DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0874/19/HFUL
Proposal: Demolish existing rear bay window. Construct new front porch, single storey side/rear sun lounge extension with flat roof and glazed lantern, and first floor bedroom extension over existing garage/utility. Convert garage to store/utility/wc and kitchen with new front pitched roof in place of existing flat roof.
Location: 33 Marian Way
South Shields
NE34 8AL

Site Visit Made:

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 pitched roof two storey semi detached dwelling within the established residential area of South Shields. The property has a single storey flat roof garage to its northern side elevation.

This application seeks full planning permission to construct a first floor side extension above part of the garage; to erect a pitched roof to the front of the garage; to convert the garage to a habitable room; to construct a single storey extension to the rear of the garage, and; to construct a single storey porch to the front elevation.

Publicity / Consultations (Expiry date 6/12/2019)

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, and also highway safety (limbs A, B and G respectively). SPD9 provides guidance on householder developments.

First Floor Side Extension

SPD9 states that in those cases where the whole width of the plot is already built up by a single storey extension or garage, or where an existing single storey extension or garage has resulted in a gap along the common boundary of less than 1 metre, 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;
- a window is included to the front elevation of the proposed extension.

The proposed first floor side extension would be set back from the property's principal elevation by 2.65m. It would be 5.3m in depth and so would therefore occupy no more than the rear two thirds of the depth of the dwelling, which is 7.9m. The proposed first floor side extension's roof would be pitched to reflect that of the host property and would be set down from the ridge of the main dwelling. A window would be included to the front elevation. Consequently the proposed first floor side extension would be subordinate to the host property and would be acceptable in terms of design.

The proposed first floor side extension would be set upon the boundary with No. 35 Marian Way to the east. That property has an attached garage upon the boundary which is 2.8m in width and so the western gable end of No. 35 would be set 2.8m from the eastern gable of the proposed first floor side extension. No. 35's eastern gable elevation contains a window which appears to serve a stairs/landing. Given that this window does not appear to serve a habitable room and given the limited outlook that it affords at present, it is not considered that any further loss of outlook as a result of the proposed first floor side extension would result in any significant adverse impact upon the residential amenity of No. 35. The proposed first floor side extension would not project beyond the front or rear elevations of No. 35 and so there would be no loss of outlook to any windows in those elevations.

There would be no windows in the side elevation of the proposed first floor side extension and so there would be no significant loss of privacy to No. 35.

The proposed first floor side extension would not result in such a significant level overshadowing to No. 35 Marian Way to warrant refusal, given the orientation of the two properties. Whilst some overshadowing of the rear garden of No.35 would occur later in the day as a result of the proposed first floor side extension, SPD9 notes that the overshadowing of outdoor spaces is given less weight than impact within the dwelling. Only part of the rear garden would be overshadowed by the proposed first floor side extension and this would only occur later in the day. It is not considered that any overshadowing of the garden would result in such a significant harm to the residential amenity enjoyed by No. 35 Marian Way to warrant refusal.

The proposed first floor side extension would be screened from No. 31 Marian Way to the west by the main bulk of the host property and so would have no significant adverse impact upon the residential amenity of that property.

There would be no windows to the rear elevation of the proposed first floor side extension and so there would be no loss of privacy to properties to the north, Nos. 57 and 59 The Ridgeway. Given the distance from the proposed first floor side extension to those properties on The Ridgeway, there would be no adverse impacts upon the residential amenities of those properties, particularly in terms of overshadowing and loss of outlook.

SPD9 notes that it would normally be expected that a proposed two storey or upper floor extension would not face the front or rear elevation of an adjacent property at a distance of less than 14 metres. The window to the front elevation of the proposed first floor side extension would be located in excess of 21m from the northern gable end of No. 28 Marian Way to the south which contains 2no. doors and a high level opaquely glazed window. This separation distance would be in excess of the 14m minimum standard as set out in SPD9's guidance. Consequently it is not considered that there would be any significant loss of privacy to No. 28 Marian Way.

The proposed first floor side extension would have no significant adverse impact upon the residential amenity of any other properties.

Single Storey Rear Extension

The proposed single storey rear extension would project 3m from the rear elevation of the existing garage. This projection would therefore comply with the guidance as set out in SPD9 and indeed given its dimensions it could be constructed under permitted development rights. This would be a reasonable fall-back position and so it would be inappropriate to refuse the application based upon this element.

