DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0614/18/HFUL
Proposal: Ground floor porch and utility room extension and first floor extension above the existing garage to provide a bedroom. Roof terrace balcony above proposed rear utility room extension.
Location: 11 West Drive
Cleadon
SR6 7SJ

Site Visit Made: 09/08/18

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a two-storey semi-detached property, located on the south-west side of West Drive in Cleadon. The property is attached to the neighbouring semi-detached dwelling to the south-east, at 9 West Drive, and neighbours 13 West Drive, to the north-west, which is another semi-detached property. The street scene is characterised by two-storey semi-detached properties of a relatively consistent character, with a number of examples of two-storey side extensions, including examples close to the site at 5, 7, 9 and 17 West Drive. A two-storey side extension has also been approved at 3 West Drive, earlier in 2018.

The proposal at 11 West Drive seeks to add a two-storey side extension, and to replace the existing rear utility room, which would have a slightly increased projection to the rear, with a balcony created on the top of the flat roof of the single storey addition. A ground floor front porch at the front of the two storey extension is also proposed.

Plans were updated on 03/09/18 to include the provision of a 1.8 metre high privacy screen to each side elevation of the balcony. It was not considered that additional notification was needed on the revised proposals as the changes would not create additional impacts on the amenity of neighbours.

Publicity / Consultations (Expiry date 10/08/18)

1) Neighbour responses

None received

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.

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/Visual Amenity

The key issues affecting consideration of the visual appearance of the proposed two-storey side extension are any effects that the extension would have in terms of its relationship with the host property, with the immediate neighbour, and the wider street scene. This includes consideration of whether the proposal would appear as subordinate to the host, whether it would give rise to any degree of terracing effect, and whether these effects would be harmful within the surrounding street scene.

Guidance in the Supplementary Planning Document (SPD) 9 'Householder Developments' (at paragraph 7.2) advises that to achieve the desired subordinate appearance, and to minimise any terracing effect, two-storey side extensions on semi-detached properties should retain a minimum 1 metre gap between the extension and the side boundary of the application site, or provide a one third depth setback where a gap of less than 1 metre from the boundary is provided. The extension would be built right up to the boundary, but provides a 4.2 metre setback, which is comfortably in excess of the one third depth setback, meeting this requirement of the SPD9 guidance.

The guidance also advises (paragraph 7.3) that side extensions should not be more than 3 metres wide. The proposed width of the extension is 3 metres.

The guidance in paragraph 7.2 also seeks the provision of a significantly lowered ridge line and a roof shape that corresponds to the main dwelling. The roof line of the extension is significantly lowered and well setback, giving it a subservient appearance.

Given the significant setback of the extension from the front, and the degree of subservience that is achieved, it is considered that the proposed side extension would have a sufficient degree of visual subordinance within the street scene, and would not create a harmful terracing effect.

The ground floor front porch is considered to be a subservient feature that is set back significantly from the main front wall of the property, and would be in keeping with the character of the existing property and proposed extension.

The single storey extension to the rear is of a similar scale to the existing one it will replace, although the addition of the balcony above it changes its nature to an extent. However, this is kept to the rear of the property and does not impact upon the street scene or public domain.

It is considered that 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 main issue for consideration in respect of neighbouring residential amenity is the potential for the overlooking of neighbours from the proposed balcony.

Without the inclusion of a privacy screen of sufficient height to prevent views in that direction, the immediate view from the (north-west facing) right hand side of the balcony, to the neighbour adjacent to the closest boundary, at 13 West Drive, would be a view over the roof of the detached garage. However, views overlooking the remainder of the garden area beyond that would still be possible and this may cause a degree of overlooking and loss of privacy of these garden areas that would potentially be harmful.

To the (south-east facing) left hand side is 9 West Drive. While this garden is further away from the balcony, there is no structure obscuring views into this garden, and the conservatory, and harmful impacts on privacy are again possible, without the inclusion of a privacy screen of sufficient height across the full depth.

Views could also be possible from the balcony to the closest upper floor window at 13 West Drive. However, the rear elevation of the property suggests that this would be a landing window, and not a window to a habitable room. What appears to be the upper floor bedroom window would be further away, as would openings to ground floor habitable rooms, and the angle between the balcony and these openings is not considered to allow any significant overlooking.

Without a privacy screen, the balcony would allow views over the rear garden of 13 West Drive, and the rear garden and conservatory of 9 West Drive, which it is considered would have potentially unacceptable harmful impacts on the privacy and amenity of these neighbours. The nature of the use of a balcony, which can be used as an external amenity space for prolonged periods of time, would have a greater impact on amenity and would create a greater feeling of being overlooked than existing views out of rear windows. While these impacts are potentially harmful, it is considered that they would be sufficiently overcome through a planning condition requiring the inclusion of a solid or obscure glazed privacy screen to each side of the balcony, along the full depth. The obscure glazed screens as shown on the revised plans appear to achieve this objective and would allow a view out towards the rear with much more minimal opportunity to glance towards neighbouring gardens and should adequately protect the amenity of neighbours.

It is considered that the scale and location of the extensions would mean that there would not be any unacceptable impacts in respect of overshadowing, overbearing impacts or dominance.

Subject to the inclusion of a condition relating to privacy screens, it is considered that the development would not unacceptably impact upon the privacy of neighbours in respect of overlooking of the rear garden areas of the adjoining neighbours. It is considered that the proposal would not be unacceptably harmful to the amenities of neighbouring residents, and that the development is in accordance with LDF Policy DM1 (B), while having regard to the design principles set in SPD 9.

Other Matters

The potential for protected species (bats) being present has also been considered as part of the application process. It is considered that the proposals would not be likely to cause an unacceptable risk to bats, and that it would not have been proportionate to have required a bat survey to be submitted with this application. An informative note is recommended, in order to advise on legal requirements/protection afforded to bats and steps to take if bats are discovered.

Summary

Subject to a condition requiring privacy screens to be put in place, 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), having regard to design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments' and all other material planning considerations. The proposal would be an acceptable form of development, subject to the inclusion of the suggested conditions.

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. EVO 553/02F received 03/09/2018
Drg. No. EVO 553/03 received 11/07/2018

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 on Drg. No. EVO 553/02F received 03/09/2018 and the planning application form received 22/06/2018. 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 the first use of the balcony hereby permitted, a solid or obscure glazed privacy screen (minimum 1.8 metres in height above the floor level of the balcony) shall be installed across the full depth of balcony area, along the side (north-east facing) elevation facing 13 West Drive and along the side (south-west facing) elevation facing 9 West Drive and as shown on Drg. No. EVO 553/02F received 03/09/2018. Once installed the privacy screen shall then be maintained and retained to the reasonable satisfaction of the local planning authority thereafter.

To safeguard the residential amenity and privacy of neighbouring occupiers, 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 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: 04/09/18

Authorised Signatory:
Date:

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