DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0984/21/HFUL
Proposal: New front bay window and roof canopy extension.
Location: 48 Felton Avenue, South Shields, NE34 6RY

Site Visit Made: 03/11/2021

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 semi-detached dwelling located within an established residential area. The host dwelling is south-eastern facing onto Felton Avenue in South Shields. No. 46 Felton Avenue adjoins the host dwelling to the north-east of the development site and No. 50 Felton Avenue is the adjacent semi-detached property situated to the south-west of the development site.

The proposal relates to a roof canopy extension which will project approximately 0.7 metres away from the front (south-eastern) elevation of the host property. The proposal also relates to a bay window extension which will adjoin and project approximately 0.7 metres from the north-eastern side of the host property's front elevation. The proposed development would be constructed with brick walls, roof tiles and frames to match those of the existing dwelling.

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

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
- Impact on residential amenity
- Highway Safety and Off-Road Parking.

Design/Visual Amenity

The proposed development is considered to be suitably well designed and a subservient addition in relation to the main property. Although visible from the public domain, the proposed bay window and canopy extension will feature materials that would match the existing property with a number of similar examples of the proposed development evident in the surrounding area. Additionally, the projection of the proposed development at approximately 0.7 metres in depth will meet the length that is ordinarily considered to be appropriate in the Council's design guidance (SPD9: paragraph 5.2). Therefore, it is judged that the development 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.

Residential Amenity

The impact of the proposed development on the amenity of neighbouring occupants is an important material consideration, with particular regard to No. 46 Felton Avenue to the north-east and No. 50 Felton Avenue to the south-west.

The proposed development will project within close proximity to the shared boundary with No. 46. However, a 0.7 metre gap will remain between the side (north-eastern) elevation of the proposed bay window and the shared boundary treatment with No. 46. The proposed bay window will project minimally away from the front elevation of the host property. As a result, it will not significantly affect the amount of light entering No. 46. Obscure views of the proposed bay window will be afforded from No. 46. However, the impact on outlook is considered to be minimal and insufficient to sustain a recommendation of refusal. Views into No. 46's ground floor front windows will be afforded from the proposed bay window. However, these views will be provided at limited angles and therefore will be obscure. For these reasons, the impact on privacy is considered to be minimal and insufficient to sustain a recommendation of refusal. The proposed canopy will have no significant impact on the residential amenity of No. 46, given its single storey nature and minimal projection away from the front elevation of the host property. With regard to the above, the proposal is considered to be acceptable in terms of its impact on the residential amenity of the occupants of this property.

The proposed bay window and canopy will be set at a significant distance away from the shared boundary with No. 50 where they will be of only one storey in height with a minimal front projection. Therefore, the proposal is not considered to materially affect the amenity of No. 50 through any overbearing, dominance or overshadowing effects, or impact on the outlook or privacy of this property.

The proposed development will not result in any harm to the residential amenity of any other nearby occupants given that it will be located at a significant distance away from any common boundaries with these neighbouring properties.

It is not considered that the proposal has any potential to materially harm the residential amenity of any neighbouring occupier. 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.

Highway Safety and Off-Road Parking

The proposed development will not result in a reduction to the existing driveway length as the canopy will be fixed to the wall and not supported from the ground. An acceptable driveway length will therefore remain to the front of the host property where a vehicle can continue to be parked without affecting the public footpath. Therefore, 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:

- Existing and Proposed Plans (Drg No. 0745/5020/428) received 21/09/2021
- Proposed Site-Roof Plan received 21/09/2021

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.

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 UNIQUE NOTE TO APPLICANT

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:** 11/11/21
Authorised Signatory: