DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1013/21/HFUL
Proposal: Single storey rear extension with flat roof and rooflight.
Location: 8 Armstrong Avenue
South Shields
NE34 6NW

Site Visit Made: 03/12/2021

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 Armstrong Avenue in South Shields. The host property features an existing two storey offshoot attached to the south side of its main rear (western) elevation. The rear garden is enclosed by 1.8 metre high close boarded fencing. No. 6 Armstrong Avenue adjoins the host dwelling to the north of the development site.

The development proposed is to construct a single storey flat roofed extension that will adjoin the north side of the host property's main rear elevation as well as the side (northern) elevation of its existing rear offshoot. The proposed development will measure 3.3 metres in length and will project 2.4 metres from the main rear elevation of the host property. The proposed development will incorporate 1no. rooflight to its roof and bi-folding doors to its rear (western) elevation. The extension would be constructed with a brick plinth to match the existing dwelling and will also be constructed with through coloured render walls, grey PVCu framing, grey powder coated aluminium framing and a dark grey single-pry membrane roof.

Publicity / Consultations (Expiry date: 21/12/2021)

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

Design/Visual Amenity

Although the materials proposed for this extension would not match those on the main dwelling, the proposed extension will be obscured by the host property's existing two storey offshoot and will be

located at the rear of the property where it would not be visible when viewed from the public road. Consequently, the proposed development would not have a significant adverse impact upon the visual amenity of the area. The rear projection of the extension, at approximately 2.4 metres in depth, will meet the length that is ordinarily considered to be appropriate in the Council's design guidance for semi-detached houses (SPD9: paragraph 8.1). As such, the design of the proposed extension is considered to be of an appropriate scale and mass to 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 No. 6 Armstrong Avenue to the north.

The proposed extension will be built right up to the shared boundary with No. 6 and will project above the shared boundary treatment with this property. As a result, it will be visible when viewed from this property. However, the proposed extension will be of only one storey in height, whereby it will not project above the height of the host property's existing two-storey rear offshoot or beyond the rear elevation of this offshoot. Therefore, it is not considered that the proposal would significantly affect the amenity of No. 6 through any overbearing, dominance or overshadowing effects, or significantly impact on the outlook of this property. The proposed extension will contain no side windows meaning it will not result in any harm to the amenity of the occupants of this property in terms of loss of privacy/overlooking.

The proposed development will not result in any harm to the residential amenity of any other nearby occupants given that the proposed extension will not project above or beyond the host property's existing two storey rear offshoot and 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.

Summary

It is considered that the development would be in accordance with LDF Policy DM1 (A and B), 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 plan as detailed below:

- Existing and Proposed Plans and Elevations (Drg No. A-3541-01) received 11/10/2021

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 The external surfaces of the development hereby permitted shall be as stated on the proposed plans (Drg No. A-3541-01) received 11/10/2021 and / or stated on the planning application form for planning application ST/1013/21/HFUL received 11/10/2021. 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 ALL HOUSEHOLDER DEVELOPMENTS IN COAL MINING DEVELOPMENT REFERRAL AREAS

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

continued .....

3 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site

investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

4 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: 21/12/21

Authorised Signatory:
Date:

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