DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0784/21/HFUL
Proposal: Demolition of rear conservatory and erection of rear single storey extension; loft conversion and roof extension incorporating dormer windows; Reduction to existing garage.
Location: 8 Central Gardens
South Shields
NE34 6BA

Site Visit Made: 23/09/2021

Relevant policies/SPDs

1 DM1 - Management of Development

2 SPD6 - Parking Standards

3 SPD9 - Householder Developments

Description of the site and of the proposals

This application for planning permission relates to a south-east facing dwelling in the established residential area of Central Gardens, South Shields. The property has a hipped roof with lower gable feature to the front of the dwelling. The property benefits from single storey off shoots to the side and rear with a further conservatory attached to the rear offshoot. The property has a driveway to the front of the dwelling leading to a detached garage that is located to the side of the dwelling . The property has a garden which curves towards the west. The property is located on a corner of Central Gardens with the attached semi located towards the south west and the adjacent neighbour to the east of the application site.

This application seeks full planning permission for the construction of a flat roof single storey rear extension attaching to the rear wall of the property and the side wall of the rear offshoot. The proposal also includes alterations to the roof, including a loft conversion and extension to the roof over the existing single storey flat roofed side projection; the construction of a flat roof dormer on the rear roof slope and a hipped roof dormer on the front roof slope. The application also proposed alterations to the garage to reduce its length from 5.8m to 5m.

Following case officer concern regarding design, residential amenity and compliance with SPD9, amended plans were received on the 12/10/2021 and 20/10/2021. The changes removed the hip-to-gable enlargement from the proposal and altered the loft conversion/roof extension as well as the design of the proposed front dormer. A planning statement was also received on the 12/10/2021 explaining the rationale for the single storey rear extension. A change in description as required and a full re-consultation exercise was undertaken notifying neighbours of the changes and allowing 21 days for comments.

Following further discussions with the applicant regarding the single storey rear extension and its impact on the amenity of the attached neighbour, further amended plans were received on the 24/11/2021. The changes reduced the projection of the single storey rear extension to 3m (originally proposed at 6m) and retains the existing conservatory. A full re-consultation exercise was undertaken notifying neighbours of the changes and allowing 21 days for comments.

Publicity / Consultations (Expiry date 15/12/2021)

1) Neighbour responses (6 representation received in total)

- 10 Central Gardens (3 received)
    - Rear Extension Objections
    - Permitted development allows 3m this extension is 6m from the original property wall, this extension is also only 6cm from the boundary
    - This is overbearing and dominant extension will overshadow me and effectively hem us in and damage our outlook significantly
    - The height of this extension also shaded sys and will cause loss of daylight to my property as my patio doors are the only natural light into the dining room

    - Loft conversion rear double dormer windows
    - The double dormer windows at the rear of the property will impact on my privacy currently there are no dormer windows at any of the six properties to the rear and side of the surrounding property only velux windows
    - This double dormer window will give the appearance of the property being top heavy and totally out of character with the area

    - Loft conversion roof hip to gable extension – *Officer Comment – The hip-to-gable enlargement has now been removed from the proposal*
    - This alteration to the shape of the roofline contradicts the character of existing properties and is unsympathetic to the street scene and has an adverse impact on the area

    - Central Gardens are 1920's bungalows the street is quiet and predominantly occupied by couples who are retiring and downsizing. This planning application doubles the useable floor space with a loft conversion. Therefore, the further application for a side and very large rear extension changes this to an excessive and overbearing property out of scale with any of the other semi-detached properties in the street. The outlook and privacy to the rear of our property would be significantly impaired if this development was allowed planning permission.

    - Response to planning statement document – disagree that a clear precedent has been set with the example's quoted. We have the right t object, perhaps those neighbors didn't object, and planning riles were different at the time compared to the present day
    - The depth of the proposed extension is the same as the existing conservatory but is definitely not a mirror image as the width is doubles and does not step away from the boundary and is excessive in height. We believe this could not be considered as a modest imposition. By the time the proposed extension cranks away from the boundary it already significantly impeded our property as the build is only 6cm from the boundary fence and the rear of the property.
    - The maintain a level floor, height of the proposed development will increase the height compared to the existing conservatory, therefore cannot be compared.
    - The 1.8m fence does not significantly cloak the height of 3.3m and a length of 6m. our extension does not affect anyone and is sympathetic to the plot. No 8 could achieve this by extending to the north side with little impact to the rear garden in Beatrice Gardens.
    - The rear extension is unacceptable as it alters our outlook, overshadows and is over dominant.
    - Why anybody would think we want to live between two walls is beyond my comprehension. We agree we are both lucky to have large plots however this does not constitute the need for an excessive over development.

No comments received following most recent consultation.

- 5 Central Gardens
    - LOFT CONVERSION ROOF HIP TO GABLE EXTENSION.
    - This alteration would look totally out of place and would not fit in with the character of the rest of the properties in the street. This is a very quiet street with mainly 2 and 3 bedroom properties occupied by mainly older, retired people who value their privacy. The proposed extensions and loft conversion would turn 8 Central Gardens more into a house, not a bungalow, more of a family home in fact and could add to current parking problems.

    - LOFT CONVERSION FRONT DORMER AND VELUX WINDOWS.
    - This Dormer and velux window will directly overlook our back garden, therefore impacting on our privacy, which will in turn impact on the value of our property.

No comments received following most recent consultation.

- 5 Central Avenue (3 received)
    - The proposed dormer windows at the front of 8 Central Gardens would have a field of view overlooking our garden and the rooms at the rear of our house, including the master bedroom.
    - This would result in a loss of privacy and I therefore object to the proposal in its current form.
    - The amendment does not change the dormer windows in the proposed front elevation, which would have a direct field of view, resulting in a significant loss of privacy in the rear of our house and garden (including the master bedroom and living area).

2) Other Consultee responses

No representations received.

Assessment

LDF Policy DM1 (limbs A, B and G) seeks to preserve visual and residential amenity and ensure development is acceptable with regards to highways safety. SPD9 provides guidance for householder developments whilst SPD6 sets out parking standards in the borough.

Design and Visual Amenity

Roof alteration and dormer windows

SPD9 notes that loft conversions are often considered to be a relatively simple way of providing additional living space. However, adding dormers and roof windows can significantly alter the appearance of a property. Any alterations to the roof should therefore be designed to complement the home and street scene.

SPD9 states that for dormer extensions which require planning permission it is important to avoid 'top heavy' appearance and avoid spoiling the character of the dwelling; so majority of the original roof slope should therefore be retained to achieve this, two small dormer may be more appropriate than one larger feature. However, SPD9 notes that if an area is not characterised by dormers of any kind, introducing an undesirable precedent should be avoided. It is further noted that where dormers are not an original design feature on semi-detached dwellings, these are not considered to be an appropriate addition to this type of property as it can unbalance the appearance and character of the host dwelling. For these types of properties the use of rooflights may be a more acceptable alternative.

It is proposed to erect a flat roof dormer window on the rear roof slope of the dwelling. Whilst dormer windows to the rear roof slope can usually be constructed under permitted development rights, this proposal cannot be constructed without the other alterations to the roof and so would not be able to be constructed under such permitted development rights. Whilst it is noted that a flat roof rear dormer window can be constructed on the existing rear roof slope under permitted development rights, it would be smaller than that as proposed in this application. However, it is considered that the impact of the proposed dormer on the visual amenity of the property and the area due to its scale, massing, and appearance, would not be so dissimilar to a dormer constructed under permitted development rights to amount to significant harm to visual amenity of the property or the surrounding area to be considered detrimental. On balance, is it considered that the proposed rear dormer, given its limited impact from the street scene, would be acceptable with regards to visual amenity.

It is proposed for a hipped roof dormer to be constructed on the front roof slope of the dwelling. This would be compatible in terms of roof form with the main dwelling would be subordinate to the roof slope. Whilst dormers are not original features of the property or the pair of semi's, there are examples of hipped roof dormers on Central Gardens, Given this, it is not considered that the front dormer would be harmful to the visual amenity of the property or the surrounding area. The proposed roof alterations would result in a hipped roof over the flat roofed single storey side projection. The roof alterations would complement the existing dwelling and would be in keeping with the visual amenity of the property.

