DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0128/21/HFUL
Proposal: Demolish existing detached garage and rear conservatory and partially demolish existing rear/side of kitchen/breakfast room offshot. Construct canopy roof over existing front bay window, single storey front hall extension, single storey rear family/dining room extension with 4 no.rooflights, block up side window to staircase. Construct new side gable and rear dormer to roofspace to create new en-suite bedroom with new side window to staircase. Construct new detached garage/garden room to rear garden.
Location: 48 Harton House Road
South Shields
NE34 6ED

Site Visit Made: 12/03/2021

Relevant policies/SPDs

1 DM1 - Management of Development (A, B and G)

2 SPD9 - Householder Developments

Description of the site and of the proposals

This application relates to a northeast facing semi detached property in the established residential area of South Shields. It is set in a row of six semi detached dwellings (three pairs) which are set back from the main building line of Harton House Road and are separated from the road by a grassed area. The property has two storeys and has a hipped roof. To the front the property has a ground floor bay window. To the rear there is a single storey rear extension with a glazed conservatory to its rear. There is an extensive rear garden which is accessed via a side passage. There is a detached garage at the end of the garden. Access is afforded from the back lane to the rear to the garage and garden.

This application seeks full planning permission for the following works:

- Construct a porch and canopy to the front elevation.
- Construct a single storey rear extension following the demolition of the existing rear extension and conservatory.
- A hip to gable roof conversion and the construction of a rear dormer.
- Construction of a detached building at the end of the garden following the demolition of the existing garage.

Publicity / Consultations (Expiry date 11/03/2021)

1) **Neighbour responses - None**

2) **Other Consultee responses - None**

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 visual and residential amenity.

LDF Policy DM1 seeks to preserve residential and visual amenity. SPD9 sets out guidance for householder developments. This report shall consider each aspect of the proposal in turn.

Porch and Canopy to Front Elevation

SPD9 states that in the case of terraced and semi-detached houses, front extensions should not normally project forward from the original dwelling by more than 1.4 metres and side windows should be avoided or fitted with obscure glazing in situations where there would otherwise be an adverse impact on the privacy of a neighbour.

The proposed porch would project 1.4m from the principal elevation of the property. Its pitched roof design would be in keeping with the host property and other porches in the vicinity. It is proposed that there would be 1no. window in the northwestern side elevation of the porch which would face towards the boundary with No. 46 Harton House Road. That property is set significantly forward than the host property and the proposed window would face the side elevation of No. 46's rear extension which contains a window at ground floor level. SPD9 notes that the planning system cannot protect an outlook that has been created by placing a window on a common boundary. The proposed window would be set 3.9m from No. 46's window. Given this distance it is considered that the window would potentially give rise to a loss of privacy to No. 46's window and therefore a condition requiring that window to be obscurely glazed is proposed.

Whilst a window is proposed in the southeastern elevation of the porch, views towards the adjoining property, No. 50 Harton House Road, would be obscured by the existing bay window and so there would be no significant loss of privacy to that property.

The proposed porch and canopy would have an acceptable design and would not result in significant harm to the residential amenity of adjacent properties or any other residential properties.

Single Storey Rear Extension

SPD9 notes that single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 3 metres in respect of semi detached or terraced houses will generally be acceptable. However, SPD9 also notes that site specific circumstances of the property will always be taken into account and may allow for development opportunities beyond the guidelines set out in this document.

The property as existing has a single storey flat roof brick extension of 2.4m projection to its rear elevation. That extension is set 0.2m from the side boundary with No. 50 Harton House Road. It also projects 1.2m beyond the northwestern side elevation of the host property. Beyond the brick rear extension there is a glazed conservatory which is set 0.2m from the boundary with No. 50 and projects a further 3m. The conservatory has a width of 3.8m and so does not span the full width of the garden/house. Consequently, as existing, the combined projection of the two extensions which are set 0.2m from the boundary is 5.4m.

No. 50 has a rear extension adjacent to the boundary, which projects 4m from its main rear elevation. Consequently as existing the combined rear extensions of the host property project 1.4m beyond the rear elevation of No. 50's extension.

It is proposed to demolish the existing rear extension and conservatory and to construct a single storey rear extension. The extension would have a projection of 5.5m beyond the main rear elevation of the host property and would be set 0.2m from the boundary with No. 50. The proposed extension would project 1.5m beyond the rear elevation of No. 50's rear extension. This would be 0.1m greater projection than that of the existing combined extensions. It is not considered that the additional 0.1m projection would result in such a significant level of further harm to the residential amenity of No. 50 to warrant refusal, particularly in terms of loss of outlook, overshadowing or overdominance.

