DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0367/19/HFUL
Proposal: Construction of a front entrance canopy, the addition of a pitched slate roof to the existing front bay window, the replacement of the existing upvc windows with timber sash windows, demolish existing single storey rear kitchen extension and construct new rear part single storey/part 2 storey kitchen/dining room and bedroom extension with cream render finish and associated alterations to existing door and window arrangements. Demolish existing detached garage and provide new sliding timber gate.
Location: 1 Ashleigh Villas
East Boldon
NE36 0LA

Site Visit Made: 05/09/19

Relevant policies/SPDs

1 DM1 - Management of Development (A, B & C)

2 DM6 - Heritage Assets and Archaeology (B – iii)

3 SPD9 - Householder Developments

4 SPD15 - East Boldon Conservation Area Management Plan - Adopted April 2009

5 East Boldon Conservation Area Character Appraisal – February 2006

6 LDF CS EA3 - Biodiversity and Geodiversity

7 DM7 - Biodiversity and Geodiversity Sites

Description of the site and of the proposals

The application site is a semi-detached property fronting onto Front Street (A184), within the East Boldon Conservation Area, situated between Grange Park and The Hawthorns, and a short distance from the junction where Front Street meets with Sunderland Road (A184) and Station Terrace (B1299).

The East Boldon Conservation Area Appraisal (2006) identifies the historic and architectural significance of the properties at Ashleigh Villas. The application property forms part of a collection of imposing two-storey predominantly buff brick houses in terraced, semi-detached or double fronted detached form, which all adopt similar designs and motifs. The properties display strong gables facing the street and are enlivened with darker brick string courses, copious timber and sandstone detailing, built using design creativity to increase their perceived grandeur.

The majority of the properties at Ashleigh Villas are subject to an Article 4 direction, which removes a number of permitted development rights; however 1 and 2 Ashleigh Villas are excluded from the direction. It would appear that this is due to the degree of changes that have been made to the original front elevations of this pair of semi-detached properties.

The application seeks to make the following extensions and alterations to the property (based on amended elevation/floor/site plans, received 16/09/19) which replaced the plans originally submitted with the application:

- Front – alterations to the bay window creating a chamfered flat roof form (revised from a pitched slate roof to the existing front bay window shown on the original submission plans); replacement of existing uPVC windows with sliding timber sash windows; installation of six panelled timber front door;
- Rear – demolition of existing single-storey rear extension; addition of a two-storey rear extension with cream render exterior with single pitched slate roof (built against the two-storey single pitched extension at 2 Ashleigh Villas, creating a dual pitched roof form); extension of a single-storey extension with cream render exterior and hipped slate roof to the rear and side of the proposed two-storey extension; demolition of existing detached garage and replacement with sliding timber gate to boundary;

The original scheme had also proposed a front entrance canopy over the main front door, which has been removed from the proposals.

In addition to the application plans, the application submission included a brief Heritage Statement and a Design and Access Statement summarising the proposals and a Bat Survey.

During the course of the consideration of the planning application, an Arboricultural Impact Assessment (AIA) was submitted on 14/10/19.

Publicity / Consultations (Expiry date 14/09/19)

1) Neighbour & Site/Press Notice responses

None received.

The East Boldon Neighbourhood Forum was also notified. No response was received.

No re-notification on the revised proposals and additional information received was necessary in this case in line with the Council's Statement of Community Involvement as the nature of the proposed amendments were not considered to have a material impact on neighbour amenity, nor has a neighbour requested notification on amendments.

2) Consultee responses

Historic Environment Officer

Following our site meeting yesterday, I am generally supportive of the proposals. However, we discussed a number of amendments with the owner and the drawings will need to be amended to reflect these changes. These included:

- Amending the design of the bay to the front elevation to mirror that of the adjoining property;
- Confirmation that windows will be sliding sash rather than outward opening;
- Clarification over whether the proposal to install a door canopy will be included in the final scheme (and in what form);
- Ensuring the chimney is illustrated on the proposed drawings;
- Details of the proposed timber panelled door.

(Case Officer Comment: Clarification has been provided on all of the above with an email explanation and revised plans provided on 16/09/19; the front bay has been amended to mirror that

of the adjoining property; confirmation provided re: sliding sash windows; removal of door canopy from the proposals; chimney included on proposed elevations; timber door detail provided)

Proposals to render the brickwork on the existing side elevation of the building were discussed on site, but this proposal was not included within the application submission and the agent has since confirmed that this would not form part of the proposals)

I understand you were looking into the render proposals. From a heritage point of view, I would rather not see the original brickwork covered up as it tells a story about the history of the property.

