

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2017/0806/CA
LOCATION: 204 HIGH STREET MARSKE BY THE SEA TS11
7LS
PROPOSAL: DETACHED SUMMERHOUSE WITH
DECKING/TERRACE AREA; MINOR
MODIFICATIONS TO FRONT DRIVE
(AMENDED SCHEME) (RETROSPECTIVE)

APPLICATION SITE AND DESCRIPTION

Permission is sought for a detached summerhouse with decking / terrace area; minor modifications to front drive on land at 204 High Street Marske. The application is an amended scheme following approved for extension to existing driveway at front; rear dormer extensions and detached summer house at rear. Works have taken place on site and therefore retrospective consent is sought.

204 High Street Marske is the northern half of a pair of semi-detached dwelling located on the east side of the street. The Valley Gardens lie to the east. The surrounding area is predominantly residential comprising a mix of dwelling types.

The land gently rises from the road towards the dwelling. To the rear there is an area of relatively flat ground around the dwelling, the land then steeply slopes downwards towards the Valley Gardens.

This site is within Marske Conservation Area.

The first application arose as a result of an enforcement investigation where it was established the applicant had not built the development in accordance with the approved plan under reference R/2017/0408/CA. The application has been revised during the lifetime of the application.

The revised drawings for the summerhouse which incorporate a lowered area of screened terrace in front of the structure and omits all details of the raised timber decking and fence panels as originally submitted. The drawings also include minor modifications to the front drive to be considered as part of this current application.

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

REDCAR & CLEVELAND LOCAL DEVELOPMENT FRAMEWORK (LDF)

CORE STRATEGY DPD

CS1 Securing a Better Quality of Life
CS5 Spatial Strategy for Redcar Area
CS20 Promoting Good Design
CS25 Built and Historic Environment

DEVELOPMENT POLICIES DPD

DP1 Development Limits
DP2 Site Selection
DP3 Sustainable Design
DP9 Conservation Areas

EMERGING LOCAL PLAN

On 19 April 2017, the Council formally submitted the Local Plan Publication Draft (together with the Council's proposed Main Modifications) to the Secretary of State for examination. The Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan was published on 23 March 2018 and finds that the Local Plan provides an appropriate basis for planning in the Borough provided the recommended main modifications are made. Para 216 of the National Planning Policy Framework states that from the day of publication, decision makers may give weight to relevant policies in emerging plans according to; the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies in the plan and the degree of consistency with the NPPF. Until the plan is adopted in spring 2018 decisions on applications will reflect this approach

SD1 Sustainable Development
SD4 General Development Principles
LS2 Coastal Area Spatial Strategy
HE1 Conservation Areas

OTHER POLICY DOCUMENTS

Residential Extensions and Alterations Supplementary Planning Document

Marske Conservation Area Appraisal

RELEVANT PLANNING HISTORY

R/2017/0408/CA Extension to existing driveway at front; rear dormer extensions and detached summer house at rear. Approved 9 August 2017

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a press notice, site notice and neighbour notification letters. Due to the revisions to the application and the amended description there have been two rounds of consultation.

As a result of both the consultation periods the following representation and comments have been received;

13 representations (from 5 addresses) objecting to the application;

- Insensitive to allow such a development in a Conservation Area.
- Not built with landscape in mind.
- The proposal is the eyesore of the Valley Gardens.
- Overlooking.
- Not in accordance.
- Loss of privacy.
- Noise and disturbance.
- Scale and size not truly reflected.
- Concrete base used on site.
- Drawings incorrect.
- Lack of consultation.
- Contrary to national and local policies and guidance.
- Council has failed to represent all residents.
- Lack of enforcement action.
- Lack of drainage.
- No summerhouses within the area.
- The support comments are concerning.
- No parking benefit.

31 representations supporting the application;

- Improvement to area / property.
- Property was an over-grown eyesore.
- Parking off road is a good idea.
- Summerhouse is a beautiful addition.
- Other residents should be encouraged to tidy their gardens.
- Objections are not representative of the whole street.
- Parking is an issue in the area – this proposal helps improve the situation.
- Enhances the view.

Saltburn, Marske and New Marske Parish Council

No objections

Redcar and Cleveland Borough Council (Conservation Advisor)

First Response

The northern end of the Valley Gardens has an eclectic character, being bounded to the west by houses of differing styles and the rear gardens of houses on the High St. The summerhouse structure is finished in a pastel colour with ornate contrasting eaves, which in combination with the timber decking results in an effect redolent of the seaside.

This impression has however been eroded slightly by the installation of more rustic style fencing which gives the impression of a domestic back garden although if this were altered, perhaps to birds mouth type fencing, it is considered that the character of this part of the conservation area would be preserved thus complying with Policy CS25 of the LDF and Policy HE1 of the draft Local Plan.

