DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0575/19/HFUL
Proposal: Attached brick-built garage to domestic residence.
Location: 12 West Drive
Cleadon
SR6 7SJ

Site Visit Made: 22/08/2019

Relevant policies/SPDs

1 DM1 - Management of Development (A, B & G)
2 SPD9 - Householder Developments

Description of the site and of the proposals

Planning permission is sought for the removal of an existing car port, and for the proposed construction of a brick flat roof garage extension to the side of 12 West Drive, in Cleadon.

Application details state that the proposed garage would be constructed in facing brick walls to match those of the existing dwelling, a felt roof, white UPVC window frames, a white UPVC side door, a roller shutter main garage door, and white UPVC fascias and guttering. All dimensions can be scaled from submitted drawings.

Publicity / Consultations (Expiry date 2608/2019 & 17/09/2019)

1) Neighbour responses

Owner of 14 West Drive, Cleadon

First representation

I have concerns regarding the boundary fence which belongs to me. Is the fence going to be left intact, and will the brick garage be built up to the boundary fence? When the car port is removed will the fence be replaced, as this was removed by the occupant when he built the car port? I am the owner of 14 West Drive, which is currently rented out. Please could these issues be clarified?
Case Officer Comments: These matters were raised with the applicant who stated that their intention is, on completion of the garage, to reconstruct the fence from both ends of the garage using any viable remaining fencing, plus the existing paneling from the carport, plus new fencing where necessary. The garage wall adjacent to the common boundary would substitute part of the existing fence. The owner of 14 West Drive was made aware of this. At the same time, the owner of 14 West Drive was asked to confirm which rooms that the ground floor windows across the rear serve.

Second representation

The two windows in the rear off-shot serve the kitchen, and the small window in the rear elevation serves the dining room. Thank you for the clarity regarding arrangements for reconstruction of the fencing. I have no other concerns about the construction of the garage.

2) Other Consultee responses

N/A

Assessment

The main issues to be considered in the assessment of this application are:

- Design and visual impact;
- Impact on residential amenity; and
- Impact on highway safety

Design and Visual Impact

The proposed garage would be visible from the public domain to the front. However it would be only single storey and set-well back towards the rear of the dwelling. It would also not be wide at less than three metres in width. Given the single storey nature of the proposal, its positioning, and its minimal width when viewed from the public domain, it is considered that it would be subordinate in its appearance. The proposed garage would convey sensitive consideration to its surroundings having regard to its design, scale and proportion, and proposed external materials would be acceptable. A condition is recommended to control that external materials be as specified in the application. Subject to compliance with this condition, in relation to design and visual impact it is considered that the proposal would accord with adopted South Tyneside Local Development Framework (LDF) Development Management Policy DM1 (A) and the associated Supplementary Planning Document (SPD) 9 'Householder Developments'.

Residential Amenity

The proposed garage would build up to the common boundary shared with 14 West Drive. At ground floor this neighbouring property has a solid door to the side, and a door and small window nearest to the application site in the main rear elevation. The owner of this neighbouring property has confirmed in a representation that this window serves a dining room. It has a rear off-shot which has a window and door facing the application site, and a window to the rear elevation. The owner of this neighbouring property has confirmed in a representation that these off-shot windows serve a kitchen.

Although the proposed garage would have a relatively large projection distance (5.45 metres from the main wall of the existing dwellinghouse wall), given that the neighbouring dwelling 14 West Drive is set well back from the common boundary (approximately 3.2 metres), and given the fact that the garage would be only single storey, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of this neighbouring property in relation to a loss of outlook and over dominance, or overshadowing to indoor space.

Given the orientation of the proposed garage in relation to 14 West Drive, it would cause some overshadowing to outdoor space. However this neighbouring property has a relatively large rear garden; and so any overshadowing / dominance to outdoor space would not be materially harmful to the amenities of the occupiers of this neighbouring property to warrant refusal of the application.

Given that the proposed garage would build up to the common boundary, it is recommended that a condition be attached to any planning permission to ensure that no new window openings can be inserted in the elevation facing 14 West Drive. Subject to compliance with this condition it is considered that the proposal would have no unacceptable impacts on the amenities of the occupiers of this neighbouring property in relation to privacy (either to indoor or outdoor space).

Given separation distances and the nature of the proposal, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of any other properties in relation to privacy, outlook and over dominance, or overshadowing.

In relation to residential amenity it is considered that the proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD9.

Impact on Highway Safety

The proposed garage would be positioned whereby the dwelling would retain a driveway of an acceptable length. It is therefore considered that in relation to highway safety the proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (G) and the associated SPD9.

Summary

For the reasons articulated above, the proposal would accord with development plan policy, and so is considered to 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. Garext12West Sheet 2 of 5 received 01/08/2019
- Drawing No. Garext12West Sheet 3 of 5 received 01/08/2019
- Drawing No. Garext12West Sheet 4 of 5 received 02/09/2019
- Detail showing roof detail received 23/07/2019

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 materials of the development hereby permitted shall be as follows:
- Brickwork to match that of the existing dwelling as closely as possible;
- Felt roof;
- White UPVC window frames;
- White UPVC side door;
- Roller shutter garage door;
- White UPVC fascias; and
- UPVC guttering.

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 adopted 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 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows or openings shall be inserted in the side elevation of the extension facing 14 West Drive, 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: David Rogerson
Signed:
Date:

Authorised Signatory:
Date: