DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0122/19/HFUL
Proposal: Single storey rear extension and two storey side extension.
Location: 39 Marian Way
South Shields
NE34 8AL

Site Visit Made: 04/03/2019 & 11/03/2019

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

This application relates to a south facing two storey dwellinghouse in the established residential area of South Shields. The property is detached with a flat roof link garage to the western elevation, which links to the garage of the adjacent property, No. 37 Marian Way. The host property is set at a higher level than No. 39 by approximately 1m. To the rear the property has a moderately sized garden which hosts a conservatory. There is also a bay window at ground floor level in the main rear elevation of the host property.

This application seeks full planning permission to construct a first floor side extension above the existing garage, to convert the existing garage to a habitable room, and to construct a single storey rear extension following the demolition of the existing conservatory and bay window. Amended plans were received on 01/04/2019 which reduced the size of the first floor side extension, and set the first floor elevation back from the property's principal elevation. Two versions of further amended plans were received on 15/04/2019. It is the second of these versions upon which the application has been determined. Neighbours were not renotified of the changes , having regard to the Council's Statement of Community Involvement, as the changes made the proposal smaller and would have no significant further material impacts.

Publicity / Consultations (Expiry date: 22/03/2019)

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 considerations are the impacts the development will have on residential and visual amenity. LDF Policy DM1 seeks to preserve residential and visual amenity.

Rear Extension

SPD9 states that rear extensions to single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses or 3 metres in respect of semi-detached or terraced houses will generally be acceptable.

The proposed rear extension would project 3m from the main rear elevation of the host property and so would comply with SPD9. It would project across the full width of the property, including the garage, and as such would abut the boundary with No. 37 Marian Way to the west. That property has a garage adjacent to the boundary, the rear elevation of which is flush with the main rear elevation of that property. There are no windows to habitable rooms in the rear elevation of the garage, and the nearest windows to habitable rooms in the rear elevation of No. 37 are set approximately 3.5m from the boundary, and hence the proposed rear extension. No windows are proposed in the western elevation of the proposed rear extension. Whilst the host property is set at a higher level than the adjacent property, given the distance from the nearest habitable windows of No. 37, and given the orientation of the two properties, it is not considered that the proposed rear extension would result in such a significant impact upon the residential amenity of No. 37 in terms of loss of outlook, overshadowing and loss of privacy to warrant refusal. The rear extension would have no significant adverse impact upon the residential amenity of any other neighbouring properties.

First Floor Side Extension & Conversion of Garage to Habitable Room

It is proposed to construct a first floor extension above the existing flat roof garage to the western elevation of the property. SPD9 states that two-storey and first floor side extensions can create a terracing effect within the street scene and give rise to inappropriate design.

SPD9 continues to state that in those cases where the whole width of the plot is already built up by a single storey extension or garage, a first floor extension built up to the boundary may be acceptable where:

- it is set back behind the front wall of the main dwelling;
- it does not occupy more than two-thirds of the depth of the dwelling and is located towards the rear of the main dwelling;
- the roof ridgeline is significantly lower than the main dwelling ridgeline;
- a pitched or hipped roof, depending upon the existing dwelling and proposed extension design, is constructed on any residual flat roof of the original single storey structure in order to reduce the visual impact of the structure upon the proposed extension and street scene, and;
- a window is included to the front elevation of the proposed extension.

The proposed first floor side extension would be set back from the principal elevation of the property by 2.6m. This would be a third depth set back as required by SPD9 and the ridge of the roof would be set down from the roof of the main dwelling. The first floor side extension would therefore demonstrate subservience to the host dwelling. Additionally, the width of the side extension would be acceptable.

The first floor side extension would not project beyond the front or rear elevations of No. 37 Marian Way to the west. Whilst there is a first floor window to the eastern side elevation of No. 37, this is set back off the boundary and serves a landing. Consequently it is not considered that the proposed first floor side extension would result in any significant loss of residential amenity to No. 37. The first floor side extension would have no significant adverse impact upon the residential amenity of any other neighbouring properties.

It is also proposed to convert the garage to a habitable room. This is considered to be acceptable.

Summary

In conclusion it is not considered that the proposal would lead to significant harm in terms of residential and visual amenity. Consequently, the proposal is considered to comply with all relevant local and national planning policy. Therefore, the application is recommended for approval.

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
Dwg No. A-03 Rev C received 15/04/2019
Dwg No. A-04 Rev C received 15/04/2019
Dwg No. A-05 received 12/02/2019
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

Case officer: Seán Gallagher
Signed:
Date: 17/04/2019

Authorised Signatory:
Date:

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