amble	<b>Parish</b>	Amble By The Sea
<b>Valid Date:</b>	13 October 2021	<b>Expiry Date:</b>	8 December 2021
<b>Case Officer Details:</b>	Name: Mr James Wellwood Job Title: Planning Technician Tel No: Email: James.Wellwood@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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### 1. Introduction

1.1. This application falls to be determined by members of the North Northumberland Local Area Council Planning Committee, in accordance with the Council's current Scheme of Delegation.

## 2. Description of the Proposals

2.1 The application seeks planning consent for the construction of pitched roof dormers to the front and rear roof slopes of the property at No. 41 George Street, Amble.

2.2 The property is situated within the Amble Conservation Area and has been constructed from masonry walls with a pebble-dashed render finish.

2.3 The application is a resubmission of a previous application 20/03046/FUL which was refused planning permission and dismissed on Appeal. The proposed flat roof dormer window associated with this previous application had already been constructed meaning the previous application was retrospective.

2.4 The current application now proposes to replace the existing unlawful flat roof dormer with a 3-metre-wide pitched roof dormer to the rear roof slope. The current application also relates to the construction of a 2-metre-wide pitched roof dormer to the front roof slope. The proposed dormers will be constructed with slate tiles, dark grey uPVC windows and dark grey anthracite clad walls all to match the slate roofing tiles of the host property's main roof as well as with white uPVC fascias and black uPVC guttering.

2.5 Amended plans were received 15.12.2021 removing side windows from the proposed front dormer.

## 3. Planning History

**Reference Number:** 20/03046/FUL

**Description:** Flat roof dormer to rear of property

**Status:** REF

**Reference Number:** 20/03781/FUL

**Description:** Proposed flat roof dormer to rear of property

**Status:** APPRET

**Reference Number:** A/93/A/392

**Description:** Extension,

**Status:** PER

**Appeals**

**Reference Number:** 21/00021/REFUSE

**Description:** Flat roof dormer to rear of property

**Status:** DISMIS

## 4. Consultee Responses

Amble Town Council	Objection not in keeping with the rest of the street and George Street is in a conservation area.
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## 5. Public Responses

Neighbour Notification

Number of Neighbours Notified	13
Number of Objections	2
Number of Support	0
Number of General Comments	0

## Notices

Site Notice - Affecting Conservation, posted 27th October 2021

Press Notice - Northumberland Gazette, published 21st October 2021

## Summary of Responses:

Objections have been received from two neighbouring properties with comments along the following grounds:

- Adverse impact on the character and appearance of the main dwelling and the conservation area, the amended plan does nothing to address the original issues caused by the original large dormer window to the rear.
- The property will now be able to accommodate over 8 plus people which would mean 2-3 cars causing congestion in an already congested street and the potential for increased cars parking on the road is a major concern.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QZVQGQQSJFE00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Alnwick Core Strategy (2007)

S15 - Protecting the built and historic environment

S16 - General design principles

Alnwick District Wide Local Plan (1997) (Saved Policies 2007)

BE8 - Design in new residential developments and extensions

TT5 - Controlling car parking provision

Appendix B Extensions to Existing Dwellings

### 6.2 National Planning Policy

National Planning Policy Framework (2021)

National Planning Practice Guidance (2019, as updated)

### 6.3 Emerging Policy

Northumberland Local Plan - Publication Draft Plan (Reg 19) (Jan 2019) as amended by proposed Main Modifications (June 2021):

Policy HOU 1 - Making the best use of existing buildings (Strategic Policy)  
Policy HOU 9 - Residential development management  
Policy QOP 1 - Design principles (Strategic Policy)  
Policy QOP 2 - Good design and amenity  
Policy QOP 6 - Delivering well-designed places  
Policy TRA 1 - Promoting sustainable connections (Strategic Policy)  
Policy TRA 2 - The effects of development on the transport network  
Policy TRA 4 - Parking provision in new development  
Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)  
Policy POL 1 - Unstable and Contaminated Land  
Policy POL 2 - Pollution and air, soil and water quality

## **7. Appraisal**

7.1 In assessing the acceptability of any proposal, regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the relevant development plans for this application are the Alnwick LDF Core Strategy and the Alnwick District Wide Local Plan.

