DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0890/18/HFUL
Proposal: Extend garage at the rear and convert into bedroom, also relocate bathroom into small bedroom at the front. Convert bedroom into utility.
Location: 11 Mansfield Court
East Boldon
NE36 0PL

Site Visit Made: 16/10/18

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The proposal seeks to extend an existing domestic garage, which is attached to the side of a residential property at 11 Mansfield Court. The garage is located adjacent to the western boundary of the site, which is a shared side property boundary with 12 Mansfield Court.

The proposal will extend the existing garage to the rear, with an additional projection of 1.15 metres. This will bring the rear of the proposed extension in line with the existing rear conservatory at 11 Mansfield Court. There are also a number of other conservatories and other rear extensions to the rear of properties on this side of Mansfield Court, with similar rear projections present at 10, 9 and 7 Mansfield Court.

12 Mansfield Court has a garage in the corresponding location on the other side of the property boundary. The property at 12 Mansfield Court is set at significantly lower land level than the application site, owing to the difference in levels between the two properties.

The proposed development would bring the rear wall of the proposed bedroom level with the rear projection of the existing conservatory, which is located closer to 10 Mansfield Court. The extension would maintain the existing flat roof form and the same roof height as the existing garage. The extension would be constructed using a matching brick outer, with double doors in the rear, and solid walls to the side elevations.

The floor plans submitted indicate that the extension would enable the existing garage to be converted into a bedroom, shower and storage room, with other changes made to the internal layout within the existing property.

As the garage is attached to the main dwelling and appears to be an original feature, a rear extension of the size proposed would ordinarily fall within permitted development rights. However, permitted development rights for extensions are withdrawn at this property.

Publicity / Consultations (Expiry date 01/11/18)

1) Neighbour responses

No responses received from neighbours.

A notification was also sent to East Boldon Neighbourhood Forum. No response was 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

At paragraph 8.1, SPD9 acknowledges that single-storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 3 metres in respect of terraced houses will generally be acceptable.

It is considered that the proposed extension would be a subservient and proportionate addition in the context of the host property.

The extension would not be visible from the street scene within Mansfield Court and therefore would not impact on the character and appearance of this street scene.

The proposal would convey sensitive consideration of its surroundings and would accord with LDF Policy DM1 (A), while having sufficient regard to the design principles set out in SPD 9.

Residential Amenity

The proposed extension would have a modest projection, extending 1.15 metres along the boundary with 12 Mansfield Court, and taking up only a small proportion of the rear yard area. This boundary currently has a wall covered with ivy along this boundary, which is approximately a metre high at the applicant's side.

It is understood that the door/window openings in the rear of the neighbouring property at the side towards 11 Mansfield Court serve a garage and not a habitable room. The proposed extension contains no windows within the side elevation facing towards 12 Mansfield Court. It is considered that there would be no unacceptable overlooking or privacy issues arising as a result of the proposed development. It is also considered that the outlook from existing habitable room windows, which are situated a substantial distance away from the proposed extension, would not be materially impacted upon by the development.

Notwithstanding this, side facing ground floor windows could be added using permitted development rights under Part 1 Class A of the GPDO. In this instance such windows could have a harmful impact in terms of overlooking/privacy as the side elevation of the extension would be situated directly onto the boundary with 12 Mansfield Court, which would increase potential for overlooking of the rear garden of that property. It is therefore considered that a planning condition is included as part of any approval

issued to prevent the installation of side facing windows in this north facing side elevation without planning permission first being obtained, to prevent a potential harmful impact on the amenity of neighbours from being created. This is not considered necessary facing 10 Summerhill Road, due to the distance off the boundary combined with the high boundary treatment along the side.

The proposed extension is will be likely to cause some degree of additional overshadowing of the rear garden of 12 Mansfield Court, due to the additional projection to the rear of 11 Mansfield Court, which has a ground level substantially higher than that of 12 Mansfield Court, and is located to the south of number 12. However, due to the relatively modest projection being added to the rear of the property, it is not considered that this would have a significant impact upon neighbouring residential amenity through overshadowing, or have an unacceptably dominant or overbearing form. Consideration has been given to SPD9, which states that the extent to which an extension impacts on a neighbours outdoor space is a material consideration but is given less weight than impacts from within the dwelling (paragraph 3.23).

The development would not have any potential to impact on the amenity of the adjoining neighbour at 10 Mansfield Court, due to its location at the opposite side of the existing conservatory.

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

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), 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, 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 1 received 13/09/2018
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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.

4 Notwithstanding the provisions of the Article 3 and Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows or openings other than those shown on the approved plans shall be inserted in the side elevation of the extension facing north (towards 12 Mansfield Court), hereby approved, without an application for planning permission having first been made to and approved in writing by the local planning authority.

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 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: 02/11/18

Authorised Signatory:
Date:

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