

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0618/20/HFUL
Proposal: Detached garage and first floor extension with dormer loft
Location: 17 Central Avenue
Whitburn
SR6 7LB

Site Visit Made: 15/10/2020

Relevant policies/SPDs

- 1 LDF CS EA3 - Biodiversity and Geodiversity
- 2 DM1 - Management of Development (A, B & G)
- 3 DM7 - Biodiversity and Geodiversity Sites
- 4 SPD9 - Householder Developments

Description of the site and of the proposals

Planning permission is sought for the construction of a first floor extension to the rear elevation with a dormer extension above to provide a loft conversion at 17 Central Avenue in Whitburn. As part of the proposed works to convert the loft a window would be inserted in the main side elevation of the existing dwelling (serving the staircase to the loft), and roof lights would be inserted to the front and rear elevations. Planning permission is also sought for the construction of a detached garage.

The proposed extension and detached garage would be constructed with brick walls to match those of the existing dwelling, and the proposed window in the dormer and main side wall of the dwelling would be constructed in UPVC to match the windows of the existing dwelling. The front wall and cheeks of the proposed dormer would be of Marley plain pan tiles of a colour to match the tiles of the existing dwelling, the flat roof of the dormer and detached garage would be of felt or rubber, and the roof lights would be velux. All dimensions of the proposal can be scaled from submitted plans.

It should be noted that the proposed window in the main side elevation of the dwelling (serving the staircase to the loft) was not included in the planning application description upon which neighbours were notified. However it is part of the 'dormer loft' which is included in the planning application description and is clearly shown on submitted drawings.

Publicity / Consultations

Neighbour notification expiry date 26/10/2020
Consultation expiry date 02/11/2020

1) Neighbour responses

Owner / occupier of 4 West Avenue, Whitburn

No objections overall, however it would be preferable if the dormer (top floor) window could be put on the side above the bathroom window. It would also be preferable, but not objectionable, if the bricks and roof tiles used were a close (or as near as possible) to match the existing ones. Apart from these minor points, we have no objections to the plans.

2) Other Consultee responses

Countryside Officer

An initial external/internal inspection survey of the property was conducted on 22nd September 2020 by a suitably qualified ecologist. No bats or signs of bats were recorded during the building assessment. The survey revealed a small number of minor cracks associated with the ridge tiles and the roof verges, but these were not considered to lead to suitable roost sites. The building was assessed as having negligible potential to support roosting bats. It is recommended that the bat informative be attached to any planning permission to remind the applicant of the statutory protection afforded to bats.

No evidence of nesting birds was noted and the building was assessed as having low potential to support nesting birds. It is recommended that an informative be attached to any planning permission relating to bird breeding – to remind the applicant of the statutory protection afforded to birds.

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Section 5.4.2 of the submitted report states that at least one Generalist Schwegler 1B nest box (with a 32mm entrance) should be provided, which would have a positive effect on nesting birds at the site. Generalist bird boxes should be fixed two to five metres high, out of the reach of predators such as domestic cats. Boxes are best mounted facing between north and east, thus avoiding strong sunlight and the wettest winds. Boxes should also be tilted forward slightly to minimise the effect of any driving rain. The Case Officer should seek to secure this as a policy requirement.

Whitburn Neighbourhood Forum

No response provided

Assessment

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

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

Design and visual impact

The proposed detached garage and front roof lights of the loft conversion would be visible from the front street scene Central Avenue. The proposed first floor rear extension and dormer and first floor side window in the gable of the existing dwelling would be screened from the public domain by the existing built form.

The proposed detached garage would be set well back from the public domain, and would be positioned adjacent to a detached garage within the curtilage of 15 Central Avenue. It would have the same front building line as this adjacent detached garage. Given the nature of the proposal and its positioning in relation to the public domain, it is considered that it would be of an acceptable scale and proportion. It would also be constructed in acceptable external materials, including brick walls to match those of the existing dwelling (a preference

raised in a representation from the owner / occupier of 4 West View). A condition is recommended to control that external materials be as specified in the planning application. Subject to compliance with this condition it is considered that the overall proposal would be in keeping with the existing built form, and so it would convey sensitive consideration to its surroundings having regard to its scale, proportion and use of materials. It would therefore accord with adopted South Tyneside Local Development Framework (LDF) Development Management Policy DM1 (A), and the associated SPD9 in relation to design and impact on visual amenity

Impact on residential amenity

The proposed first floor rear extension and dormer would be positioned three metres from the common boundary shared with the attached neighbouring property 19 Central Avenue. This neighbouring property is positioned to the north of the application site. Given the minimal projection distance of the proposed first floor extension (2.1 metres), separation distances, and fact that the proposal would not include any side windows facing 19 Central Avenue, 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, outlook and over dominance, or overshadowing.

