## DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

**Ref No:** ST/1012/18/HFUL
**Proposal:** Single storey side extensions to existing dwelling to provide study and garden room.
**Location:** Toad Hall
Front Street
East Boldon
NE36 0SF

**Site Visit Made: 19/12/2018**

## Relevant policies/SPDs

1 LDF CS A1 - Improving Accessibility
2 DM1 - Management of Development (A, B, C & G)
3 DM6 - Heritage Assets and Archaeology
4 SPD6 - Parking Standards
5 SPD9 - Householder Developments
6 SPD15 - East Boldon Conservation Area Management Plan - Adopted April 2009

## Description of the site and of the proposals

Planning permission is sought for the construction of single storey side extensions to Toad Hall, Front Street in East Boldon. The single storey side extension building west would include an extension projecting 1.1 metres to the front. This is not specifically referred to in the application description but is clearly shown on application drawings.

The proposed extension building east would be positioned towards the rear of the existing dwelling. It would project 2.4 metres beyond the main side wall of the existing dwelling, and would have flat roof with roof lantern. The proposed extension building west would project 3.5 metres beyond the main side wall of the existing dwelling, and would include the front projecting part. The eaves of the proposed extension building west would be positioned adjacent to the neighbouring garage block.

The external materials of the proposal would be of reclaimed handmade red brickwork (to match those of the existing dwelling), a main roof of Welsh natural slate, lead flat roofs, timber window frames, lead dormers, cast iron guttering and stone mullions. All dimensions can be scaled from submitted drawings.

Toad Hall is located within the East Boldon Conservation Area. It is raised up behind South Farm's boundary wall and is a small mid-twentieth century brick building with a large swept roof in slate. The former old men's recreation rooms building was converted to a furniture sales room and named Toad Hall in 2000, and subsequently converted to a dwelling over more recent times (see planning history below).

The East Boldon Conservation Area Character Appraisal (February 2006) states:

> "*Raised up behind South Farm's boundary wall is a small mid-twentieth century brick building with a large swept roof in slate. This former old men's recreation rooms building has been imaginatively converted to a furniture sales room named Toad Hall*"

## Background information

The applicant's agent was advised that the original proposal was an unacceptable form of development. The proposed side extension building west (with 1.9 metre front projection) would have detracted from the appearance of the existing dwelling, and would not have preserved the character and appearance of the East Boldon Conservation Area. The Council's Historic Environment Officer objected to the

application on this basis. The applicant's agent was advised that a more acceptable proposal would be for a side extension building west with a set-back between the front wall of the extension, and the main front wall of the dwelling. It would also have provided a lower ridgeline, a roof shape to correspond with that of the existing dwelling, and window detailing in proportion.

An amended proposal was submitted which did not incorporate the advice of the Local Planning Authority. This included a front extension with a significantly reduced projection distance. However the applicant's agent was advised that concerns remained, and that a more acceptable proposal would be as originally advised. However further discussions were undertaken with the applicant and their agent. They advised that any set-back would result in a room that would largely be unusable, and that to provide an extension that would project into the rear garden would result in the dwelling having virtually no rear garden space. Nevertheless, they agreed to make some further design alterations by raising the height of the window sills to the front projection – to ensure that window openings would be more in keeping with the size and proportion of existing windows to the front elevation. It is this second amended proposal which is assessed below.

**Neighbours were re-notified of the amended proposals. However it should be noted that it was not considered necessary to formally re-notify the East Boldon Neighbourhood Forum or the owner / occupier of 5 Ashleigh Villas – both of whom submitted representations. This is because in accordance with the Statement of Community Involvement, it is only necessary to re-notify when a proposed amendment would have a material impact on neighbouring amenity or if a neighbour has requested notification on amendments. Nevertheless, the queries raised by the owner / occupier of 5 Ashleigh Villas were answered by the case officer, and at this time they were made aware of the amended proposal.**

## Planning history

2010 – Planning permission granted for the proposed change of use of an office/showroom premises to a dwelling house. A condition was attached to this planning permission removing permitted development (PD) rights for various extensions / alterations and outbuildings.

2017 – Planning permission granted for the proposed change of use of an office/showroom Class B1(a) to a self-contained one bedroom dwelling (C3). A condition was attached to this planning permission removing permitted development (PD) rights for various extensions / alterations and outbuildings.

## Publicity / Consultations

Neighbour notification expiry date 18/12/2018, 03/04/2019 & 07/06/2019
Consultation expiry dates 09/01/2019, 03/04/2019 & 04/06/2019
Site notice expiry date 09/01/2019
Press notice expiry date 23/01/2019

### 1) Neighbour responses

East Boldon Neighbourhood Forum

Concerns are raised as follows:

- Extension to the west would project beyond the existing front elevation and would have a significant visual impact. This extension should be restricted to a line somewhere behind the existing front elevation – by between 450 and 600mm.
- The configuration of the existing roof shape should be maintained, and the western extension provided with its own roof – pitched and hipped to utilise a valley section within the existing pitched roof.

- The restriction of the side extension mentioned above would mean that the existing tree could be retained.
- Further consideration should be given to the glazing design of the garden room extension. This should be more sympathetic to the windows within the existing building.

*Case Officer Comment: The tree within the front curtilage of the application site would not be worthy of a Tree Preservation Order (TPO) – see the comments from the Landscape Officer below.*

Owner / occupier of 16 Front Street, East Boldon

Agree with application

Owner / occupiers of 5 Ashleigh Villas, East Boldon

Object to the application for the following reasons:

- The application site is located within the East Boldon Conservation Area. Any alteration would go against the grain in terms of loss of architectural features and historic detail. The building is not suitable for a residential dwelling in terms of size and lack of parking provision.
- 'Passages' and 'verges' around the property would be destroyed.
- When was the change of use to residential development sanctioned by South Tyneside Council?
- The owner displays his business logo, projected by laser, onto the outbuildings of South Farm – visible from the A184 every evening. This suggests a business property rather than a residential property. Could Toad Hall become the base for a new business venture?
- Properties along Front Street have been issues with Article 4 Directions – removing permitted development rights. As a result many planning applications to extend / improve these properties have been refused. To grant planning permission for the proposed development would be an affront to these residents.

*Case Officer Comment: The applicant has confirmed that the logo is a garden light and not a laser, although it does relate to their business. They have stated that in any case it will need to be removed in order to accommodate the proposed extension.*

*Case Officer Comment: Advised that planning permission was granted in 2010 and then again in 2017 to change the use of the premises to a dwelling. Advised that the property does not have permitted development rights – these were removed from the building during the applications to change its use to a dwelling.*

**2) Other Consultee responses**

**Historic Environment Officer**

First consultation response

Concerns are raised that the proposed extension would extend the building line forward of the existing property. This would fundamentally change the character of the building, and would have a detrimental impact on the character and appearance of the East Boldon Conservation Area. The proposal cannot be supported in its current form. A proposal setting back the side extension from the existing frontage would be more appropriate.

Second consultation response

The proposal can still not be supported as it would project forward from the main building. However as a compromise it may be acceptable for a proposed extension to lie flush with the existing building, provided that the proposed window openings would mirror the existing windows to the front elevation (in

terms of size and style). This would result in an extension that would not dominate the original building, and would sit quite well within the wider streetscene, and as such would preserve the character and appearance of the East Boldon Conservation Area.

Third consultation response

I am satisfied that the applicant has amended the proposal to be more in keeping. This coupled with the use of high quality matching materials should ensure that the proposal would not detract from the character or appearance of the Conservation Area.

**Landscape Officer**

The tree to the front curtilage of the application site would not warrant a Tree Preservation Order (TPO). No tree protection conditions are therefore required.

**Tyne and Wear Archaeology Officer**

No need for any archaeological monitoring.

## Assessment

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

- Design and visual impact (including upon the character and appearance of the East Boldon Conservation Area);
- Impact on trees;
- Impact on residential amenity; and
- Impact on highway safety

Design and visual impact (including upon the character and appearance of the East Boldon Conservation Area)

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The application dwelling is not a listed building or on the Council's list of locally significant heritage assets. However it is positioned at the heart of the East Boldon Conservation Area, and proposed extensions would be clearly visible from the public domain.

The main dwelling is set back from the main building line of adjacent properties (29 Front Street to the east, and the garage block to the west). The proposed extensions would not be particularly wide with the front extension only projecting forward by 1.1 metres. They would including architectural features and window detailing that would respect / match those of the existing dwelling, and on this basis the Council's Historic Environment Officer has raised no objections.

The concerns raised in representations regarding the visual impact of the proposal on the East Boldon Conservation Area are noted. However these concerns related to the original proposal which has since been amended.

It is considered that the amended proposal would be appropriate in terms of its scale and design in relation to the existing dwelling, with external materials respecting its age and character. Although the proposed extension building west would erode the spacing between the application dwelling and the adjacent garage block, this part of the East Boldon Conservation Area is not characterised by widely

spaced properties. Instead the development in the immediate vicinity is of a higher density, including terraced properties to the east. The roof height of the application dwelling, including the proposed extensions, would remain significantly lower than the terraced properties to the east and the garage block to the west, and the proposed extension projecting forward would still be set back from these neighbouring buildings. The applicant's '3D image sheet' (Drawing No. 16 Rev C received 22/05/2019), demonstrates that the proposed extension retaining a hipped roof design, would ensure that 'visual spacing' would be retained between the application dwelling and the neighbouring garage block.

Overall it is considered that the proposed extensions would preserve the character and appearance of the East Boldon Conservation Area, and would convey sensitive consideration to their surroundings. A condition is recommended to control that the proposal be constructed in accordance with details specified in the application. Subject to compliance with this condition it is considered that the proposal would accord with adopted South Tyneside Local Development Framework (LDF) Development Management Policies DM1 (A) and DM6 and the associated Supplementary Planning Document (SPD) 9 'Householder Developments' and SPD 15 'East Boldon Conservation Area Management Plan'.

Impact on trees

The application site includes a tree within the front curtilage. The East Boldon Neighbourhood Forum has raised concerns that the proposal could impact on this tree. However it is considered that this tree has limited amenity value. The Council's Landscape Officer has advised that it would not be worthy of a Tree Preservation Order (TPO), and so tree protection measures would not be necessary. It is therefore considered that the proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (C).

Impact on residential amenity

There is a public footpath positioned to the east of Toad Hall, and garages to the east. Given the single storey nature of the proposal and the existing built form, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of any neighbouring properties in relation to privacy, outlook and over dominance, or overshadowing. It is considered that the proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD9 in relation to residential amenity.

Impact on highway safety

A representation has been received raising concerns that the building is not suitable for a dwelling, including due to a lack of car parking in the vicinity. However the acceptability of the building being used as a dwelling has already been established. Although the dwelling has no parking, it is considered that the proposal would not generate any additional parking. It would remain as a one bedroom dwelling. It is considered that there would be adequate on street parking for the property on Front Street. As a consequence, it is considered that the proposal would be acceptable with regard to the parking provision, and would cause no congestion on the highway to the detriment of highway safety. It would accord with adopted South Tyneside LDF Core Strategy Policy A1 and the associated SPD 6 'Parking Standards' and adopted South Tyneside LDF Development Management Policy DM1 (G).

Summary

For the reasons articulated above it is considered that the proposal would accord with development plan policy, 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

- Drawing No. 03 Revision C received 22/05/2019
- Drawing No. 05 Revision C received 22/05/2019
- Drawing No. 07 Revision C received 22/05/2019
- Drawing No. 08 Revision C received 23/05/2019
- Drawing No. 12 Revision C received 22/05/2019
- Drawing No. 10 received 05/11/2018
- Drawing No. 14 received 05/11/2018

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 reclaimed 'hand-made' bricks to match those of the existing dwelling, reclaimed Welsh slates to the main roof, and as specified on the planning application form, Drawing No. 05 Rev C received 22/05/2019, Drawing No. 07 Rev C received 22/05/2019, Drawing No. 08 Rev C received 23/05/2019, Drawing No. 12 Rev C received 22/05/2019, Drawing No. 14 received 05/11/2018 and Drawing No. 10 received 05/11/2018. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development in the interests of visual amenity and to preserve the character and appearance of the East Boldon Conservation Area in accordance with adopted South Tyneside LDF Development Management Policies DM1 and DM6.

## 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: David Rogerson**
**Signed:**
**Date:**

**Authorised Signatory:**
**Date:**