

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0286/21/HFUL
Proposal: Single storey front and rear extensions and two storey side extension with rear balcony.
Location: Rapallo
Dipe Lane
East Boldon
NE36 0PQ

Site Visit Made: 22/06/2021

Relevant policies/SPDs

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

Description of the site and of the proposals

This application relates to a north facing semi detached dwellinghouse in East Boldon. There is a flat roof rear extension.

Full planning permission is sought to erect a single storey front extension, a two storey rear and side extension, and a single storey rear extension to the existing rear extension with a balcony on its roof.

The scheme was amended on 23rd August 2021. The changes consisted of setting the first floor element of the side extension back at the front of the property, and increasing the projection of the first floor element of the side/rear extension to the rear. Neighbouring properties were notified of these changes.

An amended site plan was received on 14th September 2021 to correctly show the amended scheme. Neighbouring properties have not been notified of this plan, having regard to the Council's SCI for there would not be any material impact upon the residential amenity of neighbouring properties over and above the scheme received 23rd August 2021 that they were previously notified of.

Publicity / Consultations (Expiry date 09/09/2021)

- 1) Neighbour responses - None
- 2) Other Consultee responses

Countryside Officer

My comments on this application relate to its potential to impact on biodiversity including: designated sites; statutorily protected species; and priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted the following documents relating to ecology to inform their application:

Bat Survey, Rapallo, Dipe Lane, East Boldon, NE36 0PQ. May 2021 - Version 2 Final (submitted 18/05/2021) by RH Ecological Services.

A preliminary roost assessment of the property was undertaken on 22nd April 2021. The building was assessed internally and externally by a suitably qualified professional. The report concluded that:

'The property was initially deemed to have low-medium potential for roosting bats, the detached garage is deemed to have negligible potential. Features suitable for roosting bats will be likely lost during the development'.

In keeping with the good practise guidance, a single active bat survey was recommended to confirm presence / likely absence.

The dawn activity survey undertaken on the 13th May 2021 found; 'A single bat dusk (emergence) survey was undertaken in May 2021. There was very little bat activity and no bats emerged from the property. No further survey effort is deemed necessary.'

I am satisfied that the ecological survey work undertaken is in accordance with good practise and is adequate and appropriate to support this planning application. As no bat roost was recorded at the property there are no likely direct impacts on protected species from this proposed development however bats are highly mobile species, in the unlikely event that bats use the building on occasion, the following informative should be attached to any consent granted along with the distribution of the method statement in Appendix 1 and the legislation in Appendix 2 of the 'Bat Survey, Rapallo, Dipe Lane, East Boldon, NE36 0PQ. May 2021 - Version 2 Final (submitted 18/05/2021) by RH Ecological Services' to the contractors on site.

Bat Informative

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bats or signs of bats be discovered at any stage during the works, work must stop immediately, and advice as set out in Appendix 1 of the report entitled 'Bat Survey, Rapallo, Dipe Lane, East Boldon, NE36 0PQ. May 2021 - Version 2 Final (submitted 18/05/2021) by RH Ecological Services' followed.

Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

Natural England Bat Advice Line: 0345 1300 228

Net Gain

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity as recommended in section 8.3 and 8.4 (for bats and birds respectively). The Case Officer should seek to secure the inclusion of bat and bird features to comply with national policy whether through integrated boxes in the build itself or boxes fixed to the southern elevation of the building as recommended in the Bat Conservation Trust guidelines and can be found here; <https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>.

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, and highway safety.

SPD9 provides guidance on householder developments and LDF Policy DM1 seeks to preserve visual and residential amenity.

The proposed front extension would project 1.15m from the principal elevation of the dwellinghouse. This distance would comply with the guidance as set out in SPD9. There are a number of similar front extensions in the vicinity and this part of the development would not result in significant harm to the visual amenity of the area. The limited projection of the front extension, and as there would be no windows in the side elevations would result in there being no significant harm to the residential amenity of neighbouring properties, particularly in terms of loss of outlook, overshadowing, overdominance or loss of privacy.

It is proposed to construct a two storey extension to the side of the property. SPD9 guidance sets out that to achieve the desired subordinate appearance and to minimise any terracing effect, two-storey side extensions on semi-detached and high-density detached properties 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.

However SPD9 also notes that in situations where terracing would not arise, 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.

It is proposed that the side extension be set back by 1.125m from the principal elevation of the property. The roof slope would also be significantly set down from the main roof of the property. Whilst no gap would be left to the side boundary of the site, in this case there is no dwelling immediately to the west (due to the tennis club access road) and so there would be no terracing impact.

