DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0049/21/HFUL
Proposal: Raised decking platform to rear of property above existing shed roof, with fence to protect overlooking neighbour to two sides, with front barrier and access and proposed access and change of use from rear bedroom window to a door.
Location: 66 Glen Street
Hebburn
NE31 1NG

Site Visit Made: 09/04/2021

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)
2 SPD9 - Householder Developments

Description of the site and of the proposals

Planning permission is sought for a raised decking platform and associated external steps access with walkway that has already been erected on the roof of an existing shed to the rear 66 Glen Street, Hebburn, which is a mid-terraced two storey dwelling house. The applicant's dwelling backs onto a narrow lane and beyond this a new housing estate has been completed (Douglass Close). This is an established residential area and the raised decking is visible from both the lane and from Douglass Close.

The decking platform extends from the applicant's existing two storey pitched roofed offshoot and the proposal includes works to change a bedroom window located in this offshoot at first floor level to a door in order to provide access to the raised platform.

The raised platform is enclosed on two sides by close boarded timber fencing which is fixed to the applicant's existing rear first floor offshoot. Open access is already provided on one side of the raised platform (facing the rear yard and habitable windows of No. 68 Glen Street) to a set of external ladders which provides access from the raised platform to the applicant's rear yard space. This open access is partially enclosed behind a clear glass panel.

The terraced row, to which the applicant's property forms a part, is characterised by red facing brickwork (some of this brickwork has been painted white and cream) but the predominant facing material is red brickwork, and a mixture of grey slate pitched and flat roofed offshoots to the ground and first floor. There is a narrow lane to the rear of this terrace of dwellings and this is an established residential area of Hebburn.

Publicity / Consultations (Expiry date 17/04/2021)

1) Neighbour responses

None received

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 Visual Amenity

Policy DM1 (A) requires the development, including new buildings, extensions and alterations to existing buildings, is designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.

The platform and associated external steps access with walkway are widely visible from the Douglass Close new housing estate that lies behind the applicant's property and it is visible from the public domain along the narrow lane which runs behind Glen Street. Although the terrace of properties along Glen Street have undertaken alterations and extensions over the years, the original character of the Victorian/Edwardian terrace still exists to this day. Facing brickwork either red, or colour treated white or cream, is the predominant facing material to the properties along Glen Street. The terrace has a grey natural slate roof and the rear offshoots are also pitched with grey slate or they have flat felt roofs.

The raised decking and associated external steps access with walkway and timber boarding enclosure (colour treated dark brown) does not blend in with the existing palette of facing materials and the structure appears as an adhoc and poor form of development particularly in terms of its architectural detailing, when viewed the Douglass Close public realm. As such this development would not convey sensitive consideration of its surroundings and it would not therefore accord with LDF Policy DM1 (A).

Residential Amenity

Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity and SPD 9 states that the introduction of a balcony or raised decking to a property can raise issues of overlooking, loss of privacy to garden space.

Supplementary Planning Document (SPD) 9 to the Local Development Framework relates to householder developments and provides further guidance regarding impact on the amenities of neighbours by way of loss of privacy. Paragraph 3.1.B. states that there should be no unacceptable impact on the amenity of the neighbours in relation to privacy and Paragraph 3.19 outlines that extensions should avoid compromising the level of privacy within the habitable rooms of neighbouring properties

Paragraph 3.20 of SPD9 provides further guidance in relation to balconies and the content of this guidance would be relevant in this instance given that the decking is raised. It states that balconies or in this case raised decking to the rear of properties can give rise to additional impact on the privacy of neighbouring properties. In considering a planning application for such development, in addition to any impact on windows of neighbouring properties, the Council will have regard to the extent to which the proposal would cause overlooking of neighbouring gardens when compared to the current situation. This advice is re-iterated in paragraph 10.1 of SPD9 which states that raised decking to a property can cause issues of overlooking and a loss of privacy to garden space.

The attached neighbour (no. 68) is located south west of no. 66 and hosts a two storey and single storey rear offshoot which are constructed along the common boundary shared with no. 70 Glen Street. The rear yard located in between the side elevation of the two storey side extension and the common boundary shared with no. 66 measures a width of 2.8m. There are numerous ground and first floor windows along the rear elevation of the main dwelling and two storey extension.

The external steps and walkway leading up to the raised platform are constructed within close proximity of the common boundary shared with no. 68 Glen Street and the walkway extends well beyond the height of the existing boundary wall that delineates the boundary between no. 66 and 68. The raised decking is used for recreational purposes, and provides external space where users often spend considerable time especially during summer months. There would be nothing to stop the raised walkway

being used for a similar purpose to the main part of the raised decking structure. In this case when the structure (including the walkway) is in use, a person would be able to look over the boundary wall and directly in to every window along the rear elevation of the main dwelling and side elevation of the rear extension at no. 68. The rear yard of this adjacent property would also fully overlooked by person/s occupying the raised platform, walkway and external steps. It is considered that this creates harm in terms of overlooking and significantly reduces privacy levels to no. 68; to both the dwelling and yard space, and is therefore materially harmful to the amenities of the occupiers of no. 68.

The terraced properties located north east of no. 66 (including the attached neighbour; no. 64) are not adversely affected by the raised decking, walkway or external steps at no. 66 as the boarding to the side elevation measures 1.82m high which stops any overlooking of the neighbouring dwellings.

The properties within the adjacent rear housing estate (Douglass Close) are not adversely affected by the privacy loss associated with this development and the side panels of the raised platform prevent overlooking. The property (no. 9 Douglass Close) whose gable directly faces the rear of no. 66 Glen Street does not host any side elevation windows.

As such the proposal would not accord with LDF Policy DM1 (B) due to the harm caused by the development when in use through issues associated with privacy loss, overlooking and harm caused to neighbouring amenity enjoyed by the occupiers of 68 Glen Street, Hebburn.

Conclusion

For the reasons stated above it is considered that the raised decking platform, walkway and external steps represents an unsympathetic form of development and that when in use, the structure would create overlooking, privacy loss and general amenity problems for the adjacent occupiers of No. 68 Glen Street to the detriment of both visual and neighbouring amenity. The development therefore would not accord with Local Development Framework Policy DM1(A and B), and so it is recommended that the application be refused.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Refuse Householder Permission

Refusal Reason

1 The raised decking, walkway, external steps and timber boarding enclosure (colour treated dark brown) does not blend in with the existing palette of facing building materials or architectural detailing that characterise the area in which it forms part. This area is characterised by facing brickwork and either flat or pitched roofed buildings. The raised decking, walkway, external steps and timber boarding enclosure appears as an adhoc addition to the roof of an existing shed. The architectural detailing and appearance of this added structure is poor and it is visible from wide angles of the public realm, including the Douglass Close housing development. This development therefore fails to convey sensitive consideration of its surroundings and it does not therefore accord with the adopted South Tyneside Local Development Framework Development Management Policy DM1 (A).

2 The raised decking, walkway and external steps has significantly reduced the levels of privacy associated with all windows to the rear of no. 68 Glen Street, as well as the rear yard area of this adjacent property. The close proximity and elevated positioning of this development is also

likely to be harmful to the general amenities enjoyed by the occupiers of this adjacent property particularly in terms of general noise disturbance when the structure is being used. As such the development is contrary to the requirements of the adopted South Tyneside Local Development Framework Development Management Policy DM1 (B).

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.

Case officer: Emma Thomas
Signed: Emma Thomas
Date: 01/07/2021

Authorised Signatory:
Date:
«END»