DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1084/17/HFUL
Proposal: Construction of conservatory to rear elevation.
Location: 40 Parkshiel
South Shields
NE34 8BU

Site Visit Made: 13/12/2017

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

40 Parkshiel is a detached dwelling located within a residential housing estate in South Shields. The property is two storey; but has an original single storey offshoot to its rear elevation, as well as rear garden.

Planning permission is sought for the construction of a single storey conservatory to the rear of the dwelling. The conservatory would have a dwarf brick wall to match the facing brickwork of the existing property; and would connect to the side elevation of the existing offshoot.

Publicity / Consultations (Expiry date 15/12/2017)

1) Neighbour responses

None

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.

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 and Impact on Visual Amenity

The facing materials and design of the conservatory would complement the appearance of the host dwelling, as well as reflect the style of a number of existing conservatories added to properties within the surrounding estate.

Taking into account the footprint of the existing property and size of the rear garden, the extension would appear as a subordinate addition and would not result in the overdevelopment of the site. Its position within the rear garden would also greatly limit its visibility when viewed from the public road, due to the height of the rear boundary fence.

For these reasons, it is judged that the development would convey sensitive consideration of its surroundings, having regard to scale and proportions, use of materials and architectural detailing; and would accord with LDF Policy DM1 (A) and the guidance contained within Supplementary Planning Document 9.

Residential Amenity

The extension would have a projection of 4.5 metres from the rear wall of the original dwelling; and would measure to a maximum height of approximately 3.7 metres. It would be set back 800mm from the shared boundary with the neighbouring property of 41 Parkshiel, which has an existing conservatory to its rear elevation.

The building line is staggered along this part of the estate, with the neighbouring property set forwards from the applicant property. This stagger results in an increased separation distance between the rear habitable windows at no. 41 and the position of the proposed conservatory at no. 40; and reduces the prominence of the extension within the rear outlook of the neighbour. When combined with the set-back of the extension from the common boundary, this would ensure that the development would not appear overly-dominant.

Having regard to the impact of the development on the privacy of the neighbour, Supplementary Planning Document 9 (SPD 9, Householder Developments) provides guidance which states that obscure glazing will be required in all windows along the elevation of the conservatory that faces any common boundary if the windows are within 3 metres of that common boundary. In some situations, a solid boundary treatment (i.e. wall or fence) may be a suitable alternative to obscure glazing. In such cases a 1.8 metre high solid boundary treatment should be provided and retained along any common boundary with an adjoining dwelling house.

To ensure the protection of privacy to both the neighbouring property of 41 Parkshiel and the new conservatory (in accordance with SPD 9 guidance), a condition is proposed requiring either obscure glazing to the side elevation of the conservatory which faces no. 41; or the construction of a 1.8 metre high boundary treatment along the common boundary, extending to at least the depth of the conservatory.

Including the neighbouring property of no. 41, a number of surrounding properties in the estate also have conservatories of varying sizes and designs, in similar positions within rear gardens. In 2007, planning permission was granted for a rear conservatory at 42 Parkshiel (ref: ST/3564/06/FUL) with a condition attached requiring the windows of the extension facing the common boundary with 41 Parkshiel to be obscure glazed. Subject to a similar condition, it is considered that the proposed development would reflect the established standards of amenity within the street scene.

Taking into account the scale and position of the extension in relation to the neighbouring properties and the established character of the surrounding housing estate, it is not considered that the development would result in significant harm to the amenity of surrounding residents; and would accord with LDF Policy DM1 (B) as well as the requirements of the NPPF, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings, subject to the recommended condition.

Conclusion

It is considered that the development would be in accordance with LDF Policy DM1 (A and B), the associated Supplementary Planning Document (SPD) 9 'Householder Developments', and the requirements of the NPPF.

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

Drawing Number 1 'Proposed Extension' received on 14/11/2017

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 Prior to the first occupation of the conservatory extension hereby permitted either:

- The windows of the extension to its side (west) elevation facing the common boundary with 41 Parkshiel shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers. The form of windows and obscure glazing shall be retained thereafter; or

- A 1.8 metre high solid boundary treatment shall be provided and retained along the common boundary with 41 Parkshiel. The boundary treatment shall extend for at least the depth of the conservatory and shall be retained thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential 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

Case officer: Josh Kenolty
Signed:
Date:

Authorised Signatory:
Date:

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