

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0692/21/HFUL
Proposal: Single storey rear extension.
Location: 18 York Avenue
Jarrow
NE32 5LT

Site Visit Made: 19/08/2021

Relevant policies/SPDs

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

Description of the site and of the proposals

The site to which the application relates is a semi-detached dwelling located within an established residential area. The host dwelling is eastern facing onto York Avenue in Jarrow. To the rear, there is an existing single storey off shoot which adjoins the north side of the host property's rear (western) elevation. The rear garden is enclosed by 1.2m high timber fencing situated along the host property's northern and southern boundaries as well as by approximately 2m high brick walling situated along the host's rear (western) boundary. No. 16 York Avenue is the adjacent neighbouring property situated to the north of the development site and features a conservatory to the northern side of its rear (western) elevation. No. 20 York Avenue adjoins the host dwelling to the south of the development site and features a conservatory to the northern side of its rear (western) elevation.

The development proposed is to construct a single storey pitched roof extension that will adjoin the south side of the host property's rear elevation as well as the side (southern) elevation of the host's existing off shoot. The proposed development will measure 4.4m in length and will project 4.1m from the rear elevation of the host property with an approximate height of 3.3m. The proposed development will incorporate windows to its side elevations as well as patio doors to its rear (western) elevation. It is due to the fact that the property has had its permitted development rights removed that planning permission is required for the proposed work.

Publicity / Consultations (Expiry date: 26/08/2021)

1) Neighbour responses

None received.

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

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- Impact on residential amenity

Design/Visual Amenity

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. As such, the proposed extension will be in keeping with the character and appearance of the main dwelling. Therefore, it is considered that the proposal would accord with LDF Policy DM1 (A) and the objectives of SPD9.

Residential Amenity

The impact of the proposed development on the amenity of neighbouring occupants is an important material consideration, with particular regard to the adjacent dwelling to the north, No. 16 York Avenue and the adjoining dwelling to the south, No. 20 York Avenue.

The proposed extension will be set 4.8m away from the shared boundary with No. 16 and will be of only one storey in height. Therefore, the proposal will not result in any harm to the amenity of the occupants of this property in terms of loss of outlook, daylight or sunlight. A window is proposed to the side (northern) elevation of the extension which will face the rear garden of No. 16. However, given the distance between the shared boundary with No. 16 and the proposed window it is not considered that there would be a significant impact on privacy.

The proposed rear extension will project above the height of the shared boundary with No. 20 with the extension visible from No. 20's rear garden area. However, as the extension will be of only one storey in height and will not project significantly above or beyond No. 20's existing conservatory it 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. Additionally, it is noted that the proposed extension will be highly visible from No. 20's existing rear conservatory which features windows to its side (northern) elevation which will directly face the proposed rear extension. As result, the proposed extension will have some impact in terms of some loss of light and outlook given the height and projection of the proposed extension. However, given the single storey nature of the proposed development, its location to the north and given the fact that it will not project significantly above or beyond No. 20's conservatory, the impact of the proposed development is not considered to be so detrimental as to warrant refusal. Windows are proposed to the side (southern) elevation of the proposed extension which will face the shared boundary treatment with No. 20. Therefore, it is likely that the proposed extension would have some impact on the privacy of the residents of this property. However, given that the proposed windows will be high-level windows it is not considered that there would be any adverse impact to the amenity of the occupants of this property in terms of loss of privacy/overlooking. Therefore, given the high-level nature of the windows a condition for the windows to be obscurely glazed would not be deemed necessary in this instance and it is the view of the case officer that the proposed windows will not result in such harm to the residential amenity of No. 20 that refusal of the application could be justified on these grounds.

With regard to all of the above the impact of the proposed development on neighbouring amenity is considered to be acceptable. Therefore, the proposed development is considered to be in accordance with Policy DM1 (B), while having regard to the principles set out in SPD 9.

Summary

It is considered that, in the site circumstances and context of this particular case, that this proposal would be in accordance with Local Development Framework (LDF) policies DM1 (A and B), having regard to all other material planning considerations, including the design guidance in SPD9. The

proposal is considered to be an acceptable form of development, subject to the inclusion of the suggested conditions.

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 Elevations and Floor Plan (Drg No. 2107/02) received 01/07/2021
- Proposed Site Plan received 01/07/2021

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 proposed work will form part except where otherwise stated on the application form for planning application ST/0692/21/HFUL, received 01/07/2021. 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>

Case officer: James Wellwood

Date: 27/08/21

Authorised Signatory:

Date:

«END»