DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0706/17/HFUL
Proposal: Loft conversion with dormer roof addition to the front elevation. Dormer to side elevation with 3no. rooflights and a further 3no. rooflights to the rear roof slope and insertion of a window to the upper floor to the rear elevation.
Location: 219 Sunderland Road
South Shields
NE34 6AQ

Site Visit Made: 02/10/2017

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

This application relates to a semi detached dwelling in the established residential area of South Shields. The dwelling has two storeys with storage areas in the loft space and its roof is hipped. To the southeastern corner of the building there is a hipped roof two storey projection. There is a single storey conservatory to the rear. The host dwelling, along with its attached neighbour, No. 217 Sunderland Road, are set considerably back from the main building line of Sunderland Road along a long driveway. The rear gardens of Nos 217 and 219 share their eastern boundaries with St Mary's Avenue.

This application seeks partially retrospective full planning permission to construct 2no. pitched roof dormer windows and to convert the loft to habitable accommodation. 1no. dormer window would be inserted into the main front (western) roof slope. 1no. dormer window would be inserted into the main southern side roof slope. 2no. roof lights would also be inserted into this part of the roof slope and 1no roof light would be inserted into the southern roof slope of the two storey projection. In the rear (western) elevation, 1no. window would be inserted at first floor level, and 3no. roof lights would be inserted into the western roof slope of the two storey projection. At the time of the case officer's site visit on 2nd October 2017, works to construct the dormer proposed to the side had already commenced.

Planning History

None

Publicity / Consultations (Expiry date 05/10/2017. Second publicity expiry date 30/10/2017)

1) Neighbour responses

None

2) Other Consultee responses

Countryside Officer

My comments on this application relate to its potential to impact on biodiversity including: designated sites; statutorily protected species; and priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted the following document with their application: '219 Sunderland Rd, South Shields, Bat Survey report, For Mr Anthony Capaldi, August 2017' by Graeme Smart Ltd, issue 3 dated 30/8/17.

The report states that a bat risk assessment was undertaken at the property on 4th August 2017. This involved an external and internal inspection of the property for signs of bats and opportunities by roosting bats. No bats or signs of bats were observed, but gaps and crevices suitable for use by roosting bats were found.

The project ecologist concluded that the development proposals present a low risk to bats and roosts. However, there were some constraints to the survey, specifically no access to one loft and disturbance to the internal areas of other loft rooms due to the commencement of internal renovation works. To deal with this constraint, the project ecologist recommended treating the building as having moderate potential to support roosting bats and, in accordance with good practise guidance, one dusk bat activity survey was conducted on 10th August 2017 and one dawn return survey was conducted on 25th August 2017. No bats were recorded emerging from or returning to the property during these activity surveys.

I am satisfied that the ecological survey work undertaken is in accordance with good practise and is adequate and appropriate to support this planning application.

As no bat roost was recorded at the property there are no anticipated impacts on protected species from this proposed development.

As bats are highly mobile species, the bat report gives information in section 7.0 Interpretation of Survey Results and Recommendations, about suitable actions to be taken should bats be unexpectedly encountered during works.

Should planning permission be granted, please include the following informative:

> 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 your project ecologist as per section 7.0 of the Bat Survey report by Graeme Smart and from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

Assessment

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

It is proposed to insert 1no. dormer window to the front roof slope, 1no. dormer window to the southern roof slope, 1no. window at first floor level into the rear elevation and a number of roof lights throughout

the property's roof scape. At the time of the case officer's site visit on 2nd October 2017, the dormer to the side appeared to be partially constructed and was enclosed by black tarpaulin.

Following the case officer's site visit, the application's description was amended to more accurately describe the proposed development. The application was therefore publicised for a further 14 days. No comments were received.

The proposed window and roof windows are able to be constructed under existing permitted development rights and are therefore considered to be acceptable. Nevertheless, it is considered that they would not have a significant adverse impact upon the residential amenity of neighbouring properties or the character and appearance of the area.

SPD 9 states that loft conversions are often considered to be a relatively simple way of providing additional living space. However, adding dormers and roof windows can significantly alter the appearance of a property. Any alterations to a roof should therefore be designed to complement the property and the street scene. For dormer extensions which require planning permission, it is important to avoid a 'top heavy' appearance and spoiling the character of the dwelling; so the majority of the original roof slope should therefore be retained. Dormer extensions should be set in from external walls or property boundaries where near to an attached neighbour, and should not wrap around more than one roof plane. They should always be positioned below the roof ridgeline and set up from the eaves of the main dwelling.

The appropriateness of a dormer extension is dictated by the type and character of the host dwelling. However, if an area is not characterised by dormers of any kind, introducing an undesirable precedent should be avoided.

With older terraced properties, traditional pitched-roof dormers are generally preferred to flat-roof types in terms of design. Where appropriate, window frames should match the style and alignment of windows on the main dwelling, and dormer cheeks (sides) should be tile hung. This is of particular importance for dormer extensions to listed buildings and those in conservation areas as they must protect their special interest and significance.

The proposed dormer windows would have pitched roofs which would match the host property's varied roofscape. The dormer windows would be of traditional proportions which would be acceptable. The roofs and cheeks of the dormers would be tile hung. There are a number of properties in the vicinity which display dormer windows. In conclusion, it is considered that the proposed dormer windows would be in keeping with the character and appearance of the area.

The proposed front dormer would overlook the driveway of Nos. 217 and 219 Sunderland Road, and would be located approximately 8m from the rear boundary of No. 221 Sunderland Road to the southwest. That property's northeastern corner is set 7.4m from the boundary. Therefore the dormer would be 15.4m from the main dwelling of No. 221. SPD 9 states that it would normally be expected that a proposed two storey or upper floor extension would not face the front or rear elevation of an adjacent property at a distance of less than 14 metres. The proposed front dormer would comply with this. Given the orientation of the two properties, the proposed front dormer would not directly overlook the rear elevation and rear garden of No. 221, however oblique views would be afforded of the side of No. 221 and also partially of the rear of that property. There are a number of trees upon the shared boundary which would further obscure views from the dormer. Having regard for this, it is not considered that the front dormer window would result in an unacceptable loss of privacy to No. 221 Sunderland Road.

The front dormer would be set 10m from the boundary with No. 215 Sunderland Road to the northwest. That property is set a further 7.8m to the northwest of the shared boundary and so the dormer would satisfy the privacy distance set out in SPD 9. Some views of the rear of No. 215 would be possible from the dormer window, although obscured by existing trees upon the boundary. Therefore it is not

considered that the front dormer window would result in an unacceptable loss of privacy to No. 221 Sunderland Road.

The dormer to the southern side elevation of the property would look along the row of rear gardens of properties on Sunderland Road and St. Mary's Avenue. SPD 9 states that the extent to which an extension impacts on a neighbour's outdoor space is a material consideration, but is given less weight than impacts from within the dwelling. The side dormer would be located 10m from the boundary to the south. There are a number of trees and high bushes on the boundary which would obscure the majority of views into the rear gardens of properties to the south. The closest property to the south / southwest is No. 88 St Mary's Avenue, the rear elevation of which is set a minimum of 15m from the dormer window. This would be in excess of the minimum privacy distance of 14m as set by SPD 9, and views from the dormer to the rear of No. 88 would also be partially obscured by the host property's two storey projection and also by the existing trees upon the boundary. It is therefore not considered that the proposed dormer window would have a significant adverse impact upon the privacy of No. 88.

The rear of No. 221 Sunderland Road would be set some 22m from the side dormer window and so it is not considered that it would result in a significant loss of privacy to that property. Consequently it is not considered that the proposed dormer window to the southern elevation would result in a significant detrimental impact upon residential amenity.

The Council's Countryside Officer has been consulted on this application and recommends than an informative be added to any decision relating to bats.

Having regard for all of the above, it is considered that the proposal would not have a significant impact upon the character and appearance of the area, and would not cause significant harm to the residential amenity of neighbouring properties. The proposal is therefore deemed to accord with all relevant local and national planning policy and consequently the application is recommended for approval.

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

303-724-1 Rev V1 received 07 September 2017
303-724-2 Rev V1 received 07 September 2017
303-724-3 Rev V1 received 07 September 2017
303-724-4 Rev V1 received 07 September 2017
303-724-6 Rev V1 received 07 September 2017
303-724-Layout2 Rev V1 received 24 July 2017

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. 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 (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible.

2 The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining

activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

4 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: Seán Gallagher
Signed:
Date: 01/11/2017

Authorised Signatory:
Date:

«END»