The proposed first floor rear extension and dormer would be positioned over 8.5 metres from the rear boundary of the application site shared with 6 West Avenue. They would be approximately 19 metres from nearest windows in this neighbouring property. Given these separation distances, it is considered that the proposal would have no unacceptable impacts on the amenities of the occupiers of this neighbouring property (or any other neighbouring properties to the rear) in relation to privacy, outlook and over dominance, or overshadowing.

The comments made by the owner / occupier of 4 West Avenue (positioned to the south west of the application site) are noted in relation to re-positioning the proposed rear window in the proposed dormer to the side elevation. However given the separation distances between the proposal and this neighbouring property, it is considered that it would not be necessary or reasonable for the Local Planning Authority to require the applicant to do this.

The proposed side gable window (serving the staircase to the loft) would face properties to the south, namely 5 and 6 Moor View. The proposed detached garage would also be positioned close to the common boundary shared with 6 and 7 Moor View. However there would be a considerable separation distance between these properties and this proposed side gable window (approximately 18 metres to the common boundary and 30 metres from windows in the nearest property 6 Moor Lane). The proposed garage would be only 2.85 metres in height, and 6 and 7 Moor View both have relatively long gardens. Given separation distance and the existing built form, it is therefore considered that the overall proposal would have no unacceptable impacts on the amenities of the occupiers of 5, 6 and 7 Moor Lane in relation to privacy, outlook and over dominance, or overshadowing.

The proposed detached garage would be positioned close to the common boundary shared with 15 Central Avenue. However it would be positioned adjacent to a detached garage within the rear curtilage of this neighbouring property. The proposed upper floor side gable would only overlook part of the rear garden of 15 Central Avenue and this would be over a reasonable distance. Given separation distances and the existing built form, it is considered that the proposal would have no unacceptable impacts on the amenities of the occupiers of 15 Central Avenue in relation to privacy, outlook and over dominance, or overshadowing.

It is considered that the overall proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD9 in relation to impact on residential amenity.

Impact on highway safety

The proposal would have no unacceptable impacts on the length of the existing driveway. It would therefore have no unacceptable impacts on highway safety, and so it would accord with adopted South Tyneside LDF Development Management Policy DM1 (G).

Impact on biodiversity

The planning application includes a Preliminary Bat Assessment by Astute Ecology (Report Reference: AE20.192) dated September 2020 (received 30/09/2020). The Council's Countryside Officer has considered this report (see their comments summarised above) and has raised no objections to the application.

The Council's Countryside Officer has advised that informatives should be attached to any planning permission to remind the applicant of the statutory protection afforded to bats and birds. It is recommended that such informatives be attached to any planning permission. They have also advised that the applicant should seek to provide biodiversity gains – namely by providing at least one Generalist 'Schweglar 1B nest box at the site. However given that the application site itself has limited if any ecological value, it is considered that to require this by way of a condition would not be necessary or reasonable. However an informative to applicant is still recommended to inform the applicant that these biodiversity gains would be desirable.

It is considered that the proposal would accord with adopted South Tyneside LDF Core Strategy Policy EA3 and adopted South Tyneside LDF Development Management Policy DM7.

Summary

Overall it is considered that the proposal would accord with development plan policy, and so is 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. 003/20 received 06/08/2020
 - Drawing No. 004/20 received 06/08/2020
 - Drawing No. 005/20 received 06/08/2020
 - Drawing No. 007/20 received 08/09/2020

- Drawing No. 008/20 received 06/08/2020

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 dwellinghouse on which the extension will form part, and within the curtilage of which the garage will be positioned; excepting the front wall and cheeks of the dormer which shall be of Marley plain pan tiles of a colour to match the tiles of the existing dwellinghouse, the flat roof of the dormer and garage which shall be of felt or rubber and the roof lights which shall be velux. 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 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.

4 NOTE TO APPLICANT

Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Checks for active nests must be made before building works commences and, should any be found, works must be delayed or organised to avoid impacts on nesting birds. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

5 NOTE TO APPLICANT

In accordance with Section 5.4.2 of the submitted Preliminary Bat Assessment by Astute Ecology (Report Reference: AE20.192) dated September 2020, the applicant is advised that they should provide at least one Generalist Schwegler 1B nest box (with a 32mm entrance) for nesting birds at the site. These Generalist nest boxes should be fixed two to five metres high, out of the reach of predators such as domestic cats; are best mounted facing between north and east, thus avoiding strong sunlight and the wettest winds; and should be tilted forward slightly to minimise the effect of any driving rain.

Case officer: David Rogerson

Signed: *David Rogerson*

Date: 25/11/2020

Authorised Signatory: *Christina Snowdon*

Date: 25/11/2020