DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0064/19/HFUL
Proposal: Ground floor rear extension. First floor bedroom above garage.
Location: 67 Meldon Avenue
South Shields
NE34 0EL

Site Visit Made: 15/05/2019

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application property is a detached dwelling located on the eastern side of Meldon Avenue. The neighbours to the north and south are detached dwellings (65 and 69 Meldon Avenue). Beyond the rear gardens of these properties to the east are dwellings situated on King George Road. The highway is located to the west, with further properties located on Meldon Avenue and Mitford Road.

The proposal seeks permission to erect a first floor side extension above the existing garage, following the existing roofplane at the same ridge and eaves heights of the original property. Permission is also sought to erect a single storey monopitch rear extension across almost the full width of the property, protrude 3.5 metres from the rear elevation of the original property, with the ridge height measuring 3.7 metres and the eaves height 2.6 metres. The materials proposed for both elements would also match those on the original property.

Publicity / Consultations (Expiry date 04/06/2019)

1) Neighbour responses

None

2) Other Consultee responses

None

Assessment

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 determination of this application are the:

- Design of the proposal and its impact on visual amenity; and
- Impact on residential amenity.

Design / visual amenity

Given the nature of the proposal, only the first floor side element would be visible from the public domain. The proposed materials including the brickwork, roof tiles, and uPVC windows would match those on the existing dwelling.

SPD9 sets out guidance in relation to the design of first floor side extensions, generally expecting such extensions to be set down from the original property, and the first floor set back from the principal elevation, in the interests of subordination, as well as retaining a one metre gap between the extension and the side boundary of the application site. The proposed first floor side extension would maintain the existing roofline for the original dwelling and would not be set down from the overall ridge height, nor would the first floor element be set back from the principal elevation of the property. Additionally, the gap between the existing garage and the boundary is 0.7 metres and this would be maintained as a result of the development.

This guidance typically applies for semi-detached and high density detached dwellings. However, it is not considered the dwelling is in an area of high density housing and therefore the above guidance is not directly applicable in this instance.

Notwithstanding the above, SPD9 also sets out criteria when the above guidance can be relaxed. In this case the proposal would meet two such criteria as the dwelling is substantially different to the property to the north, 65 Meldon Avenue, whilst this neighbour would also be incapable of undertaking a similar extension in the same direction. The property to the south, 69 Meldon Avenue, is also of a substantially different design. It is also acknowledged the width of the first floor side extension would measure less than a quarter of the total width of the property and in this regard it is considered maintaining the same ridge and eaves height, and not providing a set back from the principal elevation, would not lead to the property appearing disproportionate within the streetscene.

Finally, SPD9 also sets out that where the existing garage has resulted in a gap along the common boundary of less than one metre, a first floor extension built up to the boundary may be acceptable, subject to certain criteria including subordination in respect of the principal elevation and its height, the depth of the extension, and the design of the proposal. However it is acknowledged the development would be set 0.7m from the boundary and would not be built up to the boundary.

The rear extension is considered acceptable in terms of its design and taking into account the guidance set out within SPD9.

In this regard, it is considered on balance that the proposal would convey sensitive consideration to its surroundings having regard to its scale, proportion and use of materials and is acceptable in terms of its design and also local visual amenity. A condition is suggested with regards to the materials of the proposed extensions being of a similar appearance to those used in the host dwelling and in this respect the proposal would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Impact on residential amenity

The proposal would not harm the amenities of the neighbours to the east and west due to the level of spacing between the proposed development and those neighbours.

In terms of the neighbour to the north (65 Meldon Avenue), the first floor side extension would be located to the boundary with this property, however no openings are proposed in the gable elevation and there are no facing habitable room windows at first floor level within the neighbouring property. In respect of the rear extension, given its position and the distance to this neighbour it is not considered there would be a materially harmful impact on the amenity and privacy of this neighbour.

In terms of the neighbour to the south (69 Meldon Avenue), the only element of the proposal which will impact upon this neighbour is the rear extension. Given its position and the distance to the neighbouring

property, this is not considered to have a materially harmful impact on the amenity and privacy of this neighbour.

Given the above, the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B).

Fallback position

It is considered the rear extension element of the proposal meets the criteria of Permitted Development, and in this regard it is noted the rear extension could be constructed without the benefit of planning permission. However as an application has been submitted, an assessment of this element of the scheme has been undertaken.

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

Proposed Plans and Elevations received 06/03/2019

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.

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 UNIQUE NOTE TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
https://www.gov.uk/party-wall-etc-act-1996-guidance

Case officer: Nick Graham
Signed:
Date: 05/06/2019

Authorised Signatory:
Date:

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