The proposed rear extension would be set 2.7m from the boundary with No. 46 Harton House Road. Given that property is set considerably forward than the host property, the extension would be set a minimum of 6.86m from No. 46 itself. This would be greater than the distance from No. 46 to the existing single storey rear extension (a distance of 6.3m). Given this distance it is not considered that the proposed rear extension would result in such a significant level of harm to the residential amenity of No. 46 to warrant refusal, particularly in terms of loss of outlook, overshadowing or overdominance.

No windows are proposed in the side elevations of the proposed rear extension and so there would be no significant loss of privacy to Nos. 46 or 50.

The rear extension would not result in significant harm to the residential amenity of adjacent properties or any other residential properties.

The rear extension would be of an acceptable design which would not harm the character and appearance of the area.

Hip to Gable Roof Extension & Rear Dormer Window

The property as existing has a hipped roof. It is proposed to construct a hip to gable roof conversion and a flat roof rear dormer. A window is proposed in the northwestern side extension at second floor level. Existing ground and first floor windows in this side extension would be retained, however the existing first floor landing window would be blocked up.

The creation of the rear dormer window and the hip to gable roof conversion would be able to be carried out under existing permitted development rights. However the addition of the window at second floor level would render the proposed works to not be permitted development (it is proposed that the window be clearly glazed, whereas the window would need to be obscurely glazed and fixed shut up to 1.7m above finished floor level).

In determining this application, regard must be had for a reasonable fall back position. In this case it is considered that this fall back position would be to construct the hip to gable conversion and dormer window under permitted development rights, whilst including the second floor side window with obscure glazing/fixed shut up to 1.7m above finished floor level.

The hipped roof would not be in keeping with the visual amenity of the area as the streetscene is characterised by pairs of hipped roof semi detached properties, and a gable end would be at odds with this. The proposed second floor side window would face towards the side boundary with No. 46 Harton House Road at a distance of 2.7m and would therefore lead to overlooking and loss of privacy of that property. However, regard must be had for the above fall back position and it is therefore considered unreasonable to refuse the application on these grounds.

Consequently it is considered reasonable to permit the hip to gable conversion and dormer window whilst including a condition to require the second floor window in the side elevation to be obscurely glazed and fixed shut up to 1.7m above finished floor level in order to preserve the privacy of No. 46. If this part of the extension was to be constructed under permitted development rights, then the window would be required to be constructed in this way.

Garage/Garden Room

SPD9 states that detached garages should be subordinate to and reflect the character of the existing dwelling. Poorly designed detached garages can be overly dominant and be detrimental to the character of the area.

The existing property has a detached garage at the southwestern end of the garden, in the southern corner. It is proposed to demolish this garage and construct a larger building which would host a garage and garden room. The building would span the entire width of the garden and would adjoin both side boundaries and the rear boundary of the garden. No. 50 and 46 both have garages on adjoining the boundary. Given the length of the garden, the proposed building would be set a minimum of 12.6m from No. 50 and 22.4m from No. 46. Consequently given these distances there would be no significant harm to the residential amenity of any neighbouring properties. The flat roof design of the garage would be in keeping with those other garages in the area and would not harm the visual amenity of the area. The garage would not result in any significant harm to highway safety. The proposed garage is considered to be acceptable.

Summary

Having regard for all of the above, the proposed development would have no significant harm upon the residential amenity of any other residential properties. The design of the porch/canopy the rear extension and the garage would not harm the visual amenity of the area and as set out above, it would not be reasonable to refuse the works to the roof on design grounds due to the permitted development fall back position. The application is therefore 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

Drg No 1 received 29/01/2021
Drg No 2 received 29/01/2021
Drg No 3 received 29/01/2021
Proposed Site and Roof Plan received 29/01/2021

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 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.

4 Prior to the first occupation of the porch extension hereby permitted, the proposed ground floor window in the northwestern side elevation of the proposed porch facing the common boundary with No. 46 Harton House Road shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers and the windows shall be fixed shut up to a level of 1.7m above finished floor level. The form of windows and obscure glazing shall be retained thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

5 Prior to the first occupation of the gable roof extension hereby permitted, the proposed second floor window in the northwestern side elevation of the proposed gable end facing the common boundary with No. 46 Harton House Road shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers and the windows shall be fixed shut up to a level of 1.7m above finished floor level. The form of windows and obscure glazing shall be retained thereafter.

To ensure the protection of privacy for neighbouring occupiers, and 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: Seán Gallagher
Signed:
Date: 25/03/2021

Authorised Signatory:
Date:

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