DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1158/21/HFUL
Proposal: Rear single storey extension to form open plan living space and additional bedroom accommodation complete with specially equipped en-suite bathroom for a disabled persons use. Garage to be converted to utility space. Internal room reconfigurations and adaptations to provide wheelchair friendly access. External works include regrading of the driveway surface and an extended and regraded rear patio area to form level access throughout.
Location: 13 King George Road
South Shields
NE34 0SP

Site Visit Made: 26/01/2022

Relevant policies/SPDs

1 DM1 - Management of Development (A, B and G)

2 SPD9 - Householder Developments

3 SPD6 - Parking Standards

Description of the site and of the proposals

The application site is a semi-detached residential property, situated on the east side of King George Road, South Shields. It is a residential street characterised by two-storey semi-detached properties in matching pairs, with single-storey rear offshoots, many of which have also been extended/altered. The properties are of a relatively consistent character and appearance. The property has a paved driveway to the front and benefits from single storey extensions on the rear forming stepped rear elevation. The sun lounge extension (adjacent to No 11) projects approximately 3m whilst the single storey extension (adjacent to No 15) projects approximately 2.4m from the rear elevation. The property has a decking area to the rear. The property has previously been extended via a two-storey side extension adjacent to the neighbour at No 15 King George Road (application reference ST/1070/18/HFUL).

No. 11 King George Road is the adjoining dwelling, located to the north of the site, separated by a boundary fence approximately 1.8m in height, this property has an existing conservatory extension extending approximately 3.8m from the rear elevation of the dwelling. No. 15 King George Road, another semi-detached dwelling of similar appearance, is situated to the south and is also separated from the application site by a 1.8m high boundary fence. No 15 King George Road also has a rear extension projecting approximately 2.2m into the properties garden and extending across the whole width of the dwelling.

This planning application initially sought planning permission for; the conversion of integral garage into habitable room space, regrading driveway rear patio to provide level access and the construction of a single storey extension to accommodate a specially equipped en-suite bathroom and bedroom. The works are necessary to accommodate the needs of a disabled person. The originally proposed rear extension would have extended across the full width of the property, extending out to 6.6m (including the existing extensions on the dwelling) from the main rear wall of the dwelling. The single storey extension was proposed with a hipped roof.

Revised plans have been submitted on 11/02/2022 after discussion between the planning case officer and the agent regarding concerns for the impact of the extension on neighbouring properties. These amended plans have altered the design of the single storey rear extension by removing the hipped roof, now proposing a flat roof. The amended proposals have also reduced the projection of the extension

adjacent to the boundary with No 11 King Road, pulling the extension in my 0.75m and forming a stepped rear elevation. The application is being determined based on these revised proposals. A 14-day consultation was undertaken with neighbors to allow opportunity to comment on the revised proposals.

The application details state that the proposals are for an adult social care extension/adaptation and the application is made on the basis that the proposal is for alterations to a disabled person's dwelling house to improve access, safety, comfort, etc. Information has been provided to confirm this.

It is noted that there is no permitted development fallback position available under the larger homes extension prior approval process, as the extension would adjoin the existing rear extension and the existing side extension, and similar materials would not be used throughout due to the flat roof.

Historic Aerial photographs show many properties on King George Road has historic outriggers on the rear elevations. Many of these outriggers have been altered/extended between the outrigger and the shared boundaries, or have been demolished with a new extension taking its place.

Publicity / Consultations (Expiry date 01/03/2022)

1) Neighbour responses

Two responses were received in response to notification on the original proposals

15 King George Road (Objects)

Comments made, detailed below.

Proposed extension will greatly impact on the light at the back of our property. From my kitchen window we currently see trees, and we have a lot of wildlife in the garden, but the proposed extension will impact on our outlook, as we will be faced with a brick wall. We are deeply concerned about the length of time it will take to complete the build. As a family we spend a lot of time in our garden and this will not be possible with extensive building work due to the noise and dust which will be created, along with builders peering into the garden. Impacting on our privacy. The house has recently had an extension and the upheaval this caused on us as a family is still memorable. The noise greatly impacted on our lives as both my son and husband work shifts and it was impossible to sleep during the day before going to work. Now both my daughter and myself work from home and the noise will make this difficult. We feel this extension will greatly impact the value of our property as we currently have a back garden which is not overlooked. Number 17 has also put in planning for an extension at the rear. We will be subject to loss of light from both sides, the noise of both building works. We feel it is overdevelopment of the property losing the structure of a typical 1930's building.

Case officer comment: the design and scale of the proposal as well as its impact in terms of loss of light, impact on outlook, privacy and overdominance are addressed as part of the assessment of this application. The impact of the extension on property values is not a material planning consideration. The noise impact during the build would be temporary.

11 King George Road (Objects)

- The projection of the new build from current sun lounge to rear of the proposed new extension- we are shocked about the plans for such large sized extension.
- How we are concerned about the loss of light and overshadowing
- How close the large and very long wall will be to the boundary
- We talked about how we wished the fence to remain
- Also how we do not want any overhang, such as gutters.

Case Officer comment: the agent has confirmed that the fence would remain in situ or would be replaced in consultation with the neighbour. The agent has also confirmed that guttering would not overhang the properties boundary. The projection of the extension adjacent to No 11 has been reduced. The impact of the proposal on daylight and overshadowing is addresses as part of the assessment of this application.

Neighbours were re-notified of the amended plans. One representation was received.

11 king George Road

We have looked at the new measurements of: 2.75m from the current outside wall of the sun room (because of 0.75m reduction) also the 2.8m height of the flat roof. We have also talked with the planning case officer for this application about the updates.

Whilst the agent has responded to two of our points, mentioning the dividing fence will be reinstated or replaced, also confirming there will be nothing overhanging, we are still very concerned about the loss of light and overshadowing issue.

Case Officer comment: the impact of the amended proposal on overshadowing and daylighting is assessed as part of this planning application.

Relevant Planning Policy and Guidance

Local Development Framework Development Management Policies (adopted December 2011)

Policy DM1 Management of Development

In determining all applications under the planning Acts we will ensure that, where relevant:

A the development, including new buildings, extensions and alterations to existing buildings, is designed to convey a sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing;

B the development is acceptable relation to any impact on residential amenity;

Local Development Framework Supplementary Planning Document 9: Householder Developments (adopted December 2010, revised January 2014)

SPD9 provides detailed advice on the design of residential extensions. This document was adopted in December 2010, and updated in January 2014. It accords with the objectives of LDF Policy DM1 (A & B) of the Development Management Policies, which was adopted in December 2011. Both of these documents are in line with the objectives of the National Planning Policy Framework.

Linked to LDF Policy DM1 (A), one of the key objectives set out in Section 3 'General Design Guidance and Objectives' is to ensure that extensions appropriate in terms of their design and visual appearance in relation to their surroundings.

Associated with LDF Policy DM1 (B), one of the key objectives set out in Section 3 'General Design Guidance and Objectives' is to ensure that there is no unacceptable impact on the amenity of neighbours in relation to:

i) Privacy
ii) Outlook and Over Dominance

iii) Overshadowing

Section 8 provides specific guidance relating to rear extensions. SPD9 states:

8.1 Single-storey rear extensions that would extend beyond the rear wall of the original dwelling house by up 3 metres in respect of semi-detached houses will generally be acceptable.

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

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

The original application proposals involved the conversion of the garage to a habitable room, including the removal of the garage door and replacing it with a render wall and a window. These works remain unchanged in this amended application. The garage conversion would use materials to match the existing dwelling. The works to the driveway would allow level access to the property and would use materials matching the existing driveway. It is not considered that the garage conversion/works to the front elevation and works to the driveway would be harmful in terms of the character and appearance of the property or within the surrounding street scene.

The proposed single storey rear extension and patio area to the rear would not be visible within the public domain and would therefore not be harmful to the character or appearance of the area. The neighbouring property raised concerns regarding the scale of the proposals and the overdevelopment of the property. The property is typical 1930's semi-detached dwelling and benefits from a relatively large plot/rear garden. It is considered that the extension could comfortable be accommodated into the plot and, despite its long projection, would remain subservient to the main dwelling.

The revised proposals are considered to sufficiently convey sensitive consideration of their surroundings in respect of the visual appearance of the proposals in views from the public domain. The proposals would therefore accord with LDF Policy DM1 (A) and the design principles in SPD9 in this respect.

Residential Amenity

The proposed rear extension would extend a further 2.7m beyond the existing rear extension along the side boundary with 11 King George Road (set off the boundary by 0.1m), totalling a 5.7m projection along this joint boundary. The proposed extension would project by a further 4.2m beyond the existing rear extension along the side boundary with 15 King George Road (set of the boundary by 0.83m), totalling a 6.6 projection towards this boundary. This is considered to be a substantial projection in the context of the layout of the property and relationship with the neighbours, particularly the neighbour at 11 King George Road. This is a significant projection that is well beyond the 3-metre projection that the Council's adopted design guidance in SPD9 states will ordinarily be acceptable. However, the neighbour at 11 King George Road has a conservatory extending 3.8m off the rear, whilst the neighbour at No 15 has an extension extending 2.2m off the rear elevation. This would result in the proposed extension projecting 1.2m past the conservatory at on No 11 King George Road and projecting 4.2m past the rear single storey extension on No 15 King George Road.

