DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0067/18/HFUL
Proposal: Rear living room extension. Front bedroom and lobby extension. New window and door openings including roof lights and roof windows. Demolition of existing rear bedroom offshoot.
Location: 2 Ferndale Grove
East Boldon
NE36 0TG

Site Visit Made: 09/03/18

Relevant policies/SPDs

1 DM1 - Management of Development

2 SPD9 - Householder Developments

3 LDF CS EA3 - Biodiversity and Geodiversity

Description of the site and of the proposals

The application site is a detached bungalow, located on the south-west corner of Ferndale Grove, a residential cul-de-sac in East Boldon. It is the end property on Ferndale Grove, adjacent to 4 Ferndale Grove. The property is set forward of the building line of the other bungalows along Ferndale Grove by around 6 metres. To the front of the property is a substation, and the side boundary of the property adjoins the rear boundaries of 24 and 25 Hunter Close, which are detached properties situated at the end of a cul-de-sac.

The proposal seeks to add both a front and rear extension, following through the existing roof pitch and height of the existing building. The front extension would project forward by approximately 3.7 metres, with the rear extension projecting by around 6 metres to the rear of the main rear elevation, replacing the existing rear off shoot. This would extend the overall length of the property from approximately 10.5 metres (13 metres including the existing rear off shoot), to approximately 19.5 metres in total, excluding the roof overhang.

There will also be changes to the fenestration of each of the elevations of the property.

The external materials of the building are currently facing red brick, roof tiles, with hanging tiles to the front. The proposed extensions would be constructed with a render exterior, tile roof, and dark grey aluminium windows and doors, with the remainder of the existing property to be rendered to match, other than the part of one of the side elevations that would remain as brick. The front door of the property would be inset behind the main front elevation, with the area around the door clad with treated cedar cladding.

Publicity / Consultations (Expiry date – notifications 16/03/18; consultees 19/03/18)

1) **Neighbour responses**

None

2) Other Consultee responses

Countryside Officer (01/03/18)

Planning condition requested, comments below:

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 by Dendra Consulting Ltd with their application: 'Bat Risk Assessment at: 2 Ferndale Grove, East Boldon, South Tyneside ' Job ref: Loughlin_Ferndale_Bat1.1

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.

The report states that a bat risk assessment was undertaken at the property on 12th February 2018. 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, however the survey was undertaken at a time of year when bats are hibernating and any external signs from their active period could have been weathered away.

The survey concluded that the hanging tiles on the front elevation could potentially be used by roosting bats and classified this risk as low. Under current industry best practise guidance, where a structure has been classified as having low suitability for bats, and ecologist should make a professional judgement on how to proceed based on all of the evidence available. The ecologist has recommended a soft strip of the hanging tiles under the supervision of an appropriately qualified, experience and licensed ecologist, the details of which are set out in section 4.1.2 of the submitted Bat Risk Assessment report.

This work is required to ensure compliance with wildlife legislation, and for the LPA to be satisfied that protected species are fully considered when granting planning permission. Therefore, should consent be granted for this application, it must be subject to the following condition:

No development or works shall take place until the planning authority has received written confirmation from a licensed bat ecologist that the soft strip of the hanging tiles under their supervision has taken place as per the method set out in section 4.1.2 of : 'Bat Risk Assessment at: 2 Ferndale Grove, East Boldon, South Tyneside ' Job ref: Loughlin_Ferndale_Bat1.1 by Dendra Consulting Ltd.

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

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;
- Impact on residential amenity;
- Impact on trees; and
- Impact on protected species

Design/Visual Amenity

The proposed extensions are considered to relate well to the host property, as they would continue the existing form of the property and roof pitch, with suitably scaled extensions to the front and rear of the property, along with other minor design changes, which are also in keeping with the character of the area.

SPD9 advises that for detached dwellings with large front gardens, the extent of the extension will be determined by the available space and upon the character of the existing property, having regard to the general principles set out in the SPD. While the extension would extend further to the front, it is not considered that this would have a negative impact on the character of the street scene. The front extension is considered to be acceptable and in accordance the SPD guidance. The front of the property is already set significantly forward of other properties on the south of Ferndale Grove, and the property would still be well behind the substation and would be a similar distance from the road as properties at 25 and 26 Hunter Close.

The rear extension would not extend further than the main rear walls of existing properties, would not be visible within the street scene, and would not impact on visual amenity.

The proposed materials are also considered to be acceptable. The main external material would be render, rather than red brick, as it is at present, although some areas of the red brick exterior would be retained. While the majority of properties within the area have a red brick exterior, it is not considered that the use of render in this case, or that the overall mix of external facing materials would be unacceptably harmful to the overall character of the street scene. A planning condition is suggested relating to the materials.

The proposal would convey sensitive consideration of its surroundings and would accord with LDF Policy DM1 (A) in this instance.

