DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0600/20/HFUL
Proposal: Erection of detached garage/office building in front garden. Demolition of garage in front garden.
Location: Saville Lodge, Dipe Lane, East Boldon, NE36 0PQ

Site Visit Made: 21/09/2020

Relevant policies/SPDs

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

Description of the site and of the proposals

Planning permission is sought for the erection of a detached garage / office building within the front garden of the dwelling called Saville Lodge, Dipe Lane, in East Boldon. As part of the proposed works an existing garage building positioned closer to the main dwelling would be demolished.

Application details state that the proposed detached garage / office building would be constructed with facing reclaimed brick walls to match surrounding properties, a slate roof to match the roof of the main dwelling, UPVC window and doors, and a white roller shutter garage door. All dimensions of the proposal can be scaled from submitted drawings.

The application site is positioned within a street scene where there is an eclectic mix of different house types and boundary treatments, with boundary treatments varying in height, design and materials. There are several outbuildings positioned adjacent to and on the same side of Dipe Lane as the application dwelling.

It should be noted that the original scheme included some new hardstanding. However this has now been removed from the proposal.

Publicity / Consultations

Neighbour notification expiry dates 09/10/2020
Consultation expiry dates 09/10/2020 15/10/2020 & 17/12/2020

1) Neighbour responses

None received

2) Other Consultee responses

Traffic and Road Safety Team (the local highway authority)

No response provided

Tree Team

The RPA plan is of a very poor quality. However, they have considered the site with contamination issue and vehicle access in Paragraphs 5.3.1, 5.5 and 5.12 of the submitted report. The size of the plant on site has also been confirmed as a mini digger in the conclusion. I have no further concerns regarding this development.

Case Officer Comments: Several representations were received from the Tree Team raising concerns regarding a lack of information submitted regarding the impact on trees that are subject of a Tree

Preservation Order (TPO). However the applicant provided further information, and so only most recent comments from the Tree Team are summarised above.

East Boldon Neighbourhood Forum

No response provided

Assessment

The main issues relevant to the determination of this application are:

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

Design and impact on visual amenity

The application site is positioned on the south side of Dipe Lane where there is a mixture of high boundary treatments in the immediate vicinity. There are also other detached buildings within the curtilage of neighbouring properties that are positioned close to Dipe Lane, similar to the current proposal, with some being positioned immediately adjacent to the adopted highway. These are within the curtilages of Shotley Lodge to the west of the application site, and Tanto Lea, Oak Lodge and Fairfield to the east of the application site. These are all of a similar scale and are constructed in similar external materials to the proposed building.

Given the existing built form, the scale and design of the proposed building, and the fact that works to demolish the existing garage would be set well back from the public domain, it is considered that the proposal would appropriate assimilate into the Dipe Lane street scene. It is considered that the proposal would be in keeping with the existing built form, and so would convey sensitive consideration to its surroundings having regard to its scale and proportions, alignment, form and use of external materials. A condition is recommended to control that external materials be as specified in the application (as specified on Drawing No. 001 Rev B received 02/12/2020). Subject to the compliance with this condition 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' in relation to design and impact on visual amenity.

Impact on residential amenity

The proposed building would be positioned a reasonable distance from nearest residential properties, and the works to demolish the existing garage would have no unacceptable impacts. 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 neighbouring properties in relation to privacy, outlook and over dominance, or overshadowing. It would therefore accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD 9 'Householder Developments' in relation to impact on residential amenity.

Impact on highway safety

The proposed building would be positioned close to Dipe lane. However no alterations would be made to the existing vehicle access / egress off Dipe Lane into the application site. The Council's Traffic and Road Safety Team (the local highway authority) were consulted on the application but have not provided a response. However given that no alterations would be made to the existing vehicle access / egress it is considered that the proposal would have no unacceptable impacts on highway safety. It would therefore accord with adopted South Tyneside LDF Development Management Policy DM1 (G).

Impact on trees

There are trees within the curtilage of properties adjacent to the application site that have a high visual amenity value when viewed from the public domain. To support the application, the applicant has submitted a 'Tree Report' document titled 'Tree Survey' by D W Tree & Landscape Services dated 20/12/2020 (received 21/12/2020).

The Council's Arborist has assessed whether any trees adjacent to the application site would be worthy of a Tree Preservation Order (TPO). Four Sycamore trees within the front curtilage of Tanto Lea were subsequently TPO'd.

The Council's Tree Team has given consideration to the most recently submitted 'Tree Report'. This 'Tree Report' concludes that tree protective fencing is not required. It also concludes that ground protection measures are not required as an established hardstand driveway is currently above existing roots (which is also the main access into the site). Construction materials would be stored on existing hardstanding areas, and other construction methods are set out in Paragraph 5.5 of the report (for example material which could contaminate the soil, e.g. concrete mixings, diesel oil and vehicle washings, should not be discharged within 10 metres of tree stems and the largest construction vehicle entering the site should be a mini digger). The Council's Tree Team have raised no objections to the proposal being constructed in accordance with the details as set out in the submitted 'Tree Report'. It is therefore recommended that a condition be attached to any planning permission to require that the development be constructed in accordance with the details set out in this 'Tree Report'.

Subject to the compliance with this tree protection condition, it is considered that the proposal would have no unacceptable impacts on trees, and so it would accord with adopted South Tyneside LDF Development Management Policy DM1 (C).

Summary

For the reasons articulated above, it is considered that the proposal would accord with development plan policy, and so would 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. 001 Rev B received 02/12/2020

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 materials of the development hereby permitted shall be as specified on Drawing No. 001 Rev B received 02/12/2020. Unless alternatives have been previously submitted to and approved 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 The development hereby permitted shall be undertaken in accordance with the scheme of tree protection as detailed within the document titled 'Tree Survey' by D W Tree and Landscape Services received 21/12/2020, unless otherwise agreed in writing by the Local Planning Authority.

To safeguard trees during the construction of the development, in the interests of visual amenity in accordance with adopted 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 NOTE TO APPLICANT

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: David Rogerson

Signed: *David Rogerson*

Date: 11/01/2021

Authorised Signatory:
Date: