DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0513/20/HFUL
Proposal: Two storey side extension
Location: 39 Hardie Drive
West Boldon
NE36 0JH

Site Visit Made: 23/01/20

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a two-storey semi-detached property within a residential area of West Boldon, situated on a corner plot at the junction where Hardie Drive meets Wheatley Gardens. The property has a brown brick exterior with a rendered upper floor to the front and rear, and a pitched tiled roof.

A brick boundary wall with piers and fence panels is in place around the property boundary where it meets the pavement, with gated pedestrian accesses to both the front and corner, but no vehicular access. Timber boundary fences separate the property from both 1 Wheatley Gardens and 37 Hardie Drive.

The shape of the plot and location of the boundary with 1 Wheatley Gardens property has a relatively small rear garden area, but with a substantial garden area to the side of the property. Historic aerial and street view photography show that two trees and a concrete garage were previously in place at the side of the property, but these have since been removed. As the application plans indicate, the garden area is now predominantly grass, with a path, with gravel to the rear.

A previous proposal (ST/0027/20/HFUL) was granted planning permission earlier in 2020, for a rear dormer roof extension and a lean-to single storey side extension.

The current application proposal seeks to add a two storey side extension. The current proposal has been amended during the course of the application process and is determined based on revised plans received on 21/10/20, which have been amended to provide a 1 metre setback at first floor level (no first floor setback was initially provided), and to remove a first floor window to the rear, instead providing a window in the side, facing the road.

Publicity / Consultations (Expiry date 12/10/20)

1) Neighbour responses

One representation received, objecting to the proposed development, comments summarised below.

1 Wheatley Gardens

- Hardy drive is slightly elevated to us, therefore, The proposed window of Bedroom 3 Will be opposite our top of stairs window.. leading into our bedrooms& bathroom

- We already feel so very overlooked in our position by much of Hardy Drive .. looking down into a bedroom, living area & kitchen. No.39 back bedroom overlooks our back garden directly!
- We hope to do a single story extension with sky lights ...to the side of our property in the future that included a little privacy for ourselves. It would mean we would be devoid of any privacy whatsoever as bedroom 3 of 39 Hardy Drive would also look directly down into us.
- For us to accept this application, bedroom 3 window would need to be at the side of the property (39 Hardy) ie facing Easterly...towards the road...& NOT facing North down Wheatley Gardens & overlooking ourselves. We would prefer the upper elevation of the proposal facing ourselves to be wall, not window.

Amendments have been made to the plans, which include removing the rear facing window which is the only issue of concern raised in the neighbour representation received. As the new window within the side elevation would face the road and would not be in close proximity to neighbouring residential dwellings, it is considered that the revised proposals would not give rise to any potentially increased impacts on the amenity of neighbours when compared with the original proposal. Additional neighbour notification is therefore not required, in accordance with the Council's Statement of Community Involvement.

Assessment

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

- Design of the proposal and its impact on visual amenity; and
- Impact on residential amenity;

Design/Visual Amenity

The proposals would meet with the design guidance in SPD9. The extension would have a proportionate and modest width of 3 metres and a significant gap well in excess of 1 metre would be maintained between the side elevation of the property and the side property boundary. A 1 metre first floor setback would be provided, and the extension would have a significantly lowered ridgeline and corresponding roof form in relation to the main roof.

The extension should complement the shape, scale and proportions of the original dwelling to maintain the character of the original dwelling. There would be no potential for any terracing effect to be created given that this is a corner plot, with the road (Wheatley Gardens) meaning that a gap of around 25 metres would exist between the property and the property to the east at 2 Wheatley Gardens.

The proposed side extension would not extend beyond the building line of the return street frontage (Wheatley Gardens) and would be in accordance with paragraph 7.6 of SPD9.

While the design of the original proposals would have had a significant degree of conflict with the design guidance due to the lack of any first floor setback being provided, the revised proposals accord with the design guidance in SPD9. It is considered that the proposals would be acceptable in terms of their design and visual appearance and in accordance with LDF Policy DM1 (A) and the objectives of SPD9.

Residential Amenity

An objection was received from the occupiers of 1 Wheatley Gardens in relation to the original proposals, raising concerns regarding overlooking of the rear garden due to the proposed upper rear bedroom window, however, only limited weight could be given to this as less weight can be given to overlooking of outdoor areas than habitable rooms (as stated in SPD9), and as the garden is already overlooked more directly by an existing bedroom window.

The objection also raised concerns about overlooking into the stairs/landing window, which the representation argues would be harmful as the landing then leads to bedrooms. As the stairs/landing window does not serve a habitable room itself (and habitable rooms accessed via the landing would have doors, preventing overlooking of these rooms) very limited weight could be given to this. Weight is also given to the presence of the rear dormer extension that forms part of an extant permission (ST/0027/20/HFUL), which also would provide an outlook to the rear (as would rear dormer extensions built utilising permitted development rights), and to which no objection was received.

The applicants have nevertheless sought to address the neighbour's concerns relating to the upper floor rear window by removing the upper floor rear window from the proposals and moving this into the side elevation instead. The property to the east at 2 Wheatley Gardens would be situated 25 metres away from the side of the property, meaning that there would be no potential for material overlooking/privacy impacts created by an upper floor side facing window. As a result, it is considered that no further neighbour notification is required, in line with the Council's Statement of Community Involvement.

Having considered the proposals against LDF Policy DM1 (B) and the associated design guidance in SPD9, it is considered that the proposals would be acceptable in terms of residential amenity impacts.

Summary

For the reasons outlined above, it is considered that the proposal would be an acceptable form of development, subject to the inclusion of the suggested conditions.

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. A204 Rev B received 21/10/2020
Drawing No. A201 Rev B received 21/10/2020
Drawing No. A202 Rev B received 21/10/2020

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. 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: Chris Stanworth
Signed: Chris Stanworth
Date: 26/10/20

Authorised Signatory:
Date:

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