Residential Amenity

It is considered that the proposal would be acceptable in respect of outlook, dominance and overshadowing impacts. The proposed extensions would be single storey and in keeping with the scale and height of the existing property.

The extension to the front would be built adjacent to a detached outbuilding at the front of 4 Ferndale Grove, the closest property. It is not considered that the outlook from this property, and other neighbours would be harmed by the front extension or that it would be overly dominant or cause unacceptable overshadowing.

The extension to the rear would be in keeping with the height and projection of the rear of other properties on Ferndale Grove, and is again not considered to harm neighbours' outlook, be overly dominant or cause unacceptable overshadowing.

It is considered that the proposal would be acceptable in respect of privacy/overlooking impacts. Three narrow obscure glazed bathroom windows are proposed in the side elevation facing 4 Ferndale Grove. This elevation is situated on the boundary faces directly into the rear Garden of 4 Ferndale Grove. As these would otherwise allow direct overlooking into the garden, it is considered to be essential for a planning condition requiring that the windows are obscure glazed and remain as such thereafter.

There would be no side facing windows situated that would overlook neighbours. The other windows proposed within the proposed side, rear and front elevations are not considered to impact on neighbouring residential amenity, with the windows in the other side elevation facing onto a 1.8 metre high boundary fence.

The development is judged to be in accordance with Policy DM1 (B), while having regard to the design principles set in SPD 9.

Trees

A number of trees are situated on, or directly adjacent to the site. Towards the front of the property, a small cherry and small conifer tree are situated reasonably close to the proposed development, however the plans do not indicate that these trees would be removed. These trees are considered to be of low amenity value.

Two silver birch trees are also located towards the rear of the property, beyond the side boundary. One of these is located in close proximity to the proposed rear extension. The plans again do not indicate that the tree would need to be removed. While this tree is larger and more mature than the smaller trees to the front, and has some amenity value, this is limited. It is also not prominent or easily visible within the overall street scene. Works to any trees located within adjacent residential curtilage which overhang the common boundary, that are necessary in order to undertake the development would be a private matter between the two parties.

It is not considered that the development would have any unacceptable impact on trees and would not conflict with LDF Policy DM1.

Protected Species

A bat risk assessment has been provided as part of the application submission, which the Council's Countryside Officer has indicated provides an adequate and appropriate level of ecological survey work to enable the local planning authority to consider the level of risk to protect species.

The ecological risk assessment concluded that the hanging tiles on the front elevation could potentially be used by roosting bats, classifying this risk as low and recommending a soft strip of the hanging tiles under the supervision of an appropriately qualified, experience and licensed ecologist. The Countryside Officer has recommended that a condition be included as a requirement of any planning permission granted.

It is considered that a planning condition is reasonable and meets the relevant tests for conditions, as this would suitably address the identified level of risk to bats. However, it is considered that the wording of the condition is amended from the wording proposed by the Countryside Officer, to ensure that the proposed condition does meet the relevant tests. There is no need for the condition to be a pre-commencement condition, as the soft stripping of the tiles would only need to be done prior to works to the front elevation of the property being carried out, and should not prevent other aspects of the development from commencing. It is also considered that there is also no need for the condition to be worded to require written confirmation to be submitted from an ecologist to allow the condition to be discharged, and that a requirement for the works to be carried out under the supervision of an ecologist is sufficient to achieve the aims of the condition.

The proposal is considered to accord with Core Strategy Policy EA3 in this respect.

Summary

It is considered that, in the site circumstances and context of this particular case, that the proposal would be in accordance with Local Development Framework (LDF) Policy DM1 (A, B & C) and Core Strategy Policy EA3, having regard to design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments', and to all other material planning considerations. It is considered that the proposal would be an acceptable form of development in all other respects, subject to the inclusion of the suggested conditions.

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 No. 01 Rev* received 05/02/18
Drawing No. 02 Rev* received 10/01/18
Drawing No. 03 Rev* received 10/01/18

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, except where stated and detailed on the planning application form received 10/01/18, Drawing No. 03 Rev* received 10/01/18 and email received from the agent on 16/03/18. All works shall be carried out in accordance with the external materials as specified 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.

4 Prior to their installation, the windows to be installed within the side (east) elevation of the property (facing towards 4 Ferndale Grove) 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.

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.

5 No part of the development that would affect the front elevation of the existing property shall take place until a soft strip of the hanging tiles on the front elevation of the property has been undertaken under the supervision of a licensed bat ecologist, as per the method set out in section 4.1.2 of : 'Bat Risk Assessment at: 2 Ferndale Grove, East Boldon, South Tyneside ' Job ref: Loughlin_Ferndale_Bat1.1 by Dendra Consulting Ltd received 15/02/2018.

To avoid disturbance and risk of unacceptable harm to of a European protected species in accordance with South Tyneside LDF Policy EA3.

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 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: Chris Stanworth
Signed:
Date: 20/03/18

Authorised Signatory:
Date:

«END»