DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0972/17/HFUL
Proposal: Conversion of first floor roof voids (loft conversion) and insertion of 4no. flat roofed dormers to create 2 additional bedrooms. Velux roof window. Porthole window to the front elevation at first floor level.
Location: 6 North Avenue
South Shields
NE34 6AX

Site Visit Made: 15/11/2017

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 large detached dwellinghouse in the residential area of South Shields. The property is longitudinal in nature running from south to north and its roof is pitched and is formed of two parts, with a lower roof section to the northern end of the property. To the northeastern corner of the property there is a single storey flat roof projection. The property is set in a large garden which is bounded by a hedge and closed board timber fence of approximately 1.8m height above a brick base.

This application seeks full planning permission to construct three flat roof dormer windows into the eastern roof slope and one flat roof dormer window into the lower section of the western roof slope. It is also proposed to insert 1no round window at first floor level into the southern gable end elevation and 1no window at ground floor level into the northern gable elevation. Finally, it is proposed to insert a roof light into the lowered section of the western roof slope.

Planning History

Reference: ST/0968/84//DM
Description: Erection of a Private Garage
Decision: Permitted Development
Date: 20/12/1984

Reference: ST/0806/16/HFUL
Description: Replace sunroom to side elevation with larger sunroom addition. First floor en suite master bedroom extension with walled roof garden to rear elevation. New window opening to ground floor rear elevation. New vehicle access crossing and gated access from North Avenue
Decision: Grant Permission Householder with Conditions
Date: 09/01/2017
This permission has not yet been implemented

Reference: ST/0095/17/HFUL
Description: Removal of existing sun lounge. Two storey side extension to east elevation to create an open plan family room/kitchen/dining room incorporating garage conversion at ground floor with dressing room and roof garden at first floor. Loft conversion with dormer windows to west and east elevations. New vehicle access and alterations with new double access gates to boundary.
Decision: Grant Permission Householder with Conditions
Date: 16/03/2017
This permission has not yet been implemented

Publicity / Consultations (Expiry date 09/11/2017)

1) **Neighbour responses**

None

2) **Other Consultee responses**

Countryside Officer
This property doesn't trigger our criteria for bat surveys due to the age of the property and its distance from the nearest foraging habitat. I would certainly recommend including an informative on bats with any consent granted.

Assessment

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

SPD 9 states that for dormer extensions which require planning permission, it is important to avoid 'top heavy' appearance and spoiling the character of the dwelling; so the majority of the original roof slope should therefore be retained. To achieve this, two smaller dormers extensions may be more appropriate than one larger feature.

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.

SPD 9 further states that roof lights and windows can be a suitable means of allowing light into a loft space, without the construction of a dormer extension. The use of roof lights as an alternative can help to maintain the character of the existing dwelling and of the street scene. Roof lights on houses can be added under 'permitted development'.

Policy DM 1 (B) seeks to ensure that development is acceptable in relation to any impact on residential amenity.

The dormer windows to the eastern elevation would be located 4.675m from the boundary to the east with the Harton Lea development of flats. The boundary consists of a 1.8m high timber fence above a brick base. There are two blocks of flats in close proximity to the boundary. The furthest to the south is located 2.4m from the boundary but is set forward of the front elevation of the host property. The most northern of the two blocks is set 6.5m from the boundary and hence 11.3m from the eastern elevation of the host property.

There is 1no window in the western elevation of the northern most of the two blocks at ground floor level and facing the boundary with the site. That window is separated into three narrow longitudinal windows by the brickwork of the building and so views in to and out of this window would be much more limited than a standard window of the same overall dimensions. The area of land between that window and the boundary is used as garden area and there are bushes and small trees adjacent to the boundary fence which would further obscure views from the application site into Harton Lea. As the dormer windows would be set back from the eaves they would be 12m from the window to the western elevation of the block of flats. SPD 9 suggests that that a privacy distance of 14m should be maintained between upper floor windows. Given the boundary treatment would partially obscure views into the window and also taking into account the vertical drop distance from the proposed dormer windows to the window of Harton Lea, it is considered that any loss of privacy to that window would be acceptable on balance. The property already has planning permission (ref: ST/0806/16/HFUL) which gives consent for the insertion of a window at first floor level to the eastern elevation directly facing Harton Lea. Consequently, it is not considered that the introduction of dormers would result in such a significant loss of privacy to the flats of Harton Lea to warrant refusal.

The proposed dormer window to the western elevation would be located 7.64m from the site's western boundary with No. 8 North Avenue. The windows in the dormer window would be at the same level as the existing first floor windows in the property's western elevation which face towards No. 8. Consequently it is not considered that the proposal would result in a significant further reduction in privacy to No. 8 North Avenue.

The circular window to the southern gable elevation would have no significant adverse impact upon the residential amenity of surrounding properties and would be acceptable.

Policy DM1 (A) seeks to preserve visual amenity. The property is set back from the highway and therefore not very visible from the surrounding area. Whilst in most cases large, flat roof dormers are poor design and should be avoided, in this case the design of the proposed dormers is acceptable in relation to the host property and the site context. The proposed dormer windows would be set down from the ridge of the roof and would remain subservient to the main dwelling. It is not considered that the dormer windows would cause such significant harm to the visual amenity of the area to warrant refusal and on this basis they are considered to be acceptable on balance.

The proposed window to the ground floor and the proposed roof light would be able to be constructed under permitted development rights. Nevertheless they would not have a significant adverse impact upon the residential amenity of neighbouring properties or the visual amenity of the area and so are considered to be acceptable.

Having regard for all of the above, 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

A-03 received 10/10/2017
A-04 Rev. A received 13/10/2017
A-05 received 13/10/2017

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

3 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: 16/11/2017

Authorised Signatory:
Date:

«END»