DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0739/20/HFUL
Proposal: Demolition of existing utility and garage and replacement with rear and side single storey extension, incorporating additional living space and a garage.
Location: 41 Harton Grove
South Shields
NE34 6LT

Site Visit Made: 23/10/2020

Relevant policies/SPDs

1 DM1 - Management of Development

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application relates to a proposed single storey rear and side extension to provide additional living space and a garage at 41 Harton Grove, South Shields. The proposals would require the demolition of an existing utility and garage.

The application site is a semi-detached property located within a street of similar properties. A number of properties, including the application site have been extended previously; with the two immediate neighbours, no. 39 and 43 having been extended to the side and/or rear.

Planning permission is sought for the removal of the existing utility room and garage and the addition of a single storey, flat roof contemporary extension with roof lantern to the rear garden room, which would be located on the footprint of the existing garage and utility, but also extend 4 metres further forwards beyond the front elevation of the existing garage, located to the side of the property (across an area currently used as a covered car port). To the rear the garden room extension would extend a further 1.5m towards the common boundary to no. 43 with the garden room having a width of 4.7m. The rear garden room extension would project 5.6m from the main rear two storey elevation of the property and 3.7m beyond the rear elevation of the existing single storey rear extension. The proposed garage would extend a further 2.2m.

The design of the extension would be modern with a flat roof and parapet wall, including a roof lantern serving the garden room element of the proposed development. There would be doors facing into the garden and a rear window serving the garage. No windows are proposed within the side elevation facing no. 39 Harton Grove (detached from and located to the east of the application site.) The front elevation of the utility facing towards the highway of Harton Grove would have a single pedestrian door and window. The garden room extension would have bi-fold doors to the side elevation facing no. 43 (set off the boundary by 3.8m) and further bi-fold doors to the rear elevation facing into the rear garden of the application site. Further glazing is proposed above the bi-fold doors, which would provide further light into the habitable room. The amount and overall height of the glazing has been reduced through amending the application (detailed further below). The two sets of 4no. horizontal glazing panes, which correspond to the bi-fold door glazing panels located below, would be 400m high, giving two glazed openings with dimensions of 2.4m high x 3m wide (including framework).

As referenced above, the proposals have been amended by the applicant, reducing the height of the proposed extension from 3.7m (measured to the eaves / top of the flat roof) to 3.35m. The original proposals, with an eaves height of 3.7m was in alignment to the top of the existing single storey lean to roof at the rear of the property. Through amending the proposals the flat roof would now measure

200mm below the ridge height of this rear extension. The eaves would still remain higher than the eaves to this existing rear extension, being 800mm higher. The flat roof extension would step down in height to the rear of the proposed garage to a height of 2.9m. A roof lantern to the rear garden room is also proposed, which would have a maximum height of 3.7m above ground level, a reduction from the original proposals which had a total height of 4.0m.

The design of the extension would be contemporary with a rendered finish. Amended plans and an amended application form have confirmed the proposed materials, which had originally been undetermined, but had suggested being either timber cladding, brick or render.

The application has also been amended to correct an error in respect of the existing single storey rear extension to the adjoining neighbour, 43 Harton Grove; there was an inaccuracy to the projection and sloping pitched roof of the extension, which adjoins the existing rear extension to the application site.

Publicity / Consultations (Expiry date 29/10/2020, 4/12/2020, 28/01/2021)

1) **Neighbour responses**

The owner/ occupier, 43 Harton Grove.

Initial comments received to original proposals:
(Diagrams submitted to explain and detail comments and objections raised).

Raised concern about the height of the proposals - consider the proposals should not exceed the height of the existing eaves. Various dimensions referred to in letter. Consider that the height of the roof eaves is excessively high when linked to scale and dominancy concerns.
The design does not reflect the style of the host property – with unacceptable visual scale and dominancy.
The materials proposed are not acceptable. Consider the cladding and volume of glazed area adversely accentuates the increased dimensions of the proposed design. Consider the proposals will be at odds with shape, scale, finish and proportions of the original dwelling and those of extended properties in the immediate neighbourhood.
The increased level of glazing to a new living space (located 1.5m closer to the boundary than the existing built form) with a roof lantern would cause a loss of residential amenity and light intrusion.
Currently when exterior lighting is on this creates light spillage into the rear bedrooms. Due to the proposals creating habitable living space the light intrusion would then occur more frequently and for longer duration whenever the room is occupied, and internal lights are on at night. Additionally any exterior lighting was retained this would compound matters and collectively cause more disturbance.
There is a discrepancy on the existing and proposed drawings. The drawings show the existing single storey lean to roof to the rear elevation adjoining the rear lean to roof at no. 43, with the projection of the rear extensions being in alignment, with the ridge and eaves level the same to both properties. The rear extension at no. 43 does not project as far as no. 41 and therefore the eaves are not in alignment.

Comments received to amended proposals:

Having viewed the plans and noted the changes made, including correction of roofline on our property we still have significant concerns regarding the proposal and wish to seek further clarification and make comment on the proposals.

Namely, we still feel it is too high and object to the volume of glazed area, linked to change of use.

Wish to query and comment on the drawings that the dimensions are not shown on the plans; seek confirmation on the eaves height to the top of the parapet wall, and the total height – including lantern.

Question how the revised height compares with the maximum total height measurement that would normally be allowed / acceptable within regulations – linked to aligning with part of original house from which extension projects/ adjoins?

The eaves are higher than the highest point of the original eaves at the back of the house – we continue to feel this is still unacceptably high. It would appear that the parapet wall design is adding additional unnecessary height which otherwise could be reduced if a standard facia board and gutter construction was adopted. Additionally, the inclusion of windows above bi-fold doors (albeit now smaller than previous) still further adds to height.

A more acceptable height / design would be to reduce to same level of existing utility (to be demolished) and then re-align the new extension to the same height where it currently meets original kitchen eaves. This would also mean having no glazing panels above doors and therefore reduce volume of glazed area within the proposed habitable living space.

We feel the above combination would go towards addressing our concerns regarding 'Outlook and over dominance' and lessen the 'Impact on amenity' raised in original objections.

With regards to the change to 'Render' on extension walls as opposed to 'Timber cladding'. We feel 'Render' is a more acceptable finish. However, whilst the drawings now show 'Render' – the application form (19/10/20) still states 'Timber Cladding' - we seek confirmation that 'Render' is the revised finish, and this is stated.

We would appreciate you take these views into account in conjunction with concerns expressed in our previous letter dated 30th October 2020.

Case Officer comment: Clarification was provided to questions raised regarding the revised height and clarification given that there is no prescriptive measurement but reference given to LDF Development Management Policy DM1 (B) and the associated SPD9, which requires development to be acceptable in relation to any impact on residential amenity in terms of privacy, outlook, over dominance, overshadowing and additionally in terms of design, scale and consideration of its surrounds. Confirmation also given that an amended application form correctly references proposed render.

Final comments received from the owner /occupier, 43 Harton Grove:

Note the correction on the re-submitted application form, which correctly references proposal for render finish.

State that the proposed extension would still be higher than the highest point of the adjacent original eaves - by .25m (est.) States that the proposed extension would be significantly higher than eaves at a point where the proposed extension will adjoin the house / replace the existing utility (to be demolished) - by approx. 1m(est.)

Confirm that from the dimensions supplied, re-affirms their concerns and opinions of the impact on their house, previously outlined (and as detailed above).

The owner/ occupier, 39 Harton Grove:

Comments received to initial proposals:

We feel that that the height of the proposed extension at the boundary could significantly reduce the amount of light entering our windows on the drive side of our home.

Final comments received from the owner /occupier, 39 Harton Grove:

Further to your letter inviting comment to the amended plans for the above address, we have now viewed these and would like to submit the following observations.

We feel that the height of the revised amended plans to the proposed extension would still significantly reduce the amount of light entering our windows on the drive side of our home.

The plans we have been able to view on your website do not appear to provide vertical dimensions. To this effect it is difficult to estimate the impact of the loss of light to us.

2) Other Consultee responses
(e.g. relevant comments from consultees such as archaeologist, EA, Historic buildings officer etc)

None

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

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

The location and scale of the proposal is not considered to materially harm the host dwelling and its modern appearance would make it very apparent that it was an addition, rather than be part of the original dwelling. The contrasting appearance is considered to be acceptable without harming either the host property or local visual amenity. In relation to visual amenity the location of part of the proposal (the utility) is not that prominent from the public domain due to the extension being set back 8.3m from the main front elevation of the dwelling and therefore not highly visible. The flat roof design would also mirror an existing two storey flat roof element to the main dwelling, which is visible from Harton Grove. Furthermore the rear extension would not be visible from the public domain, set behind the host dwelling.

The adjacent neighbor, no. 39, located to the east of the application site has itself been extended through a two storey side extension located towards the application site (ref: ST/1041/14/FUL). There is an existing kitchen window within the side elevation facing the application site (towards the current car port) set off the common boundary by 3 metres. This neighbouring property has a garage set towards the rear of the dwelling, located to the side / rear of the property, which extends for a length of 7.8m along the common boundary to no. 41. The proposed side / rear extension would be in alignment to the rear elevation of the garage at no. 39 and would extend 900mm beyond the front elevation of the neighbouring garage. The owner/occupier of no. 39 have raised concern about the height of the proposed extension and the reduction in the amount of light entering the windows to the side of the

property facing no. 41. The existing kitchen window to no. 39 would be in near alignment to the front elevation of the proposed side extension but would not extend across this window. As such, it is considered that there would be no resultant unacceptable loss of amenity through over dominance, loss of outlook or a significant reduction in the amount of light serving this window. Currently the side elevation of the existing car port is set 3m from the side kitchen window at no. 39 and therefore there is limited existing outlook. Additionally the current garage and utility and the position of the two storey element of the main house will impact upon the outlook from and the light to the side window to no. 39. The height of the proposed extension would exceed the height of the garage at no. 39, by approximately 400mm. However, it is considered that due to the set back of the proposal and minimal projection beyond the existing front elevation of the garage at no. 39, that the proposed development would not result in a loss of amenity through loss of light, or result in an over dominant or over bearing development.

The adjoining semi-detached dwelling, no 43 has a long garage and store extension along the side boundary which abuts the rear garden to no. 63 and 65 Sunderland Road (located on the opposite side of the site to the application site). The property has a small rear extension with lean to roof across the rear elevation which adjoins the application site, although the projection of the extension is not in alignment with the existing lean to single storey extension at no. 41. The existing rear extension at no. 41 projects 2.5m, whereas the rear projection of the extension to no. 43 measures 1.0m. The extension at no. 41 therefore projects a further 1.5m beyond no. 43. In addition to the adjoining rear extension there is a further utility and kitchen extension to the rear of no. 43 which is set 3.7m and 5.45m from the common boundary to no. 41. There is an existing solid boundary fence to a height of approximately 6ft with some planting behind within the garden of no. 43. There is an existing habitable room with patio door and windows located within the rear elevation of the dwelling (within the single storey rear extension with lean to roof), adjacent to the common boundary with further glazing within the kitchen and utility room facing towards the common boundary with the application site, set off the boundary by 5.45m. It should also be noted that no. 43 was granted permission (ref: ST/0179/12/FUL) for a single storey extension to the rear elevation. This proposed to replace (on the whole), the existing utility and kitchen extension, increasing the width by 1.5m with a rear projection of 6.7m. This extension, would be set 4m from the boundary to the application site and would be 3.3m in height.

The proposed rear garden room extension, which would in part replace an existing utility room extension to the rear of the application site would project 5.6m from the main rear two storey elevation of the property and 3.7m beyond the rear elevation of the existing single storey rear extension. The proposed extension would itself extend 4.4m beyond the rear elevation of the existing single storey rear extension at no. 43. The extension would be set in 3.8m to the common boundary with no. 43. The garage would extend a further 2.2m beyond the rear garden room extension set 8.6m from the common boundary with no. 43. Windows are proposed within the side elevation of the garden room extension, facing no. 43, which would be set 3.8m from the boundary fence.

SPD9 suggests that an extension of 3 metres is appropriate at a semi-detached house and that in some situations, the distance the extension is set off the boundary may help to make a proposal acceptable. In this case, the 3.8m distance to the boundary is considered to reduce the impact of the extension on the adjoining semi to the west (no. 43). A bi-folding door with glazing above is proposed within the side elevation facing no. 43 and the neighbour has raised objection to both the proximity of the extension (being 1.5m closer than the current rear utility extension) and the inclusion of glazing, which would affect their privacy, through overlooking from the proposed habitable accommodation (noting that the current rear extension is a utility and that the proposed extension to create habitable accommodation / living space would be used more) and the impact created from light spill / emission of light from the glazing towards their property. There is an existing boundary fence, which would be retained, which currently provides screening and would continue to provide screening between the two dwellings. It is considered that the angle of windows within the rear elevation of no. 43 and the distance between facing windows at no. 41 and 43 (at 7.8m) would be sufficient to ensure no loss of privacy through overlooking. It is considered that there would be no privacy loss from the high- level glazing above the bi-fold doors due to its height.

It is considered that although light would be omitted from the proposed extension through glazing, it is considered that to a certain extent, light is already omitted towards no. 43 through the position of glazing within the utility. Although further glazing is proposed than existing, being located 1.5m closer to the boundary and at a higher level, it is again considered that the angle of windows within the rear elevation of no. 43 and the distance between facing windows between windows at no. 41 and 43 (at 7.8m) would be sufficient to ensure no loss of amenity. There has also been reference to the exterior lighting and this compounding matters. Exterior lighting could be installed (or retained) without needing planning permission – security and external lighting is a common feature on dwellings.

Concern has also been raised by the occupiers of no. 43 to the height of the proposal, and following amendments to the proposals, reducing the height, these concerns have not been withdrawn and have been reiterated. It is accepted that the proposed extension would exceed the height of the existing and would measure 3.35m in height to eaves level and 3.7m to the ridge of the roof lantern. The extension would be visible from the rear ground floor and first floor windows at no. 43, from the side utility / kitchen extension and garden. It is noted that the extension would be marginally higher than the extension permitted at no. 43 through ST/0179/12/FUL, measured at 3.3m. It is considered that the proposed height would not be unacceptable or excessive and would be below the ridge height of the existing rear lean to roof. Through the separation distance to the common boundary and the orientation and position of windows at no. 43, it is not considered that the height of the proposal would create an over dominant or over bearing development.

Concern was also originally raised about the proposed materials, due to the materials not being initially confirmed by the applicant, however the application has been amended including confirmation that render is proposed. The materials are considered to be acceptable and a condition is recommended in this regard.

There are no concerns in relation to the residential amenities of further neighbours, in terms of privacy, dominance or overshadowing, having regard to the location/scale of the proposal relative to them.

For the reasons explained it is considered that the proposed extension would be acceptable and not result in an unacceptable form of development or cause material harm to neighbouring residential amenity. The development would therefore be in accordance with Policy DM1 (B) of the adopted South Tyneside Local Development Framework, and adopted guidance the associated SPD9.

Other matters

Further concern was raised by the occupiers of no. 43 that the original plans contained errors in respect of the existing single storey rear extension and the roof slope / projection. The plans have been amended to rectify this error.

Summary

For the reasons outlined above, it is considered, in the site circumstances and context of this particular case, 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

Drg no. PR03 received 29/09/2020
Drg no. PR01 rev A received 12/01/2021

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 Drg No. PR01 rev A received 12/01/2021 and amended application form received 25/01/2021. 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: Helen Lynch
Signed:
Date: 03/02/2021

Authorised Signatory:
Date:

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