DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0756/17/HFUL
Proposal: Demolition of part rear boundary wall and construction of kitchen extension to rear elevation.
Location: 29 Rectory Bank
WEST BOLDON
NE36 0QF

Site Visit Made: 22/08/2017

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

3 SPD11 - West Boldon Conservation Area Management Plan - Adopted August 2007

Description of the site and of the proposals

This application relates to a west facing two storey terraced dwelling in the established residential area of West Boldon. The site is located within the West Boldon Conservation Area and forms part of the Rectory Bank Historic Core Character Area. To the rear of the property there is a single storey kitchen extension. To the north of the kitchen extension there is a small linear yard. The yard is bounded by the host property to the west, the kitchen extension to the south, and the 1.5m high brick wall which forms the boundary with Osborne House to the east. There is a closed board fence immediately to the east of this wall in the garden of Osborne House which is 2.2m in height and projects 0.7m above the wall. The yard runs to the north to the rear of the adjoining property, No. 27 Rectory Bank.

This application seeks full planning permission to construct a single storey kitchen extension to the rear of the property. The extension would project 2.745m to the north of the existing kitchen extension and would be 1.48m in width, spanning the entire width of the yard. It would have a pitched roof which would host a conservation style roof light. There would be 1no door in the northern elevation. The proposal would involve the partial demolition of the existing boundary wall with Osborne House. The eastern elevation of the proposal would form the boundary with Osborne House and the extension would tie into the existing boundary wall to the north.

Planning History

No relevant planning history

Publicity / Consultations (Expiry date 07/09/2017)

1) **Neighbour responses**

1no. representation received from the occupier of Osborne House, West Boldon in objection to the application. The points raised are summarised as follows:

- The extension would form a party wall and hence all rainwater goods and guttering would be on the property of Osborne House.
- As it is not possible to source the original style of bricks and alternative brick must be used, the wall forming the boundary between the site and Osborne House would not return to its original state.

2) Other Consultee responses

None

Assessment

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

Policy DM 1 seeks to preserve residential amenity. The proposed extension would be located 0.7m to the south of the lounge window of No. 27 Rectory Bank. This window does not afford a great deal of outlook or light at present as it looks out onto the yard of No. 29 and there is a 1.5m high brick wall with 0.7m high fence projecting above located 1.2m away. Additionally, the two storey high rear elevation of No.29 and Osborne House lies 5.1m to the south. Therefore it is not considered that the proposal would result in such a significant further loss of outlook or light to that window to warrant refusal. The proposal would lead to no further loss of privacy to No. 27.

The proposal would be 2.5m high to the eaves and 3.4m high to the ridge of the roof. This would project 0.3m to 1.2m above the existing brick wall and fence boundary. Given this and the orientation of the two properties, it is not considered that the extension would lead to a significant loss of light or outlook to Osborne House to the east. There would be no windows in the eastern elevation and so there would be no loss of privacy to Osborne House. It is noted that rainwater goods would project over the land of Osborne House. The correct certificate has been signed on the application form and notice has been served on the occupier of that property by the applicant. Whilst the occupier of Osborne House has objected to the application as the rainwater goods would project onto their property, and this has been noted by the case officer, it is a civil matter between neighbours and not a material planning consideration and therefore cannot be taken into account in the decision making process. In conclusion it is not considered that the proposal would have a significant detrimental impact upon the residential amenity of surrounding properties.

SPD 9 seeks to ensure that the visual impact of a proposal on the dwelling and its immediate neighbourhood is acceptable and that high standards of urban design are achieved. SPD 11, the West Boldon Conservation Area Management Plan seeks to ensure that development taking place within the Conservation Area is appropriate. The site forms part of the Rectory Bank Historic Core character area of the West Boldon Conservation Area. SPD 11 notes that Rectory Bank forms part of the historic core and a large number of the village's original buildings can be found here. As with other parts of the village, alterations and the replacing of original features has impacted on the character of the village. Where possible the preservation, re-use and management of specific architectural features will be encouraged. Although there is limited opportunity for redevelopment in this area, the compact urban grain, site lines, views, vistas and the short, intimate townscape must remain intact. Specifically in relation to the Rectory Bank Historic Core character area, SPD 11 seeks to:

- Ensure that any internal alterations to historic buildings (listed and unlisted) will preserve their architectural integrity and historic interest;

- Preserve the distinctive character and appearance of historic buildings: any alterations should be sympathetic to the historic built form character, architectural detailing, materials and setting of the area, and;

- Encourage property owners to repair or reinstate historic boundary walls, original timber windows, stone plinths and railings to the front curtilage of properties.

The proposal is set to the rear of the host property in a private yard and therefore would not be highly visible within the Conservation Area. The proposal's pitched roof design would be sympathetic to the host property and surrounding properties, and the materials used would be in keeping with the host property and wider Conservation Area. Whilst the bricks used may not be the exact type as the original wall, a condition has been added to this application stating that the materials to be used should be of a similar appearance and type to those existing. The extension would be of an appropriate scale and massing in relation to the host property. It is therefore considered that the proposal would be in keeping with the character and appearance of the West Boldon Conservation Area.

In conclusion it is considered that the proposal would 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

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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 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

3 Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at: https://www.gov.uk/party-wall-etc-act-1996-guidance

Case officer: Seán Gallagher
Signed:
Date: 25/09/2017

Authorised Signatory:
Date:

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