SPD9 also has regard to the width of a two storey side extension and states that to maintain a reasonable level of subordination, side extensions should not be more than 3 metres in width or be more than half of the width of the original dwelling frontage, whichever is the greater. The proposed extension would be 3.4m in width which would be more than half the width of the existing dwelling, which has a total existing width of 6m. However, the adjoining semi detached dwelling also has a similar two storey side extension which has a width in excess of 3m. Consequently it is not considered that the proposed two storey side extension would unbalance the pair of dwellings. The set back of the side extension would ensure that some degree of subordination would occur. On balance, it is considered that there would not be such significant level of harm to warrant refusal of the application.

Given the side extension's location it would not result in significant harm to the residential amenity of any neighbouring properties particularly in terms of loss of outlook, overshadowing, overdominance or loss of privacy. There would be no windows in the western elevation of the side extension and so there would be no loss of privacy to the property to the west, "Michaelford". Whilst a set of patio doors in the eastern elevation of the rear portion of the extension at first floor level would face the boundary with "Newlands", the adjoining semi detached property, they would be set 6m from the shared boundary and any views into the neighbouring garden and property would be obscured by the proposed privacy screen of the rear extension.

To the rear it is proposed to construct a single storey extension to the existing extension and create a balcony above. The extension would project 1.5m beyond the existing single storey rear extension, a total distance of 5.8m from the main rear elevation of the host property. The extension would be adjacent to the boundary with "Newlands". That property also has a single storey rear extension which projects 4.9m from its rear elevation. The original rear building line is shared between the two properties and so

the proposed extension would project 0.9m beyond the rear elevation of the rear extension of "Newlands". Given this limited additional projection beyond the rear elevation of the neighbouring property's rear extension it is not considered that there would be a significant level of harm to that property in terms of loss of outlook, overdominance, or overshadowing.

It is proposed to construct a balcony above the existing and proposed single storey rear extensions. The balcony would be accessed at first floor level via a set of patio doors in the eastern elevation of the proposed side/rear extension and a set of patio doors at first floor level in the rear elevation. The balcony would have a 1.8m high privacy screen to the western side elevation along the boundary with "Newlands". This privacy screen would ensure that there would be no significant loss of privacy to "Newlands" and as such a condition is recommended that this screen be in place prior to the first occupation of the balcony and be retained as such thereafter. Views would be available from the rear of the balcony across the rear of the garden of "Newlands" but it is not considered that this would result in such significant harm to the residential amenity of that property in terms of loss of privacy to warrant refusal. Views would not be available from the balcony towards "Michaelford" which is the property to the west across the adjacent access road to Boldon Tennis Club as this would be screened by the two storey side / rear extension. Consequently a condition is proposed that a privacy screen be erected to the western elevation of the boundary in order to preserve the privacy of "Michaelford".

It is not considered that the rear extension would result in significant harm to the visual amenity of the area.

The Council's Countryside officer commented on the application and recommended that bat boxes be incorporated into the design. The applicant has submitted amended plans to show these. An informative is included in this regard however it is not considered necessary to include a condition requiring the bat boxes to be constructed. This is because they are not deemed to be absolutely necessary to enable the development.

Whilst the existing garage would be demolished, a garage would be incorporated into the development, and so there would be ample in curtilage vehicle parking and there would be no significant harm to highway safety.

In conclusion the proposal would have no significant adverse impact upon the residential amenity of any neighbouring properties, or the visual amenity of the area. Consequently the proposal would comply with all relevant local and national planning policy; 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. rapallo/planning/02c received 23/08/2021
Drg No. rapallo/Planning/03b received 14/09/2021

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 use of the hereby approved balcony, the opaquely glazed privacy screen to the eastern boundary of the balcony as shown on Dwg No. rapallo/planning/02c received 23/08/2021 shall be constructed from obscure glass to a level sufficient to protect the privacy of neighbouring occupiers and it shall remain in situ unless otherwise agreed in writing by the Local Planning Authority.

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

- 3 NOTE TO APPLICANT

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

4 NOTE TO APPLICANT

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity as recommended in section 8.3 and 8.4 (for bats and birds respectively). The applicant is encouraged to include bat and bird features to comply with national policy whether through integrated boxes in the build itself or boxes fixed to the southern elevation of the building as recommended in the Bat Conservation Trust guidelines and can be found here;
<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>.

Case officer: Seán Gallagher

Signed:

Date: 15/09/2021

Authorised Signatory:

Date:

«END»