DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0430/20/HFUL
Proposal: Single and two storey rear extension with roof window, bi-fold doors and first floor window, dormer extension with 2 No. windows.
Location: 22 Kent Street
Jarrow
NE32 5AW

Site Visit Made: 10/08/2020

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 mid-terraced dwelling located on the northern side of Kent Street. The neighbours to the east and west (20 and 24 Kent Street) are mid-terraced dwellings attached to the application property. To the north of these properties beyond their rear yards and the lane are properties at York Street. To the south is the highway and further properties at Kent Street.

The proposal seeks permission to erect a part two storey, part single storey rear extension protruding three metres beyond the original rear elevation, with the two storey element measuring a maximum of 6.2 metres in height to the ridge and 4.9 metres to the eaves, and the single storey element measuring a maximum of 3.7 metres in height to the ridge and 2.5 metres to the eaves. The materials proposed would match those on the existing dwelling. Additionally a dormer extension to the rear roofplane is also proposed to replace a smaller dormer extension and two rooflights.

An amended application form was submitted by the applicant as the proposed single storey rear extension was not included within the initial description, whilst plans were also amended to demonstrate the correct position of the extension overhang. A 21 day further publicity exercise was undertaken with neighbouring properties in line with the Council's Statement of Community Involvement.

Publicity / Consultations (Expiry date 18/09/2020)

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, the development would be visible from the public domain. The proposed materials for the single and two storey extensions including the brickwork, roof tiles, and uPVC windows and doors would match those on the existing dwelling. The single storey extension protrudes three metres from the rear elevation in line with the guidance as set out within SPD9. The two storey rear extension would also project three metres and would be linked to, and mirror, the two storey rear extension at the neighbouring property, 20 Kent Street, whilst not protruding as deep as this neighbour.

The dormer window would be larger than the current dormer window however it would be set in from both boundaries, set down from the overall ridge height and up from the eaves of the original dwelling, all in line with the guidance as set out within SPD9. The materials proposed include a GRP flat roof and eternity cladding which are considered appropriate. It is considered that the whole 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 extension being of a similar appearance to those used in the host dwelling, asides from the dormer extension which shall be a GRP roof and eternit cladding, 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 south due to the level of spacing between the development and those neighbours. To the north the two storey element would be located approximately 10 metres from a two storey rear extension at 31 York Street. However it is noted there is no window at first floor level within the rear elevation of this extension which would face the application site, and the distance to the closest facing habitable room windows within the rear elevation of this property measures approximately 16 metres, exceeding the 14 metres distance as set out within SPD9.

In terms of the adjoining neighbour to the east (20 Kent Street), it is noted a single storey extension already adjoins a two storey extension at this property. The proposed two storey extension would protrude three metres from the original rear elevation of the property, and would protrude to a shorter distance than the adjoining two storey rear extension. As such it is not considered there would be any adverse amenity impacts to this neighbour. A window is proposed within the first floor rear elevation however it is not considered adverse privacy implications would occur given the position of the neighbour's extension and size of the rear yard. Furthermore it is not considered any adverse overshadowing impacts would occur due to the orientation of the properties.

The adjoining neighbour to the west (24 Kent Street) would have the single storey rear extension element sited adjacent to the boundary. It is noted this extension would protrude three metres from the original rear elevation, and given the position of the closest habitable room window it is not considered there would be adverse amenity impacts to this window. It is noted this property has a two storey rear extension with facing habitable room windows at ground floor level, however it is acknowledged the single storey element would be located behind a tall boundary treatment and already faces a single storey extension, with the new proposal being brought approximately three metres closer.

First floor windows are located in the side elevation of this neighbour's extension which would face the first floor element of the proposal, however these windows appear to be obscurely glazed, with no windows proposed in any side elevation of the proposed development. As such it is not considered any adverse amenity or privacy impacts would occur to this property, whilst given the orientation of the properties it is again considered there would not be any adverse overshadowing implications.

Given the position of the dormer and its windows, it is not considered this would create any adverse amenity, privacy or overshadowing impacts above and beyond the existing situation.

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 noted if the single storey element was constructed alone it would appear this would be Permitted Development. The proposed dormer extension also appears to meet the criteria of Permitted Development.

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 Ground, First and Second Floor Plans Dwg No A201 Rev C received 11/08/2020
Proposed Site and Roof Plans Dwg No A200 Rev A received 11/08/2020
Proposed Elevation Plans Dwg No A202 Rev B received 11/08/2020

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, asides from the dormer extension which shall be a GRP roof and eternit slates. 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: N. Graham
Date: 25/09/2020

Authorised Signatory:
Date:

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