

## **DELEGATED REPORT / CASE OFFICER'S ASSESSMENT**

**Ref No:** ST/0113/19/HFUL  
**Proposal:** Demolition of existing conservatory, construction of new external balcony, construction of side dormer and replacement of existing windows.  
**Location:** 24 West Meadows Road  
Cleadon  
SR6 7TU

**Site Visit Made:** 11/05/18, 29/04/19

### **Relevant policies/SPDs**

- 1 DM1 - Management of Development (A & B)
- 2 SPD9 - Householder Developments

### **Description of the site and of the proposals**

The application site is a large bespoke two-storey detached property, set within a sizeable and well landscaped corner plot on the western side of West Meadows Road in Cleadon. The area is populated by predominantly detached properties. 26 West Meadows Road shares a boundary with the site to the south, with 1a Woodlands Road to the east. Across Woodlands Road to the north is a recently erected replacement dwelling at 22 West Meadows Road, which still appears to be under construction, which has replaced a former bungalow. A number of detached properties are located across West Meadows Road to the east.

The existing property is comprised of white render walls, with slate roof, cat slide dormers, and timber boarding. The dwelling has been previously extended in the past, included the erection of a ground floor side (south) extension, approved under reference ST/1692/06/FUL, in addition to earlier extensions including an extension that is now proposed for removal.

A recent planning application for house extensions was granted planning permission in June 2018 (ST/0399/18/HFUL). This application proposes a development that is similar in many respects and of a similar character, whilst making some material changes to that scheme.

The 2018 application comprised of two main elements. The first was the demolition of the existing conservatory (maximum 5 metre projection) attached to the rear (west) elevation of the property, and its replacement with a single storey rear extension (maximum 1.9 metre projection), with a terrace/balcony above. The current application again seeks to demolish the existing conservatory, but would instead only replace this with only a terrace/balcony structure, on a supporting post, creating a canopy below. This would have a slightly lesser projection of 1.35 metres to the west, meaning that it would not project beyond the main west elevation of the existing dwelling in the way that was proposed in the 2018 proposal. The single storey rear extension is no longer proposed in this new application.

The 2018 application proposal also included the erection of a dormer extension on the existing north facing roof slope, facing the road to the side, which would remain part of this scheme. This dormer would extend along a sizeable proportion of the side (north) elevation, but would remain well set back from the front of the property and set well down from the main ridge height.

The 2018 application also includes some alterations to existing window and door openings and materials, and some additional areas of cladding to the south and west elevations. The current application proposes to clad the same areas on these elevations, but involves the re-location of a number of proposed openings, when compared with the 2018 plans. The larger glazed door openings would be located further north on this elevation, in lieu of a window, with the narrower set of bi-folding doors in place beneath the balcony, instead of the larger glazed door openings. Between these, a window would be put in place, instead of the bi-folding doors.

## **Publicity / Consultations** (Expiry date 16/04/19)

### **1) Neighbour responses**

None received

## **Assessment**

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

The main issues relevant to the assessment of this proposal are the;

- Design of the proposal and its impact on visual amenity; and
- Impact on residential amenity

## **Design/Visual Amenity**

The key issues affecting consideration of the visual appearance of the proposed extensions are any effects that the extensions would have in terms of their relationship with the host property, and the wider street scene. This includes consideration of whether the proposals would appear as subordinate and proportionate additions to the host and whether the proposals would be complementary or harmful to the existing aesthetic of the property and the surrounding street scene.

Given the location and scale of the balcony/terrace extension, which has a substantially lesser footprint and projection than the existing conservatory, and the extent to which the site is landscaped, it is considered that this aspect of the proposals would have a minimal effect on the overall street scene, as only the top of this extension could be glimpsed from the street, and that any slight impact on the street scene is likely to be neutral or positive due to the design and appearance of the extension.

The dormer window that is proposed fronts onto Woodlands Road at first floor level, so is more prominent within the street scene. While this has a sizeable width, it is considered that this has been well designed to limit its massing and avoid a top heavy appearance. Its design is benefitted by the sensitive use of materials of a similar appearance, with a substantial set down from the main roof height and set back from the front elevation. The addition of cladding and alterations to openings and materials on the property are considered to be in keeping with the style and design of the property, enhancing the property's appearance, but would again not be overly prominent within the street scene.

It is considered that the proposals convey sensitive consideration of the existing property's character and the surrounding area. The proposed development would accord with LDF Policy DM1 (A) in this instance.

## Residential Amenity

The main issue to consider in respect of residential amenity in this case is any potential for overlooking of neighbours from the proposed balcony/terrace area, dormer windows, or other openings.

To the south of the proposed balcony/terrace, a high outbuilding exists, which also forms the boundary wall, and extends along the boundary between the application site and the neighbouring property. A blank gable wall also faces towards the application site. It is considered that the erection of the rear extension and balcony would not result in unacceptable harm resulting from any overlooking/privacy impacts in this direction. Any views from the balcony towards the garden of 26 West Meadows Road would be at an oblique angle and would be limited due to the presence of the existing outbuilding at this property. It is not considered that there would be any harm in terms of overlooking in this direction.

A wall is in place to the north facing end of the balcony terrace, which prevents any overlooking directly in this direction, towards 22 West Meadows Road.

Directly in front of the balcony terrace is the gable of 1a Woodlands Road, which contains only one upper floor window, behind high hedges along the boundary. The planning history for the approved dwelling at 1a Woodlands Road indicates that this window is an obscure glazed window serving a bathroom, and not a habitable room. Dense planting along this boundary also obscures views from the terrace and towards the garden of 1a Woodlands Road. Again, no harm in respect of overlooking/privacy should arise.

The dormer window to the side has three new windows, which would face north; towards the replacement dwelling that has been erected at 22 West Meadows Road. The replacement dwelling has been constructed without the benefit of planning permission, however, planning permission was granted for extensions to the original dwelling to provide a similar end result (ST/0425/17/HFUL).

The replacement dwelling at 22 West Meadows Road is situated on the opposite side of Woodlands Road and has been erected since the grant of planning application ST/0399/18/HFUL, which granted planning permission for extensions at 24 West Meadows Road, which are similar in nature and scale to those proposed in this application and also included three new dormer windows of the same size in the same location within the north elevation.

Juliette balconies now exist within the south elevation of 22 West Meadows Road, which face towards the application site. The elevations of numbers 22 and 24 are situated approximately 25 metres apart, which is considered to be an acceptable separation distance, with no significant potential for unacceptably harmful overlooking/privacy impacts on that neighbour. Notwithstanding this, significant weight is given to the existence of planning permission ST/0399/18/HFUL, which granted planning permission for a development with north facing dormers of the same number, size in the same location within the north elevation.

The alterations to existing windows and doors all relate to changes to the existing size, style or materials used in existing openings and do not create any additional (or significantly increased) openings that would have the potential to have increased overlooking/privacy impacts upon neighbouring residential amenity.

It is not considered that any aspect of the proposals would materially impact neighbouring residential amenity in respect of outlook, dominance, or overshadowing.

It is considered that the proposal would not be unacceptably harmful to the amenities of neighbouring residents, and that the development is in accordance with LDF Policy DM1 (B), while having regard to the design principles set in SPD 9.

## Other Matters

The Council's Countryside Officer was notified at application validation stage regarding protected species impacts, due to the age and location of the property. The response concluded that a bat survey is not required to accompany the application as the proposals are unlikely to impact on bats, however, an informative note advising the application on protection that must be afforded to bats is recommended.

## Summary

It is considered that, in the site circumstances and context of this particular case, the proposal would be in accordance with Local Development Framework (LDF) Policy DM1 (A & B), having regard to all other material planning considerations. The proposal would be an acceptable form of development, subject to the inclusion of the suggested conditions. Significant weight is given to the existence of an extant planning permission for a similar, albeit materially different, development in reaching this conclusion. In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

## Recommendation

Grant Permission Householder with Conditions

## Conditions

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Existing & Proposed Elevations (12/02/2019) received 12/02/19

Existing & Proposed Floor and Site Plans (12/02/2019) received 12/02/19

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

- 3 The external surfaces of the development hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part, except where stated on the material specification on the Existing & Proposed Elevations (12/02/2019) received 12/02/19 and Existing & Proposed Floor and Site Plans (12/02/2019) received 12/02/19. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1.

## **Informatives**

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### 3 NOTE TO APPLICANT

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

**Case officer:** Chris Stanworth

**Signed:**

**Date:** 09/05/19

**Authorised Signatory:**

**Date:**

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