7.2 Paragraph 48 of the NPPF states that, weight can be given to relevant policies contained in emerging plans dependent upon the stage of preparation of the plan, the extent to which there are unresolved objections to relevant policies within the plan and its degree of consistency with the NPPF. The emerging Northumberland Local Plan (NLP) was submitted for examination on the 29 May 2019. The policies contained within this document are a material consideration and carry some weight in the determination of planning applications at this stage.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.4 The main issues for consideration in the determination of this application are:

Principle of the Development  
Design and Visual Impact on the Conservation Area  
Impact on Residential Amenity

Principle of the Development

7.5 The application proposes works that are domestic in nature, within residential curtilage and within the built-up area of Amble. The principle of the development is considered acceptable in accordance with Policy S16 of the Alnwick LDF Core Strategy.

#### Design and Visual Impact on the Conservation Area

7.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

7.7 The proposed works are visible from George Street to the front and from the publicly accessible areas of Queen Street to the rear and therefore should have particular regard to the character and appearance of the conservation area. The applicant has submitted a Heritage Statement in which they note that the architecture of the properties within the immediate area vary. They also state that the adjacent No. 37 George Street has a pitched roofed dormer window on the rear elevation and have included photographs of existing examples of front dormers of a similar appearance to those proposed in the surrounding conservation area.

7.8 When compared with the existing unlawful flat roof dormer, the proposed rear dormer has been reduced significantly in size and scale with both proposed dormers now incorporate a pitched roof which is an example of good design within conservation areas and is in keeping with the main dwelling. Additionally, both dormers would be set away from the ridge, eaves and the side elevations of the main dwelling. This is also an example of good design within conservation areas and maintains the roof form of the existing dwelling. The proposed materials for the roof, walls and windows of the dormers would be of a similar appearance to the slate roofing tiles of the host property's main roof and therefore the proposed materials for the dormer windows are considered to be appropriate for their setting. There are several examples of dormer windows within the immediate area and therefore the development is considered to be in keeping with its surroundings.

7.9 Although dormer windows are not present to the front roof slopes of properties located along the immediate street scene, the proposed front dormer will be of only 2 metres in width and has been carefully designed so as to appear both in keeping with and subservient to the main dwelling. The proposed front dormer will also be of a similar size, scale and design as the existing dormer window at the adjacent No. 37 George Street and although this is situated to the rear of the property, it is arguably visible from a more prominent position within the conservation area. Furthermore, there are dormer windows to the frontages of properties in the wider conservation area.

7.10 For the above reasons, it would be difficult to argue, and sustain such an argument at appeal, that the proposed works would significantly detract from the character and appearance of the main dwelling or the immediate area to such an extent that would sustain recommendation for refusal. Therefore, the proposal would accord with Policy S16 of the Alnwick LDF Core Strategy, Policy BE8 and Appendix B of the Alnwick District Wide Local Plan and the principles of the NPPF.

7.11 Policy QOP1 of the emerging Northumberland Local Plan (NLP) seeks to support development which respects its surroundings. Policy ENV1 of the same

document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. It is considered that the proposal is in accordance with these policies.

#### Impact on Residential Amenity

7.12 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.13 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.14 Obscure views into the front windows of neighbouring properties would be afforded from the proposed front dormer and obscure views into the rear gardens of neighbouring properties would be afforded from the proposed rear dormer. However, all of the windows in impacted properties and rear garden areas of impacted properties are already overlooked at the same (and closer) distances from the existing first floor windows in the host property and the surrounding dwellings. Additionally, the proposed dormers would feature no windows to their side elevations. Therefore, it is not considered that the proposed development would adversely impact the residential amenity of the neighbouring properties. The proposed development is therefore considered acceptable in this respect and is in accordance with Policy QOP 2 of the emerging NLP and the NPPF.

#### Other Issues

7.15 The concerns raised in the objections regarding the impact of the proposals on the character and appearance of the main dwelling and the conservation area are noted and have been addressed in the preceding paragraphs as appropriate.

7.16 Concern has been raised from a neighbouring property regarding parking. It is noted that parking provision is limited on George Street. However, the proposed development does not directly impact the provision of parking and an application cannot be determined on the potential of more occupiers.

#### Equality Duty

7.17 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

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

#### Human Rights Act Implications

7.19 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.

7.20 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.

7.21 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 proposal would accord with Policies S15 and S16 of the Alnwick Core Strategy, Policy BE8 and Appendix B of the Alnwick Local Plan, the NLP and the NPPF. It is therefore recommended by the assigned case officer that this application be granted permission.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

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

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

02. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans. The approved plans and drawing numbers for this development are:

1. Drawing No. 01-A - Location and Proposed Site/Roof Plans (Received 23.09.2021)
2. Drawing No. 03-D - Amended Proposed Plans (Received 15.12.2021)

Reason: To ensure that the approved development is carried out in complete accordance 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 S16 of the Alnwick LDF Core Strategy.

**Background Papers:** Planning application file(s) 21/03766/FUL