Second Response

No objection. The issues surrounding the summerhouse and decking have been discussed in a previous response and the inappropriate fencing has now been removed from the plans. The blue shade used for the exterior and the slate effect roof are considered to be a sympathetic finish. The proposed front fence and refuse store is a minor modification which is not anticipated to have a detrimental impact upon the conservation area subject to a sympathetic stain being applied. Overall therefore the proposals are considered to comply with Policy HE1 of the draft Local Plan and policies CS25 and DP9 of the LDF.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the determination of the application are;

- The impacts on the character and appearance of the street scene and the wider conservation area.
- The impacts on neighbour amenity.

Impacts on the character and appearance of the street scene and the wider conservation area.

Paragraph 131 of the NPPF confirms that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Policies CS25 and DP9 of the LDF also seek the preservation and enhancement of conservation areas. This is taken forward into the emerging Local Plan through policy HE1.

Policies CS20, DP2 and DP3 aim to achieve quality development that does not adversely impact upon the street scene more generally. This aim is brought forward into the emerging Local Plan through policy SD4.

The Conservation Area Appraisal states at paragraph 4.4:

... Other historic properties in Cliff Terrace are largely hidden from this view by a row of two-storey, mid-20th century suburban houses lining the east side of the road as it swings south to enter the conservation area and the historic core of the village at the striking Mock Tudor style Ship Inn.

The Council's conservation advisor has raised no objections to the revised application.

The proposal shows the alterations to the site's frontage: the increased width of the drive, changes to the existing steps and surface materials and a secure refuse enclosure. The summerhouse would be an ancillary garden room and requires permission as it includes a verandah.

The original design concept is reflective of a beach hut supported on stilts. The development has not been implemented in accordance with the approved plans with the summerhouse in a modified position and the inclusion of a larger external decking area enclosed by planting.

This site due to the stark level changes is open to views from the Valley Gardens. The revised plans show that the as built scheme will be altered and incorporate enhanced planting.

There is a mix in relation to the treatments of front garden spaces within this area. The proposed changes to the front of the property are minor alterations and these would not have an adverse impact on the street scene and would not detract from the wider conservation area.

There is a mix in property types within the area and a mix of outbuildings and extensions. The proposed summerhouse, along with the planting proposed, is considered an acceptable development within the curtilage of a residential dwelling. The principle of a detached summerhouse in the rear garden has been previously established through the granting of the original permission.

The revised location would not have an adverse impact on the character and appearance of the street scene and would not detract from the wider conservation area.

The proposal accords with the aims of policies CS25, CS20, DP2, DP3 and DP9 of the Redcar and Cleveland Local Development Framework and policies SD4 and HE1 of the emerging Local Plan.

Impacts on neighbour amenity.

Due to the changing levels within the rear garden opportunities already existing for mutual overlooking of neighbouring gardens.

The summerhouse is located in a revised position which has resulted in it been in a more elevated position in the rear garden. Areas of decking to the front and side of the summerhouse are also included through the revised application.

Given the location, raised position and existing site constraints the proposal would result in an increase in the perception and on balance a material loss of privacy in terms of overlooking to the neighbour property. The development would therefore compromise the living conditions of the occupiers of neighbouring property.

The application, due to the adverse impact on neighbour amenity, is contrary to the aims of policies CS20, DP2 and DP3 of the Redcar and Cleveland Local Development Framework and policy SD4 of the emerging Local Plan.

Other matters

The proposal raises no issues in terms of highways safety. The modifications to the driveway are acceptable. The application accords with the relevant aspects of policy DP3 of the Local Development Framework and policy SD4 of the emerging Local Plan.

The application raises no issues in terms of crime prevention.

CONCLUSION

The development is considered acceptable in terms of the impact upon highway safety, crime prevention and the character and appearance of the area generally and in particular would not constitute harm to the Conservation Area. In these respects the development accords with the aims of policies CS25, CS20, DP2, SP3 and DP9 of the Redcar and Cleveland Local Development Framework and policies SD4 and HE1 of the emerging Local Plan.

The development due to its design, size and location would create conditions prejudicial to the living conditions of neighbouring residential occupiers by way of loss of privacy due to overlooking. The development is considered to be contrary to policies DP2 and DP3 of the Redcar and Cleveland Local Development Framework and policy SD4 of the emerging Local Plan.

Comments received as part of the consultation are noted however for the reasons outlined above the proposal, due to the adverse impacts on neighbour amenity, is not considered acceptable and does not accord with the Councils adopted and emerging Development Plan.

RECOMMENDATION

Taking into account the contents of the report the recommendation is to:

REFUSE PLANNING PERMISSION for the following reason(s);

The development due to its design, size and location would create conditions prejudicial to the living conditions of neighbouring residential occupiers by way of loss of privacy due to overlooking. It is considered to be contrary to policies DP2 and DP3 of the Redcar and Cleveland Local Development Framework and policy SD4 of the emerging Local Plan.

STATEMENT OF CO-OPERATIVE WORKING

The Local Planning Authority considers that the application as submitted did not meet with the local policies and guidance. The agent has been advised of the concerns however no satisfactory scheme has been achieved. It has therefore been agreed that the application should be determined as submitted.