Single storey rear extension

The single storey extension would be located on the rear of the dwelling and would be almost completely obscured by the main dwelling when viewed from public vantage points. The design and materials of the extension would be compatible with the host property. The proposed extension would measure 3m from the rear wall of the property and would be subservient to the main dwelling. The proposal is considered to be of an appropriate scale and massing in relation to the original dwelling.

Garage

The alteration so the exiting garage would reduce the length of the garage but would retain its roof form and materials. The alterations to the garage are not considered to be harmful to the visual amenity of the property or the street scene.

Summary of design impact

Overall, the proposals are not considered to be harmful to the visual amenity of the property or the street scene and would accord with Policy DM1 (A) and SPD9.

Residential Amenity

Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity. SPD9 provides householder design guidance and states that single storey extensions to semi-detached dwellings of 3m in projection are likely to be acceptable.

Prior to the most recent amendments, the application proposed the single storey extension to be 6m in projection, as part of this submission the applicant provided a supporting statement attempting to justify the larger extension, this included a number of examples of larger extensions along Central Gardens which the applicant argued has set a precedent for large home extension on the same house type along Central Gardens. Having investigated these examples, the case officer considered these examples were not comparable to the original proposal. The other extensions were either approved before the adoption of the Local Development Framework and SPD9 or where considered under a householder prior notification. As such, the original proposal was not comparable to these examples and further amendments to reduce the projection of the rear extension where sought.

The proposal currently under consideration has amended the single storey rear extension to address officer concerns of the impact of the proposal on the amenity of neighbouring properties, particularly in relation to No.10 Central Gardens. The application now proposes a single storey extension on the rear of the dwelling which projects 3m from the rear wall of the original dwelling. As set out on SPD9, 3m extensions on semi-detached dwellings will ordinarily be acceptable. It should also be noted that the property benefits from permitted development rights and could therefore construct a similarly designed extension (3m in projection) up to the boundary of No 10 under those rights. While these rights would not allow for the exact extension being proposed (given the proposed extension would be attached to the single storey rear offshoot and would be greater than half the width of the existing dwelling), it should be taken into account that the applicants could construct a 3m extension up to the boundary with No 10 – provided it did not attach to the side wall of the rear offshoot - under permitted development which would have a similar impact on No 10 as the extension currently proposed with regard to projection and proximity to No 10.

The proposed extension would be set 0.195m from the shared boundary with No 10 Central Gardens to the south west and would benefit from being partially obscured by the existing boundary fence, with approximately 1.3m of the extension visible above the existing fence line. The rear elevation of 10 Central Gardens hosts a set of patio doors (approximately 0.5m from the shared boundary) which appears to serve a habitable room though this room also appears to be served by a window in the front elevation of the dwelling. No 10 also has a single storey rear offshoot (original to the dwelling) which is set approximately 2.2m from the shared boundary, beyond this single storey offshoot, No 10 has a further extension on the southwest corner of the property. The side elevation of the offshoot at No 10 contains a window which appears to serve a habitable room and which is set 4.5m from the boundary and therefore would be set approximately 4.6m from the side elevation of the proposed extension. The proposed extension would not project past the level of this window and therefore the outlook of this window would not be significantly impacted by the proposed extension.

It is considered that the proposed extension would result in a small amount of 'tunneling' when viewed from the patio doors on the rear of No 10, due to the presence of the existing rear off-shoot on No 10. However, this is not considered to be so significant to be considered detrimental and therefore it is not considered reasonable to refuse the application on these grounds.

The attached neighbour at No 10 is located to the south of the application site. The existing relationship of the two dwellings and the presence of the existing rear offshoots at No 8 and No 10 already results in some levels of overshadowing, in reality the existing rear offshoot of No 10 already causes overshadowing given its location on the dwelling and orientation of the dwelling (i.e. No 10 being to the south and therefore causing overshadowing earlier in the day. Taking into account the rear offshoot on the rear of the applicant dwelling and the tracking of the sun throughout the day it is clear that the proposed extension would only cause overshadowing to No 10 in the very late evening. This additional overshadowing is not considered to be significantly over and above the existing situation to be considered detrimental to the neighbour at No 10 and therefore would not be considered a reason to warrant refusal of the application and this view also applies in relation to daylighting. There would also be no windows in the south western elevation of the proposed extension and so there would be no loss of privacy to No 10.

