DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1176/17/HFUL
Proposal: Construction of a detached timber shed to the side/rear garden.
Location: 32A Sunniside Lane
Cleadon
SR6 7XB

Site Visit Made: 02/02/18

Relevant policies/SPDs

1 DM1 - Management of Development (A, B & C)

2 LDF CS EA1 - Local Character and Distinctiveness

3 SPD9 - Householder Developments

Description of the site and of the proposals

The proposal is for the erection of a detached mono-pitch roofed timber shed within the established residential curtilage of 32A Sunniside Lane. The proposed shed would have a footprint of 4.8 metres x 3 metres and would have a maximum height of 2.5 metres (eaves height 1.9 metres). The shed would be located in the north-eastern corner of the site, a short distance from the property boundary.

The proposed building falls within permitted development rights available under Part 1 Class E of the 2015 GPDO. Planning permission is required as these permitted development rights were withdrawn when planning permission was granted for the dwelling on the application site (ST/0066/15/FUL).

The property is a recently erected detached residential dwelling, on the eastern side of Sunniside Lane, which was built on land to the north of 32 Sunniside Lane. This followed the grant of planning permission for a dwelling in 2013 (ST/0653/13/FUL) and the subsequent approval of a revised dwelling in 2015 (ST/0066/15/FUL), which has been implemented.

Part of the curtilage of the dwelling lies within the Green Belt, with the boundary running through the application site. The part of the site where the proposed shed would be located is situated within the Green Belt. Green Belt land is located to the north, and to the east of the site.

Trees are located on the application site, including an ash tree and small hawthorn tree close to the site of the proposed shed, adjacent to the boundary, and a maple tree further west along this boundary. A TPO protected ash tree exists forward of the main dwelling, towards the southern boundary of the site.

Publicity / Consultations (Expiry date 26/1/17)

1) Neighbour responses

None

2) Other Consultee responses

None

Assessment

The main issues relevant to the assessment of this application are:

- Impact on Green Belt
- Design and visual impact;
- Impact on residential amenity; and
- Impact on trees;

Green Belt

On the Local Development Framework (LDF) Site Specific Allocations proposals map, the application site is located within Green Belt. Local Development Framework (LDF) Core Strategy Policy EA1 seeks to conserve the best qualities of South Tyneside's built and natural environment stating that the Council will protect and enhance the openness of the Green Belt.

Paragraph 87 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 states that the construction of new buildings should be regarded as inappropriate in Green Belt, but that exceptions to this include "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*". The proposed shed is considered to constitute as an extension to the main building for the purposes of assessment of the proposal against this policy. The application must therefore be considered in the context of these paragraphs.

The original building is considered to be the dwelling as built following the grant planning permission under reference ST/0066/15/FUL. The fact that the proposed shed would not be physically attached to the dwellinghouse is not determinative to the question whether it could be considered as an extension to the 'original building'. This can be considered as an extension to the 'original building', due to its siting within the property's residential curtilage, and due to its close functional relationship. The proposed shed can therefore be regarded as an extension to the 'original building' for the purposes of assessing the proposal against paragraph 89 of the NPPF.

The proposed shed would be modest in terms of its scale. It is considered that the addition of this shed, in the context of the scale of the original building, would not result in the overall extensions to the 'original building' being disproportionate. On this basis, it is considered that the proposed shed would not be inappropriate development in the Green Belt as defined by Paragraph 89 of NPPF, and so it is considered that it would also be in accordance with Core Strategy Policy EA1 in principle.

Additionally, it is not considered that the specific characteristics of the proposed development, including the building's scale, design, materials and location would unacceptably harm the openness of the Green Belt, or the five purposes of including land within the Green Belt, as set out in paragraph 80 of the NPPF. While the building would be located towards the edge of the curtilage of the dwelling, it would still be closely associated with existing built development on the application site, and neighbouring sites. It would not appear as an isolated structure, nor would the development result in any unacceptable degree of encroachment into the Green Belt.

A further relevant material consideration is that the application site is specifically referred to within the Council's Strategic Land Review (January 2018), an evidence based document, which will be used to help inform policies in the emerging Local Plan. The SLR identifies the site as being suitable for development (for 1 – 2 dwellings). This conclusion was reached following consideration of a number of reasons; including making an assessment that development of this site would have low impacts on the Green Belt.

It is considered that the development would not constitute inappropriate development in the Green Belt in this case, and that the proposal would protect the openness of the Green Belt, in accordance with Core Strategy Policy EA1 and national Green Belt policy as set out in the NPPF.

Design and visual impact

The proposed building is considered to be an outbuilding of an appropriate scale, design and materials, that one would ordinarily expect to see within the rear garden of a residential property of this type. It is located towards a rear corner of the property. It is not considered that it would not be a prominent feature within the street scene. The building would also not be visually prominent when viewed from sensitive elevated viewpoints towards Cleadon Hills.

The proposal is considered to accord with Policy DM1(A) and the guiding design principles in SPD9.

Residential amenity

The site of the proposed shed would be located away from neighbouring residential properties. It is not considered that the development would result in harm to the amenity of neighbouring residents and would accord with Policy DM1(B).

Impact on trees

A number of trees are located on the application site, including an ash tree and small hawthorn tree close to the site of the proposed shed, adjacent to the boundary, and a maple tree further west along this boundary. A TPO protected ash tree exists forward of the main dwelling, towards the southern boundary of the site – this protected tree would be unaffected by these proposals.

No arboricultural survey has been submitted with this application; however an arboricultural survey was submitted with the recent planning application for the dwelling in 2015, which was considered by the local planning authority at that time as part of the planning application process. This survey indicated that the trees closest to the site of the proposed shed had a retention category of 'C' and were in either good or fair condition. These trees were not considered to be worthy of a TPO. There is no reason to take a different view at this stage.

The proposed shed would also be located outside of the root protection area of the trees on site, and the scale of the building and type of construction for a building of the type proposed means that it is considered unlikely that these trees would be harmed in any case.

It is not considered that the proposals would have any unacceptable impacts on trees and landscaping. No mitigation is considered necessary in order for the proposals to be acceptable. The proposal would be in accordance with Policy DM1(C) in this respect.

Other matters

The proposal would result in no material change to the existing highway safety situation.

Summary

It is considered that the proposal would be in accordance with Core Strategy Policy EA1, Local Development Framework (LDF) policies DM1 (A, B & C) and the associated Supplementary Planning Document (SPD) 9 'Householder Developments', having regard to all other material planning considerations, and so would be an acceptable form of development.

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

Drg No 007 received 19/12/2017
Drg No 008 received 19/12/2017

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 as stated on the application form received on 7 December 2017. 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

Case officer: Chris Stanworth
Signed:
Date: 06/02/18

Authorised Signatory:
Date:

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