The proposed single storey rear extension would be set upon the boundary with No. 35 Marian Way and would project 3m beyond the rear building line of No. 33 and No. 35. As noted above, No. 35 has a garage upon the boundary of 2.8m width and the proposed single storey rear extension would project 3m beyond the rear building line of that garage. To the rear elevation of No. 35 the nearest window at ground floor level serving the main house (ie not serving the rear of the garage) is located approximately 3.5m from the boundary with No. 33. Given this distance, the limited projection of the proposed single storey rear extension, and the orientation of the two properties, it is not considered that the proposed single storey rear extension would result in a significant adverse impact in the residential amenity of No. 35 in terms of overshadowing and loss of outlook. There would be no windows in the eastern elevation of the proposed single storey rear extension and so it would not result in any significant loss of privacy to No. 35.

The proposed single storey rear extension would be located 5.8m from the site's western boundary with No. 31 Marian Way. Given this distance it is not considered that the proposed single storey rear extension would result in a significant adverse impact in the residential amenity of No. 31 in terms of overshadowing and loss of outlook. Whilst there would be a set of glazed patio doors to the western elevation of the proposed single storey rear extension, there would be no significant loss of privacy to No. 31 given the distance from the proposed extension to the shared boundary.

The proposed single storey rear extension would not have any significant adverse impacts upon the residential amenity of any other properties.

The proposed single storey rear extension would not be highly visible from the public domain but nevertheless, its contemporary design would not result in a significant adverse impact upon the visual amenity of the area.

Single Storey Porch

The proposed porch would project 1.4m from the principal elevation of the property. SPD9 notes that in the case of terraced and semi-detached houses, front extensions should not normally project forward from the original dwelling by more than 1.4 metres and side windows should be avoided or fitted with obscure glazing in situations where there would otherwise be an adverse impact on the privacy of a neighbour.

The proposed porch would be located 4.2m from the boundary with No. 35 to the east and 3.7m from the boundary with No. 31 to the west and so given these distances it is not considered that the clearly glazed windows in both of the proposed porch's flank elevations would result in such a significant loss of privacy to those neighbouring properties to warrant refusal. It is not considered that the proposed porch would result in a significant level of overshadowing or loss of outlook to any neighbouring properties to warrant refusal.

The pitched roof design and limited projection would result in the proposed porch being acceptable in terms of design. There are a number of other porches to properties on Marian Way. Consequently the proposed porch would not result in any significant harm to the visual amenity of the area.

Roof above Garage

SPD9 notes that proposals for the installation of a pitched roof on an existing flat roofed extension are generally considered to be acceptable. It is advised that any change in roof shape should take account of the character of the existing property and the street scene. The proposed pitched roof would replace the flat garage roof to the front of the proposed first floor side extension. The proposed pitched roof would reflect the main roof of the host property. This would not result in any significant harm to the visual amenity of the area. The proposed roof would not result in any harm to the residential amenity of neighbouring properties.

Conversion of Garage

It is proposed to convert the garage to a store and utility room. The principle of converting the garage is acceptable and it is considered that it would not result in any harm to the visual amenity of the area or the residential amenity of any neighbouring properties. As a result of the garage conversion, one car parking space would be lost at the property. Limb G of LDF Policy DM1 seeks to ensure that the impact of the development is acceptable in relation to highway capacity and safety. SPD9 notes that where an off-street parking space exists, this should be retained with a minimum driveway length of 5.5 metres. The driveway length is 4.2m as existing and this would be retained. Although the driveway length as proposed would fall short of that distance as set out in SPD9's guidance, there is ample on street car parking to the front of the property and in the surrounding area. It is therefore not considered that the loss of the car parking space would result in such a detrimental impact upon highway safety to warrant refusal of the application.

Summary

In conclusion, all elements of the proposed works are considered to be acceptable. They would not result in any significant harm to the residential amenity of any neighbouring properties, the visual amenity of the area, or the highway safety of the area. Consequently the proposed development would accord with all relevant local and national planning policies and the application is therefore 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:

Drg No. 0783/8242/772 received 06/11/2019
Drg No. 1 received 06/11/2019
Drg No. 2 received 06/11/2019
"Site/Roof Plan Proposed" received 06/11/2019

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: 11/12/2019

Authorised Signatory:
Date:

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