The extension as originally proposed would have resulted in the introduction of a solid rendered wall of 2.4m in height, with a total height of 3.5m (to the top of the hipped roof) projecting over 3m from the rear wall of the existing extension along the boundary with No 11 King George Road. It was considered that the length of the extension and its proximity to this neighbouring property, in particular the existing conservatory that is located adjacent to the joint boundary, would mean the originally proposed extension would result in a loss of residential amenity to the occupiers of 11 King George Road. A reasonable level of outlook currently exists from this neighbouring conservatory (despite the existing sunroom extension at the applicant site). The originally proposed extension would have significantly reduced this outlook. The proximity of an extension with such a sizeable projection, built so close to the property boundary is also considered would also create a substantial impact upon residential amenity through its dominance, and levels of overshadowing would be increased due to the property's location to the north of the application site, affecting No 11 during the middle of the day.

The revised proposals have reduced the projection of the extension along the boundary with No 11 by 0.75m, bringing the additional projection from the existing sun lounge to 2.7m (projecting 1.2m past the conservatory at No 11). The amended plans have also removed the hipped roof, reducing the overall massing of the proposal with a roof height of 2.8m. The changes to the proposals would significantly improve the outlook from the conservatory at 11 King George Road. It is considered that reducing the projection of the extension in this manner would create an extension which would impact the outlook of this neighbour in a similar manner to a 3m projection along the boundary, reducing the impact of the rear extension in this location on neighbouring residential amenity to a more acceptable level. Reducing the massing of the extension would also reduce the impact of the proposal on the daylighting afforded to this neighbour to an acceptable level. This approach is consistent with the Council's adopted SPD9 design guidance and is considered to be particularly important in this instance, owing to the site-specific circumstances.

The rear extension would be situated 0.8m from the boundary with No15 King George Road and approximately 2.5m from the nearest habitable room on the rear of No 15 King George Road. The extension has a total projection of 6.6m adjacent to the neighbour at No 15 King George Road, 4.2m beyond the existing single storey rear extension on the applicant dwelling. The neighbouring property at No 15 also has a single storey extension projecting approximately 2.2m from the rear of the neighbouring property, resulting in the proposed extension projecting approximately 4.4m beyond the rear elevation of this neighbour. The single storey projection at No 15 extend the width of the dwelling and appears to serve one habitable room which and is also served by a second window and a set of French doors. This ensures that, despite a larger extension at 13 King George Road, that this neighbour would still have a reasonable amount of outlook form the habitable room on the rear of the dwelling. As such, and given the separation distance from the proposed extension, it is considered that the extension would have a similar impact as a 3m extension adjacent to the boundary. No15 King George Road is located to the south of the application site and therefore the impact of the proposal with regard to overshadowing and loss daylight would be limited to the very end of the day, where the natural daylight afforded to No 15 is already impacted due to the main property itself.

Following discussions with the agent, it is understood that the internal layout and dimensions of the extension are limited due to the needs of the applicant, with adequate turning circles required for a wheelchair in the proposed living area, bedroom and en-suite bathroom. The layout of the proposal is the minimum to meet the needs of the applicant and it is acknowledged that reducing the projection/width further would severely impact the user in terms of access and manoeuvrability around the dwelling.

No side facing windows are proposed and it is not considered that the development would not create any unacceptably harmful overlooking impacts affecting neighbouring residential amenity or privacy.

The extension to the patio area is not considered to result in a significant loss of privacy to the neighbouring properties due to the presence of the 1.8m high boundary fence. the patio is not considered to have a significant impact on either neighbour in terms of loss of privacy. The works to the

driveway and conversion of the garage is not considered to result in harm to the amenity of neighbouring properties.

The properties to the rear are a significant separation distance away and the boundary is populated by mature tree screening. It is considered that there would be no impacts upon the residential amenities of these neighbours.

In summary, it is considered that, while the original proposal would have caused harm to the existing level of residential amenity that is enjoyed by the occupiers of 11 King George Road, particularly in terms of potential loss of outlook and increased dominance/overbearing impacts, affecting the closest ground floor habitable room on the rear of the dwelling, the revised proposals have reduced such impacts to a more acceptable level.

Taking all the above into account, the proposals are considered, on balance, to not be harmful to the amenities of either neighbour with regards to loss of privacy or daylight nor would it cause overdominance or overshadowing to a harmful degree. The revised proposals are considered to be in accordance with Policy DM1(B) of the adopted South Tyneside Local Development Framework, and adopted guidance within the associated SPD9.

Summary

For the reasons outlined above, it is considered, in the site circumstances and context of this particular case, that the proposals as submitted in April 2021 would 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 plan(s) as detailed below;

Drg No. D&PM 3418-104 received 11/02/2022
Drg No. D&PM 3418-105 received 11/02/2022
Drg No. D&PM 3418-103 received 11/02/2022

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, with the exception of the proposed flat roof. 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: 03/03/2022

Authorised Signatory:
Date:

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