(Case Officer Comment: Proposals to render the brickwork on the existing side elevation of the building were discussed on site, but this proposal was not included within the application submission and the agent has since confirmed that this would not form part of the proposals)

Landscape Architect

(Response to initial proposals received 20/09/19)

In relation to planning application ST/0367/19/HFUL we have reviewed information submitted to accompany the planning application and make the following comments.

The proposed site plan submitted illustrates that one existing mature tree overhangs the proposed extension. It is likely that the proposal will directly impact the root protection area of this tree, potentially killing the tree or making it unsafe. Further assessment is therefore required before a decision is made, through an Arboricultural Implications Assessment produced by a qualified professional to establish the likely impacts of the proposed development.

(Response to additional information/revised proposals received 30/10/19)

In relation to the additional information submitted, namely the Arboricultural Impact Assessment (AIA), for the proposed development at 1 Ashleigh Villas East Boldon Ref ST/0367/19/HFUL we have reviewed the document and make the following comments.

The AIA sets out clear mitigation methods to be undertaken during construction. If planning permission is granted then these should be implemented and controlled through a suitable planning condition making specific reference to the AIA. To ensure that work is being carried out appropriately some supervision would be necessary.

Countryside Officer

My comments on this proposal relate to the potential of this development to impact upon protected species, specifically bats.

The applicant has submitted a document entitled 'Bat Surveys of: 1 Ashleigh Villas, East Boldon, NE36 0LA' Job Ref: GCAS_Ashleigh_Bat2.1, dated 31/07/2019 by Dendra Consulting Ltd.

An external/internal inspection survey of the property was conducted on 25th June 2019.

The preliminary inspection assessed the property as having a low risk of roosting bats due to various features on the property which could allow access to bats. The ecological consultant was therefore unable to rule out use by roosting bats and recommended an active bat survey at an appropriate time of year to ascertain whether bats are using the property, which accords with good practise guidance.

A dusk bat activity survey was conducted on 24th July 2019. No bats were recorded roosting at the property, although a moderate level of bat activity was recorded in the area, with bats foraging over Grange Park.

No impacts on protected species are anticipated by this proposed development. Bats are highly mobile animals and therefore the report sets out emergency procedures to be followed in the unlikely event bats are found during works. I would recommend the following informative is included with any consent granted:

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 and your project ecologist as per section 7.0 of the Bat Survey Report. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

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.

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. If the impact of the proposal on the Conservation Area would be neutral this would be acceptable.

The main issues relevant to the assessment of this proposal are the;

- Design of the proposal and its effect on visual amenity, trees & heritage assets;
- Impact on residential amenity;
- Impact on protected species;

Design/Visual Amenity/Trees/Heritage

It is considered that the proposed alterations to the front of the property would on the whole enhance and contribute positively to the character and appearance of the property or the Conservation Area and its setting. The replacement of the existing unsympathetic windows and front door with traditional timber sliding sash windows and a six panelled timber door would be an improvement that would better reflect the historic character of the property and surrounding Conservation Area. The proposed bay window details would have an appropriate and traditional design that would mirror that of the neighbouring property.

The proposed two-storey rear extension would be substantial in terms of its scale but would mirror the two-storey extension at the rear of the adjoining property in terms of its scale, projection and proportions. While the rear of this would be visible from the Hawthorns, the majority of it would be screened from view from public roads, although the side elevation would be visible from within Grange Park, a small community park.

The original cream/buff bricks would not be replicated; however, it is appreciated that it would likely be difficult to find a facing brick that would be a good match for the existing. The use of a cream render is considered to be acceptable on balance in this location and in the site specific circumstances. The single storey development at the rear would not be easily visible from outside of the application site. The

removal of the detached garage and its replacement with a timber gate is also considered to be acceptable.

A number of mature trees are located outside of the application site, but within close proximity of the boundary, with the potential for the development to impact upon tree roots. The Arboricultural Impact Assessment (AIA) identifies a group of trees (G1 - mixed species) and a sycamore tree (T2) within particular close proximity of the proposed rear/side extension, with a further three trees (T1 sycamore, T3 sycamore, T4 holly) within close proximity of the site. The trees are afforded statutory protection on account of their location within the East Boldon Conservation Area.

