

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0643/21/HFUL
Proposal: Erection of a single storey rear extension to existing property, along with the re-newel of existing entrance porch to front of the property and opening up of the existing driveway to allow for off road parking.
Location: 13 Ashleigh Gardens
Cleadon
SR6 7QA

Site Visit Made: 31/08/2021

Relevant policies/SPDs

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

Description of the site and of the proposals

The site to which the application relates is a western facing semi-detached dwelling located within an established residential area of Cleadon. The host property is a 'T' shaped dwelling as a result of single storey off shoots attached to the north side of the host's front (western) and rear (eastern) elevations. The rear garden is enclosed by 1.8m high timber fencing. No. 14 Ashleigh Gardens is the adjacent neighbouring property situated to the north of the development site and features an existing single storey off shoot attached to the south side of its rear (eastern) elevation. No. 12 Ashleigh Gardens adjoins the host dwelling to the south of the development site. No. 12 has previously been extended by way of single storey extensions which have formed an 'L' shaped extension which adjoins and extends across its rear (eastern) elevation. The existing extension contains an eastern facing window to the northern side of its rear elevation and northern facing windows to the side elevation of its significant projection located on the southern side of the extension.

The proposal relates to a single storey rear extension and a front porch extension. The proposed rear extension will adjoin and project 4.5m from the host property's rear elevation. The proposed rear extension will feature a lean-to pitched roof and will span across the rear elevation of the host property in lieu of the existing rear off shoot. The extension will incorporate French doors and windows to its rear (eastern) elevation. The proposed porch extension will replace the host property's existing porch and will measure 2.1m in length and will project 1.2m from the front elevation of the host property. The proposal also relates to alterations made to the host property's existing front hardstand whereby it will be widened to allow for off-road parking. The existing access crossing /dropped kerb to the north side of the host property's front curtilage will be to used to allow vehicles to access/egress the site.

Publicity / Consultations (Expiry date: 24/08/2021)

1) Neighbour responses

An objection has been received from the occupant of No. 12 Ashleigh Gardens, with comments on the following grounds:

The only problem we can see is the rear extension will block light out of our window at the back. If the extension comes out 1.3m it will be past our extension therefore blocking light out of our property.

2) Other Consultee 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
- Highway Safety and Off-Road Parking.

Design/Visual Amenity

The proposed porch extension and hardstanding will be visible from the public domain. The proposed development therefore should have particular regard to the character and appearance of the surrounding area.

The projection of the proposed porch extension at 1.2m in depth will meet the length that is ordinarily considered to be appropriate in the Council's design guidance (SPD9: paragraph 5.2). The proposed porch will consist of materials that match those on the existing property and there are a number of similar examples of the proposed development evident in the surrounding area. As such, it is judged that the proposed porch would convey sensitive consideration of its surroundings, having regard to scale and proportions and use of materials and would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Based on the position of the existing dropped kerb with a number of similar examples of the proposed development in the immediate street scene; the proposed hardstanding would have no unacceptable visual impacts and would therefore be in accordance with LDF Policy DM1 (A) and the associated SPD9 in relation to design.

The proposed rear extension will have a minimal impact on the character and appearance of the host property and surrounding area. As the extension will be to the rear, it will have little prominence in regard to the surrounding street scene. The design of the proposed development is considered to be of an appropriate scale and mass to the main dwelling and will consist of materials that match those on the existing property. There are also a number of similar examples of the proposed development evident in the surrounding area. As such, the proposed extension will be in keeping with the character and appearance of the main dwelling and surrounding area. Therefore, it is considered that the proposal would accord with LDF Policy DM1 (A) and the objectives of SPD9.

On balance, it is considered that the whole proposal is acceptable in terms of its design and local visual amenity meaning it would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Residential Amenity

The impact of the proposed development on the amenity of neighbouring occupants is an important material consideration with particular regard to No. 14 Ashleigh Gardens to the north and No. 12 Ashleigh Gardens to the south.

No. 14 will experience no impact from the proposed porch extension given that it will not extend beyond the host property's existing front off shoot meaning it will not be visible from this property. The proposed rear extension will extend beyond the host property's existing rear off shoot and above the shared boundary treatment. As a result, the extension will be visible from No. 14's rear off shoot and rear garden area. However, a gap will remain between the side (northern) elevation of the extension and the shared

boundary with No. 14. Additionally, the proposed extension will not extend above the host property's existing rear off shoot and will only project minimally (approximately 1.3m) beyond it. For these reasons and given the single storey nature of the extension as well as the existing high boundary treatment it is the view of the case officer that the proposed rear extension will not result in such significant harm to the amenity of the occupants of this property in terms of loss of outlook, daylight or sunlight to sustain a recommendation of refusal. As the proposed extension will contain no side windows it is the view of the case officer that the proposal will not result in any significant harm to the amenity of the occupants of this property in terms of loss of privacy/overlooking.

An objection has been submitted by the occupant of No. 12. The content of this objection is noted.

Given the location of the proposed porch extension away from the shared boundary with No. 12 and given its minimal projection as well as its single storey nature it is the view of the case officer that proposed porch will not result in any significant harm to the amenity of the occupants of this property in terms of loss of outlook, daylight or sunlight. The porch will feature a window to its side elevation which will face the shared boundary with No. 12. However, given the distance of the proposed window away from the shared boundary it is the view of the case officer that the porch will not result in any significant harm to the amenity of the occupants of this property in terms of loss of privacy/overlooking.

No. 12 raised concerns in relation to the proceeding loss of light to the windows situated within its existing rear extension as a result of the proposed rear extension. The proposed rear extension will project above the shared boundary treatment and within close proximity to it. Additionally, it will project approximately 1.2m beyond No. 12's eastern facing rear window meaning the proposed extension will be visible from the windows situated within its existing rear extension. Therefore, it is acknowledged that the proposal will result in some impact on the residential amenity of the occupants of No. 12 by way of some loss of light and outlook. However, it must be noted that the existing high boundary treatment already impacts the level of light and outlook received from these windows and it must also be noted that the proposed extension will only project minimally beyond No. 12's eastern facing window. For the above reasons and given the single storey nature of the proposed extension as well as its location to the north it is the view of the case officer that the proposed extension is unlikely to result in such a severe increased loss of outlook, daylight or sunlight to No. 12's rear windows when compared to the existing situation to sustain a recommendation of refusal. For the above reasons and given that the proposed extension will not extend beyond the significant projection to the south side of No. 12's existing rear extension it is the view of the case officer that the proposed extension will not result in any significant harm to the amenity of the occupants of this property in terms of loss of outlook, daylight or sunlight to their garden area. As the proposed extension will contain no side windows it is the view of the case officer that the proposal will not result in any significant harm to the amenity of the occupants of this property in terms of loss of privacy/overlooking.

The proposed hardstanding would not result in any harm to the amenity of surrounding residents through a significant increase in noise or disturbance from traffic given that the work involved is considered to be relatively minor in nature; and would therefore be in accordance with LDF Policy DM1 (B) and the associated SPD9 in relation to design.

Given the above, the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B), while having regard to the principles set out in SPD 9.

Highway Safety and Off-Road Parking

The proposed widening of the hardstand is considered to be acceptable in terms of its impact on highways safety given the length of the driveway and given that a vehicle can be parked here without affecting the public footpath. The development site is not located in a designated flood zone area or a critical drainage area meaning there would be no increased risk of flooding as a result of the proposed

work. However, it is recommended that an informative be attached to any planning permission to remind the applicant that the hardstand should be of permeable materials, or otherwise it should drain to a permeable / porous area within the curtilage of the dwellinghouse. On balance, the proposal would be acceptable in terms of highways safety and would be in accordance with LDF Policy DM1 (G).

Summary

It is considered that the development would be in accordance with LDF Policy DM1 (A, B and G), the associated Supplementary Planning Document (SPD) 9 'Householder Developments', and the requirements of the National Planning Policy Framework.

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 plans as detailed below:

- Proposed Site Layout-Floor Plan and Site Sections (Drg No. AA-DRG-003, Rev A) received 07/07/2021
- Proposed Elevations (Drg No. AA-DRG-004) received 15/06/2021

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 stated on the planning application form for this hereby approved planning application ST/0643/21/HFUL, received 15/06/2021. 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

- 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>

- 4 NOTE TO APPLICANT

The applicant is advised that either the hard surface should be made of porous materials, or provision should be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Case officer: James Wellwood
Date: 01/09/21

Authorised Signatory:
Date:

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