No 10 Central Gardens raised concerns regarding the rear dormer window and the potential impact on their privacy by the addition of this window. Given the orientation of the dwellings, the dormer would not have a direct window to window relationship with No 10 Central Gardens. The supporting text of Policy DM1 is clear that the privacy of garden areas is afforded less weight than that of habitable rooms and it is considered that, given the rear dormer windows would be oriented towards the applicants own garden rather than the garden of No 10 Central Gardens that this impact would not be too such as extend to be considered detrimental to the amenity of no 10 with regards to loss of privacy.

No 5 Central Avenue located to the north east of the applicant dwelling raised concerns of the front dormer and its potential to overlook their garden and into the habitable room windows on the rear of the

building. The front dormer would be orientated facing south east and would be separated from the rear elevation of 5 Central Avenue by over 40m which would also be somewhat interrupted by other properties along Central Gardens. As already identified, the privacy of gardens is given less weight than the privacy of habitable rooms. As such, it is considered that the proposal would not be detrimentally harmful to the amenity of this neighbour.

No 5 Central Gardens located to the south east of the applicant dwelling also raised concerns of the impact on the privacy of their rear garden due to the proposed front dormer. The front dormer would be separated from the boundary with 5 Central Gardens by over 15m. It is therefore considered that the proposal would not be detrimentally harmful to the amenity of No 5 Central Gardens. Given the orientation of the dwellings and the location of the proposed alterations, it is considered that the proposal would not be harmful to the amenity of the neighbour at 5 Central Gardens. The alterations to the garage would reduce the scale of the garage and would have no additional impact on the amenity of neighbouring properties.

There are 6 neighbouring properties to the north/northwest of the application site, at Beatrice Gardens and West Avenue. The closest of these neighbours are No 5 and 6 Beatrice Gardens to the north of the application site. given the orientation of these dwellings and the applicant property the dormer windows on the front and rear would not impact on these properties. Whilst the alterations to the roof would result in the massing of the applicant dwelling increasing, there would be sufficient separations stance (over 15m) to prevent loss of outlook and light to these neighbours. The properties at No 2 and 4 Beatrice Gardens and Nos 68 and 70 West Avenue to the rear of the application site would be separated from the applicant dwelling by over 25m and by the shared boundary treatments which consists of a 1.8m high timber fence and mature plating. The separation distance would ensure that the proposed dormer would not cause loss of privacy to these properties and the increased massing of the roof would not be over dominant, while the boundary treatments would prevent loss of privacy caused by the single storey extension. Taking all this into account, it is considered that the proposals would not be harmful to the amenity of the properties to the rear of the application site with regards to loss of privacy, outlook or overdominance or overshadowing,

Overall, it is considered that the proposals would not be harmful to the amenity of neighbouring properties and that the proposals therefore accord with Policy DM1 (B) of the Local Development Framework.

Parking and Highways Safety

A driveway of sufficient length would remain to the front of the property (over 5 metres) and the alterations to the existing garage would not result in the loss of a parking space as set out in SPD6. It is considered that the proposal would not be harmful to highways safety and would comply with Policy DM1 (G).

Summary

The proposal would not be harmful to the visual amenity of the property or the surrounding street scene. The proposal would have no detrimental impact to the amenity of neighbouring properties with regards to loss or privacy, loss of outlook, overdominance or overshadowing and daylighting. The proposal would not be harmful to off-street parking provision or highways safety. The proposal there complies with Policy DM1 (A, B and G) and guidance set out in SPD6 and SPD9. It is therefore recommended that the application be approved.

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 plan(s) as detailed below

Proposed Elevations Drg No C-07 Rev C received 24/11/2021

Proposed Site Plan Drg No C-05 Rev C received 24/11/2021

Proposed Ground Floor Plan Drg No C-06 Rev A received 24/11/2021

Proposed Garage Plans Drg No C-10 received 22/07/2021

Proposed Attic Plan Drg No C-08 Rev A Received 12/10/2021

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 With the exception of the flat roof of the rear extension, 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.

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: Samantha Gallagher
Signed: S Gallagher
Date: 07/01/2022

Authorised Signatory:
Date:

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