

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0790/20/HFUL
Proposal: Proposed bedroom and ensuite above existing side garage
Location: 31 Woodvale Drive
Hebburn
NE31 1RA

Site Visit Made: 14/10/20 and 16/10/20

Relevant policies/SPDs

- 1 DM1 - Management of Development
- 2 SPD9 - Householder Developments

Description of the site and of the proposals

This application relates to a south facing detached dwelling house in the established residential area of Hebburn. The property has two storeys and a pitched roof. The property has a moderately sized rear garden and a front / side hard surfaced garden / driveway area. The boundaries to the application site are angled and taper from the property.

This application seeks planning permission to construct a two storey side extension above an existing single storey garage. The property has been previously extended through a single storey rear extension.

The application has been amended from the original submission due to concern raised that the proposed side extension would not be subordinate and therefore contrary to LDF Development Management Policy DM1 and guidance contained within SPD9. The initial plans submitted did not provide a set back at first floor level or lowered ridge line. Amended plans have been received identifying that the first floor of the two storey side extension would be set 1m back from the principal elevation of the host property and the ridge of the proposed roof would be set down from the ridge of the main roof.

Additionally, an error was identified on the original existing and proposed site plans which showed an 800mm separation distance between the corner of the garage and the common side boundary fence to No 30 Woodvale Drive. The plans have been amended to correctly identify the 250mm separation distance on the existing and proposed plans.

Publicity / Consultations (Expiry date 23/10/2020)

1) Neighbour responses - None

2) Other Consultee responses - None

Case Officer Comment: Amended plans were received on 27/10/2020. Neighbouring properties were not notified about the changes, having regard to the Council's SCI; because these changes would not materially affect their amenity relative to what they were consulted upon and since the changes have made the proposal smaller.

Assessment

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010. The main considerations are the impacts the development will have on residential and visual amenity.

LDF Policy DM1 seeks to preserve residential and visual amenity.

SPD 9 states that in order to achieve the desired subordinate appearance, two-storey side extensions on semi-detached properties and high-density detached properties (for which the application site would apply) should:

- retain a minimum 1 metre gap between the extension and the side boundary of the application site.
- provide a minimum 1 metre set-back between the front wall of the upper storey extension and the main front wall of the house.
- provide a significantly lowered ridge line and a roof shape that corresponds to the main dwelling.

The proposed extension would not provide a 1metre gap between the extension and the side boundary; a distance of 850mm reducing to 250mm towards the rear of the extension due to the tapered boundary, would be provided. This would be caused through the extension being constructed above an existing garage. The separation distance below 1metre is therefore a current situation and it is noted that the neighbouring property no. 30 has itself extended towards the common boundary, which again due to the tapering side boundary shared with the application site, does not provide a 1metre separation along the full length of the side extension. Although the distance would be closer than as allowed by SPD9, given the existing circumstances, this would be acceptable on balance.

SPD9 proceeds to state that *the above guidance may not be suitable in all situations and may be relaxed if two or more of the following criteria exist:*

- *there is a marked stagger in the building line between the dwelling and the affected neighbour;*
- *the dwelling to be extended is of a substantially different type, scale and massing to the adjacent dwelling;*
- *the adjacent property is incapable of being extended in the same direction; and*
- *there is a significant difference in ground levels between the dwellings to be extended and the affected neighbour.'*

It is acknowledged that one of the above criteria would be met due to the relationship with the immediate neighbour No. 30 Woodvale Drive, which is set forward and on an angle with the application site. This neighbouring property has itself been extended to the rear and side, with a two storey side extension built towards the application site. However, it is considered that by providing the set back and lowered ridgeline, for which amended proposals have been received, that the design of the extension respects the scale, character and appearance of the dwelling itself and its neighbourhood, where there are a number of side extensions that have been constructed providing the set back and set down of the ridge, including the immediate neighbours no. 30 and 32 Woodvale Drive. Subservient first floor extensions are an important characteristic which help to break up the mass and scale of properties on this residential street and wider estate. SPD9 recognises this stating, that *'because there is no development immediately adjoining the location of the proposed extension, it may still be necessary to provide a set-back between the front wall of the upper storey extension and the main front wall of the house, and a lower ridge line, in order to achieve an appropriate design in the context of the street scene. In such situations an extension should always complement the scale, shape and proportions of the original dwelling, taking account of matters such as brick bonding, materials matching, roof design and the width of the proposed extension. Many of these design issues can be eliminated by use of a setback.'*

Due to the position of the application site being set back from No. 30 and the tapered side boundary, an element of the proposed two storey side extension (a 2.2m length) would be located beyond the main rear wall of No. 30 and would be located a distance of 850mm reducing to 250mm from the common boundary. Within the rear elevation of No. 30, closest to the common boundary, is a window at first floor level serving an en-suite (located within the constructed two storey side extension) and to the ground floor a rear door and small window serving a utility room. In addition to the two storey side extension, No. 30 has also been extended to the rear by a single storey extension, set towards the west of the site. The proposed gable elevation of the extension would be located a distance of 4.4m to 3.8m from the

side elevation of this single storey rear extension. The separation distance between the proposed extension and the rear extension at No. 30 reduces from the rear of the main property as the boundary fence tapers. The existing boundary fence, which would be retained, is a close boarded 1.8m high timber fence. Given the orientation of No. 30 and the application site, the extent of the side extension that would be visible from the rear of No. 30, it is considered on balance that there would be no significant loss of outlook, and no significant overshadowing as a result of the two storey side extension. There would be no windows to the gable elevation of the side extension and so there would be no loss of privacy to No. 30.

The side extension would be obscured from No. 32 Woodvale Drive to the east by the main bulk of the host property and so there would be no significant impact upon the residential amenity of that property.

To the north-east (rear) of the application site is No. 17 Woodvale Drive and to the north west (rear) No. 18 Woodvale Drive, which has a detached rear garage abutting (and partially forming) the rear / side boundary. It is considered that due to the orientation and position of these two properties and the separation distances, that there would be no significant impact upon the residential amenity of these properties.

In terms of design, the proposed extension would be of an acceptable scale and design. They would be constructed from materials to match existing. The two storey side extension would be sufficiently set back and down in order to be subordinate to the host property and would be an appropriate design in the context of the street scene. There would be no resultant loss of in curtilage car parking to the property through these proposals.

Summary

In conclusion it is considered that the proposal would have an acceptable impact upon the residential amenity of neighbouring properties and the visual amenity of the area. The proposal would therefore accord with all relevant local and national planning policy and consequently the application is recommended for approval.

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

Existing and Proposed Site, Floor and Elevation Plans - Version 1 (Side extension above existing garage) received 27/10/2020.

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

- 3 Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
<https://www.gov.uk/party-wall-etc-act-1996-guidance>

Case officer: Helen Lynch

Signed:

Date: 26/11/2020

Authorised Signatory:

Date:

«END»