

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1105/21/HFUL
Proposal: First floor extension above existing ground floor
Location: 38 College Road
Hebburn
NE31 2LY

Site Visit Made: 26/01/2022

Relevant policies/SPDs

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

Description of the site and of the proposals

This application relates to 38 College Road, a north-east facing semi-detached dwelling on a housing estate in Hebburn. On the northwest elevation of the property there is a garage which wraps around to form a front projection/porch. To the rear of the property there is a single storey conservatory. The attached semi is to the northeast. The property has a moderately sized rear garden which is surrounded by a timber fence. There are neighbouring properties to the north, separated by the estate road, and neighbouring properties to the southeast and southwest of the application site.

This application seeks planning permission for the proposed construction of a first-floor extension to the side elevation above the existing garage, to form a hobby room. The proposed extension would be constructed of materials to match the original dwelling. Amended plans were received on the 29th of January 2022, amending the design of the extension to include a 1m set back from the front elevation of the main dwelling. Neighbouring properties have not been notified of the changes, having regard to the Council's SCI. This is because they have made the proposed smaller and where they would not materially affect the residential amenity of neighbouring properties over and above the scheme that they were previously notified of.

Publicity / Consultations (Expiry date 11/02/2022)

- 1) Neighbour responses- none received
- 2) Other Consultee responses

Countryside Officer-

My comments on this application relate to its potential to impact on biodiversity including designated sites; statutorily protected species; and priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted the following documents relating to ecology to inform their application:

- Preliminary Ecological Appraisal: 38 College Road, Hebburn, NE31 2LY. 2nd December 2021 by Barrett Environmental Ltd.

The building was assessed internally and externally by a suitably qualified professional during a survey on 2nd December 2021 which is outside of the active period for bats. The report concluded that the building has negligible suitability for roosting bats.

I am satisfied that the ecological survey work undertaken is in accordance with good practice and is adequate and appropriate to support this planning application. As no bat roost was recorded at the property there are no likely direct impacts on this protected species from this proposed development however as bats are highly mobile animals, there remains a residual risk that bats could be found during works so please include the bat informative below with any consent granted. In addition to the bat informative, please include the bird informative below as birds can nest in buildings and vegetation creating a risk of nesting birds being present during the works.

Bat Informative

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

Natural England Bat Advice Line: 0345 1300 228

Breeding Bird Informative

Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

Net Gain

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Case Officer should seek to secure the inclusion of a feature such as:

- An integrated bat box as part of the extension. Information and a suggested product can be found on the Bat Conservation Trust website; <https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes/external-ready-made-bat-boxes-integrated-bat-boxes>
- There are several guidelines which must be followed to enable the box to be a useful Net Gain feature:
 - Tucked beneath the eaves, at least 4m above the ground
 - Not placed directly above windows or doors
 - Away from artificial light sources
 - Placed on the western or southern aspect of the extension

Assessment

Visual Impact

It is proposed to construct a first-floor extension above the existing garage. Policy DM1 (A) requires extensions and alterations to an existing dwellinghouse to convey sensitive consideration to its surroundings. The general design guidance and objectives for householder developments in South Tyneside is set out within Supplementary Planning Document (SPD) 9 'Householder Developments'. Paragraph 3.1 (A) of this SPD 9 document makes clear that in assessing planning applications for all extensions and alterations to dwellings it is important that the following objective is met: '(a) that the visual impact of the proposal on the dwelling and its immediate neighborhood is acceptable and that high standards of urban design are achieved'.

This SPD 9 document also seeks to prevent terracing and to secure good design through subservient development, particularly in terms of securing a set back behind the front wall of the host dwelling for first floor side extensions, a lower ridgeline and a width of development which is no greater than half the width of the host dwelling.

The Council recognises that the design and suitability of an extension is dependent on site specific circumstances, protecting residential and visual amenity and to achieve a design that respects the scale, character and appearance of the dwelling. In this case, the existing garage is constructed 0.7m from the boundary with the neighbour to the north west No 36 College Road. The ridgeline of the proposed first floor extension would be set down 0.3m lower than the main ridgeline of the existing dwelling. The front elevation would be set back 1m from the front elevation of the main dwelling and set back 2.5m from the garage/porch elevation. The width of the extension would measure 3.3m which is less than half the width of the original dwelling which measures 6.7m. It is therefore considered that the proposed first floor extension would appear subservient to the host dwelling and would not create a terracing effect.

Overall, it is considered that the proposed first floor side extension would not be harmful to the visual amenity of the property or the surrounding street scene in terms of the character of the property and the character of College Road which includes properties with similar extensions. The proposal would therefore be in accordance with both policy DM1(A) of the Local Development Framework and the objectives of SPD9.

Residential amenity

No 40 College Road is the attached semi located to the northeast. The extension would not project beyond the front or rear elevation of the existing dwelling and would therefore have no impact on this property.

No 36 College Road is the adjacent neighbour located to the northwest of the applicant dwelling. The proposed first floor extension above the existing garage would fall flush with the side (northwest) elevation of the existing property with no windows facing this neighbour. The proposed first floor extension given its location, would not be visible from the habitable room windows on the front or rear elevation of No 36 College Road. No 36 College Road has a window in the gable elevation facing the application site which appears to serve a landing (a non-habitable room). It is therefore considered that the proposal would not have a significant adverse impact on this property with regards to loss of outlook, privacy, or from overshadowing.

The rear elevation of the first-floor side extension would be located 10m from the rear boundary of the site shared with the properties to the rear. No windows are proposed in the rear elevation of the extension therefore preventing any loss of privacy. Given the layout and orientation of the dwellings the side extension would not result in any significant loss of overshadowing to the properties to the rear of the site. The proposed extension would have a window on the front elevation which would be separated from the properties on the other side of College Road by over 23m. Given this distance, it is not considered that the proposal would be harmful to the amenity of these properties with regards to loss of loss of outlook, privacy, or from overshadowing.

Overall, it is considered that the proposal would not result in significant adverse harm to the amenity of neighbouring properties. The proposal therefore complies with Policy DM1 (B) of the Local Plan.

Ecology

A bat survey was submitted as part of the application to assess the property to see if it would be suitable for roosting bats, with the report concluding that the building has negligible suitability for roosting bats. The Countryside Officer was consulted on the application and has confirmed that they are satisfied with the report but request that a bat informative be included given the risk of bats being found on site. Countryside have also requested that a breeding bird informative also be included. The countryside officer did also recommend that a swift brick and bat box be integrated into the scheme. It is not considered that the proposal would be unacceptable if these mitigation measures were not integrated into the scheme (as they are not necessary in planning terms for the proposal to be acceptable, given the proposals negligible impact to bats) and therefore it is recommended that an informative, rather than condition, be attached to inform the applicant of this requirement.

Summary

The proposal is not considered to be harmful to visual amenity, residential amenity or highways safety (as the driveway is unaffected). The proposal therefore complies with Policy DM1 of the Local Development Framework, SPD6 and SPD9 which relate to parking standards and householder development respectively. It is for these reasons that the proposal is considered to be an acceptable form of development and is recommended for approval subject to the condition listed below.

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

Existing and Proposed Plans received 29/01/2022

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 NOTE TO APPLICANT

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5 NOTE TO APPLICANT

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impact on and providing net gains for biodiversity.

The applicant should include a feature in the build itself such as:

An integrated Swift Brick, an example can be found here

<https://www.nhbs.com/manthorpe-swift-brick>

o Although they are called Swift Bricks, these bricks are used by several bird species.

o More information on these bricks can be found here:

<https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/>

An integrated bat box attached to the western aspect as recommended in the Bat Conservation Trust guidelines which can be found at:

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

Case officer: Samantha Gallagher

Signed: S Gallagher

Date: 16/02/2022

Authorised Signatory:

Date:

«END»