DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0718/20/HFUL
Proposal: Construction of single storey rear extension and creation of first floor roof terrace with glass balustrade above including replacement of existing bedroom window with French doors for access
Location: 71 Ashley Road, South Shields, NE34 0PE

Site Visit Made: 29/09/2020

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

71 Ashley Road is a semi-detached dwelling located within a well-established residential area of South Shields. The property has gardens to the front and rear; and a single storey offshoot to its rear elevation. It also benefits from a detached garage. A row of allotments is located to the rear of the site, with St Wilfred's RC College beyond this.

Planning permission is sought for the construction of a single storey rear extension and the creation of first floor roof terrace with glass balustrade above, including the replacement of an existing bedroom window with French doors for access.

Following discussions with the agent in relation to the impact of the extension and the potential overlooking from the roof terrace, amended plans were submitted on 12 October 2020 providing the extension with a 0.3m offset from side boundary with 69 Ashley Road and altering the height of obscure glazed privacy screen to its side elevation facing no. 69.

Having regard to the council's Statement of Community Involvement, the small scale of the change to the scheme; and the lack of any comments or objections received to original letters of notification sent out to neighbours, it was not considered necessary to formally re-notify residents in this instance. Letters of re-notification had however previously been sent to neighbours with a revised description to include reference to the creation of a roof terrace with glass balustrade.

Publicity / Consultations (Expiry date: 29/09/2020)

1) Neighbour responses

None received

2) Other Consultee responses

None

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 and Impact on Visual Amenity

South Tyneside Local Development Framework (LDF) Policy DM1 states that development, including extensions to existing buildings, should be designed to convey sensitive consideration of their surroundings.

The facing materials and architectural detailing of the single storey extension would match the design of the host dwelling, conserving the character of the property. The position of the works within the rear garden would also restrict the visibility of the development when viewed from the public road. Taking into account the footprint of the existing building and size of the rear garden; the extension would appear as a subordinate addition and would not result in the overdevelopment of the site.

Based on its subordinate size, lightweight glazed structure, choice and colour of materials; as well as its position to the rear of the property, it is considered that the more contemporary design approach proposed for the roof terrace could be accommodated without detriment to the character of the property or surrounding street scene.

It is judged that the development would convey sensitive consideration of its surroundings, having regard to scale and proportions, use of materials and architectural detailing; and would accord with LDF Policy DM1 (A) and the guidance contained within Supplementary Planning Document 9.

Residential Amenity

Policy DM1(B) requires a development to be acceptable in relation to any impact on residential amenity.

The single storey extension would have a projection of 3.7 metres from the rear wall of the dwelling and, as amended, would include a set-back of 0.3 metres from the shared boundary with the neighbouring property of 69 Ashley Road. A 1.6-metre-high fence runs along this boundary. Excluding the glazed balustrade of the proposed roof terrace (the design of which would still allow daylight/ sunlight to permeate), the solid side elevation of the extension would only extend to a maximum height of 3.1 metres, reducing to a height of 2.8 metres at the eaves of the roof. Like the application dwelling, the neighbour benefits from a sizeable rear garden and an open outlook to its rear. The nearest ground floor window (to the side elevation with the application site) is also relatively large.

Taking into account the height, design (including the opaque privacy screen of the roof terrace) and projection of the extension, it's amended set-back from the shared boundary with 69 Ashley Road and the window layout at the neighbour, it is not considered that the development would result in the creation of an overly dominant feature when viewed from any rear habitable room of the neighbouring dwelling (at either ground floor or first floor) or result in unacceptable overshadowing. Furthermore, no windows are proposed to the side elevation of the extension facing no. 69, which could have resulted in a loss of privacy.

The extension would connect to the side elevation of the existing single storey offshoot to the rear of the dwelling; and would not project beyond its rear elevation. As such, the extension would not result in any harm to the amenity of the occupiers of 73 Ashley Road, to the other side of the site.

SPD 9 advises that balconies to the rear of properties can give rise to additional impact on the privacy of neighbouring properties. In considering applications for new balconies, in addition to any impact on windows of neighbouring properties, the council will have regard to the extent to which the proposal will cause overlooking of neighbouring gardens and yards when compared with the current situation.

The design of the roof terrace has been amended to include the installation of a 1.8-metre-high obscure glazed privacy screen to its side elevation, facing the adjoining property of 69 Ashley Road. This would

prevent the direct overlooking of any rear habitable rooms of the neighbouring property, as well as reduce the extent of the overlooking of the rear private garden of the neighbour, only offering views towards the rear of the neighbour's garden from most of the roof terrace. As amended, it is not considered that the roof terrace would result in a substantial increase in overlooking, over and above the views currently possible from the first-floor windows to the rear of the application property.

To the other side of the site, the roof terrace would retain a separation distance of 7.8 metres from the side elevation of the neighbouring property of 73 Ashely Road. Additionally, having regard to the room layout of this house type, it would appear that no habitable room windows would be directly overlooked by the new roof terrace. At ground floor level to its side elevation, one window appears to serve a hallway and the other a secondary window serving an open plan lounge, kitchen and dining room area (the main outlook of this space being to the rear of the neighbouring dwelling, which benefits from a single storey rear extension). Views of these windows would be restricted by the roof height of the existing single storey offshoot at the application dwelling, relative to the height of the proposed roof terrace.

At first floor level at no. 73, one window to its side elevation appears to serve a staircase landing and the other a bathroom, neither being classified as habitable rooms. The roof terrace would not introduce the direct overlooking of any habitable room to the rear elevation of the neighbour.

The position of roof terrace set-back from the boundary, combined with the roof height of the existing single storey offshoot and the position of the detached garage along the shared boundary with no. 73, would also help to limit the extent of overlooking of the rear garden of the neighbour.

Based on the size, height and position of the roof terrace, as well as the window layout at the neighbouring dwelling, it is not considered that the angled views possible would result in an unacceptable loss of privacy to the occupiers, over and above the current overlooking possible from the first floor windows of the application property.

As highlighted, there are no residential dwellings to the rear of the site with the potential to be directly impacted by the proposed roof terrace. Notwithstanding this, the roof terrace would retain a separation distance of 15 metres from the rear garden boundary of the application property with the allotments behind the site.

Based on the alterations to the privacy screen to the side elevation of the roof terrace facing 69 Ashley road, the separation distance to the nearest neighbouring habitable room windows; and the main outlook of the roof terrace towards the rear of the site, it is not considered that the development would result in material harm to the amenity of any surrounding property. In the interests of protecting residential amenity, a condition is proposed to secure the installation and retention of the privacy screen shown to the side elevation of the roof terrace.

For these reasons, it is not considered that the development would result in material harm to the amenity of surrounding residents; and would accord with LDF Policy DM1 (B) as well as the requirements of the NPPF, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

It is considered that the development would be in accordance with LDF Policy DM1 (A and B), the associated Supplementary Planning Document (SPD) 9 'Householder Developments', and the requirements of the NPPF.

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 Number 6 Proposed Ground Floor Plan received on 12/10/2020
-Drawing Number 7 Proposed First Floor Plan received on 12/10/2020
-Drawing Number 8 Proposed North, South and East Elevations received on 12/10/2020
-Drawing Number 9 Proposed Sections received on 12/10/2020

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 as specified on the approved plan 'Drawing Number 8 Proposed North, South and East Elevations' received on 12/10/2020. 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.

4 The 1.8 metre high opaque/obscure glass privacy screen to the (south) side elevation of the first floor roof terrace facing the neighbouring dwelling of 69 Ashley Road as shown on approved plan 'Drawing Number 8 North, South and East Elevations' received on 12/10/2020 shall be installed prior to the first use/occupation of the roof terrace hereby approved and shall be maintained as such thereafter.

To ensure a satisfactory standard of privacy is retained in the interests of residential 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: Josh Kenolty
Date: 15/10/2020

Authorised Signatory:
Date:

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