The AIA outlines mitigation measures to be undertaken during the development stage aimed at avoiding unacceptable harm being caused to trees, including site investigation to be undertaken and if any tree roots are present within the proposed working area, then ground protection measures will need to be put in place with a sensitive foundation design to be implemented if roots are found. Protective fencing will also be required as shown on the tree protection plan after pre-development tree works have been completed, but prior the start of construction.

The Council's Landscape Architect has indicated that the mitigation methods to be undertaken during construction are clear and ought to be implemented and controlled through a suitable planning condition making specific reference to the AIA, with some supervision from a suitably qualified arboricultural professional required. The Council's Landscape Architect also states that to ensure that work is being carried out appropriately some supervision would be necessary. It is considered that the proposals would be acceptable in respect of the impact on trees, providing that a planning condition is provided requiring the mitigation to be carried out under the supervision of a suitably qualified arboricultural professional. This would need to take the form of a pre-commencement planning condition, which has been agreed with the applicant's agent (agreement received 04/11/19).

It is considered that the design and scale of the proposed extensions to the building would not harm the visual amenities of the site's immediate environs or the character, appearance and historic significance of the East Boldon Conservation Area. The design, scale and nature of the proposals and the provisions put in place to adequately protect existing mature trees are considered to sufficiently convey sensitive consideration of its surroundings and protect the special character of the East Boldon Conservation Area, in accordance with LDF policies DM1 (A & C) and DM6 of the South Tyneside LDF, and having regard to guidance in SPD9 and SPD15.

Impact on Protected Species

A bat survey has been submitted with the application, which was requested by the LPA at validation stage using criteria based on national principles to determine which properties are more likely to be used by bats.

The bat survey report has concluded that no significant impacts are predicted and the Council's Countryside Officer has accepted its findings, and concluded that no impacts on protect species are anticipated due to the proposed development.

The proposal would be in accordance with LDF Core Strategy Policy EA3 and Development Management Policy DM7. An informative note on the protection afforded to bats is recommended as bats are highly mobile creatures.

Residential Amenity

The two-storey rear extension would be a sizable extension but would be be built up against an existing two-storey rear extension at 2 Ashleigh Villas, which is of a similar scale, shape massing, rear projection and shape and would therefore not have the potential to impact on the amenity of this neighbour.

The single-storey rear extension would also be built up against a single-storey structure to the rear of the adjoining property, while the extension to the side would be set away from the neighbouring property, towards the west where Grange Park is located. The residential amenity of the neighbour at 2 Ashleigh Villas is not considered to be significantly impacted by the proposed development.

There are no residential neighbours in close proximity to the west, while the properties to the rear (north), situated on The Hawthorns, are a significant distance away.

The proposed changes to the front of the property would not have the potential to impact on the residential amenities of neighbours.

It is concluded that the proposals would not have any materially harmful impact on neighbouring residential amenity, and would be in accordance with Policy DM1 (B).

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 & C), having regard to design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments'. The proposal would also be in accordance with Policy DM6 of the South Tyneside LDF, and guidance in SPD15, having regard to all other material planning considerations. It is considered that the proposal would be an acceptable form of development, subject to the conditions listed below.

The proposal would be in accordance with LDF Core Strategy Policy EA3 and Development Management Policy DM7. An informative note on the protection afforded to bats is recommended as bats are highly mobile creatures.

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

1:200 Site/Roof Plan Rev A received 16/09/19
Drg No 1 Rev A received 16/09/19
Drg No 2 received 16/09/19
Drg No 0753/9763/677 Rev A received 16/09/19

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 roof of the development hereby permitted shall be slate of a similar appearance to the slate used in the construction of the exterior of the building on which the extensions will form part. All other external materials and details shall be as stated on Drg No 1 Rev A received 16/09/19 and Drg No 0753/9763/677 Rev A received 16/09/19. 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 and the character and appearance of the East Boldon Conservation Area in accordance with South Tyneside LDF Development Management policies DM1 and DM6.

4 The proposed rear and side extensions hereby approved shall not be commenced until mitigation methods detailed in section 5 of the Arboricultural Impact Assessment (AIA), produced by Dendra (Report ref: GCAS_1Ashleigh_AIA1.1) received 14/10/19 have been completed under the supervision of a suitably qualified arboricultural professional. The protective fencing referred to in 5.2.3 of the AIA shall be put in place prior to the start of construction and shall remain in place during the whole period of construction works on the site.

To adequately protect that the health of trees adjacent to the site during the period of construction and in the interests of visual amenity and the character and appearance of the East Boldon Conservation Area, in accordance with 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

3 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: 12/11/19

Authorised Signatory:
Date:

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