

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0034/22/HFUL
Proposal: Proposed porch canopy, proposed two storey side extension, proposed single storey rear extension, proposed render of full property, proposed garden room and proposed new windows.
Location: 92 York Avenue
Jarrow
NE32 5YA

Site Visit Made: 13/04/2022

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 this application relates is a semi-detached dwelling located within the established residential area of Jarrow. 92 York Avenue is an east facing semi-detached dwelling with a hipped roof and an existing original two-storey side projection. The property features a paved driveway to its front which leads to an existing flat roofed garage. There is an existing flat roofed projection on the rear of the dwelling with a further rear conservatory behind this. The rear garden is enclosed by a 1.8m high boundary fence and mature planting. No 94 York Avenue adjoins the host dwelling to the south of the site whilst No 90 York Avenue is the adjacent property situated to the north of the application site

The planning application relates to the following works

- Two storey side extension which will replace the host properties flat roofed garage along the northern boundary.
- Front canopy which will feature a lean too roof built into the front elevation of the proposed side extension.
- Single storey rear extension
- Render to the whole property – cream render
- New window to the property – Grey aluminum windows
- Construction of a garden room in the rear garden of the property

Amended plans were received on 28/04/2022 following case officer concern regarding design and compliance with SPD9. The changes related to projection of the proposed rear extension and the design of the proposed side extension. Further amended plans were received on 05/05/2022 to address officer concern regarding off-street parking for the dwelling but these also show an amendment to the design of the side extension with the projection of this at ground floor now being brought in line with that at first floor. 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: 27/04/2022)

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 and Visual Amenity

Given the nature of the proposal, the front canopy and side extension, render and new window elements would be visible from the public domain. The Council's design guide in SPD9 sets out general design principles for house extensions. Of particular relevance in this case is paragraph 3.11, which advises that an extension should complement the shape, scale and proportions of the original dwelling to maintain the character of the original dwelling. Paragraph 3.14 states that a key objective in the case of side extensions is to achieve subordination and to avoid a visual "terracing effect". Paragraphs 7.2 – 7.5 of SPD9 advise that to achieve the desired subordinate appearance and to minimise any terracing effect, two-storey side extensions on semi-detached properties should meet certain criteria.

The proposed front canopy would be constructed of matching roof tiles and would have a lean-to roof. Whilst this would not match the host dwelling, it would reflect the lean-to roof on the front elevation of No 90 York Avenue to the north of the application site. The canopy would extend 1m from the front elevation of the dwelling which is less than the 1.4m established in SPD9.

The proposed two-storey side extension would have a lowered ridgeline from the main ridgeline of the dwelling and would provide a 1m setback from the front elevation of the first-floor front elevation of the extension and the front elevation of the host property. The extension would have a width of 3.5m, less than half the width of the original dwelling. The proposal would also provide a 0.8m setback from the shared boundary (the same distance from the boundary as No 90 York Avenue) with No 90 York Avenue. The measures taken to ensure a subordinate design for the side extension (i.e. a setback, set in from the boundary, subordinate width and lowered ridgeline) would ensure that a terracing effect would be prevented, complying with the aims of SPD9. Given all of the above, it would be difficult to argue, and sustain such an argument on appeal, that the design of the two storey side extension would significantly detract from the character and appearance of the main dwelling or the surrounding area to such an extent that would warrant a recommendation for refusal.

The proposed single storey rear extension would extend approximately 4.4m from the original rear elevation of the dwelling, exceeding the 3m set out in SPD9 for single storey rear extensions on semi-detached dwellings. However, the property is located in a large rear garden which would comfortably accommodate the proposal. Additionally, given the rear projections of various extensions to the rear of properties along York Avenue and given its position to the rear where it would not be visible from the public road, the increased projection is considered acceptable in this instance.

The proposed render material and grey aluminum windows would not be in keeping with the main dwelling. However, the use of render and grey windows are present within adjacent street scene. Therefore, the use of these materials would not have any significant impact in regard to the appearance of the surrounding area and is not considered to be that harmful to the visual amenity of the area to warrant a refusal of the application.

The proposed garden room would have a mono-pitch roof measuring 4m in depth, 9.8m in width with a maximum height of 3m. The garden room is proposed to be constructed with white render walls grey frames windows and doors with a single ply membrane roof. These materials would match the materials of the main property (as proposed as part of this application). Given the location of the garden room in the rear garden of the property, views of this element of the works would not be achieved from the public realm. It is therefore considered that this element of the works would not be harmful to the amenity of the area.

With regard to all of the above, the proposal is considered to be acceptable in terms of its design and impact on local visual amenity. Therefore, the proposal is considered to be in accordance with Policy DM1 (A).

Residential Amenity

The impact of the proposed development on the amenity of neighbouring occupants is an important material consideration, with particular regard to No. 90 York Avenue to the north and No 94 York Avenue to the south. The proposed front canopy and two storey side extensions will be located at a significant distance from the attached neighbour at No 94 York Avenue to prevent loss of light, loss of privacy, loss of outlook or overdominance to this neighbour. The proposed single storey rear extension would be built up to the boundary with the neighbour at No 94 York Avenue. No 94 York Avenue has an existing extension projecting approximately 3m into the rear garden of the property. Therefore, the proposed single storey rear extension would not harm the privacy of No 94, cause loss of outlook to this neighbor or would have a significant impact on overshadowing or loss of daylight. Overall, the proposal as a whole is therefore considered not to be harmful to the residential amenity of this neighbour with regards to loss of privacy, outlook, light or overdominance.

The proposed two-storey side extension would be built towards the neighbour at No 90 York Avenue, which has also been previously extended in a similar manner. This neighbouring property is to the north of the application site and has no habitable room windows facing the application site. It does have a ground floor pedestrian door facing the application site, however this currently faces onto the applicants existing garage wall and appears to serve a non-habitable room. It is not considered that the two-storey side extension would result in loss of privacy, outlook or cause additional overshadowing of this neighbour. The proposed front canopy/porch would be built through to the lean to roof on the front of the property. This would be located approximately 2m from the nearest habitable room window of No 90 York Avenue, however the minimal projection of this element of the extension (approximately 1m forward of the front elevation of No 90 York Avenue) would ensure that this part of the extension would not be harmful to the outlook, privacy of cause significant overshadowing to No 90.

The proposed single storey extension would project 4.4m from the rear elevation of the application site and would be built up to the boundary with No 90 York Avenue. 90 York Avenue benefits from a flat roofed rear extension projecting approximately 2.4m into the rear garden and no windows face towards the application site. Given this rear projection the proposed single storey rear extension would therefore only project 2m beyond the rear of No 90 York Avenue. As such, this extension would have a lesser impact than a 3m single storey extension as set out in SPD9. It is considered that the proposed single storey extension would not be harmful to the residential amenity of this neighbour with regards to loss of privacy, outlook, light or overdominance.

The proposed garden room would be located adjacent to the western boundary of the property and located approximately 14m from the rear elevations of the properties to the rear of the application site. The garden room would be located over 15m from the rear elevations of Nos 90 and 94 York Avenue. The proposed extensions/garden room will not result in any harm to the residential amenity of any other nearby occupants given that they will be located at a significant distance away from any common boundaries with these neighbouring properties.

With regard to all of the above, the impact of the proposed development on neighbouring amenity is considered to be acceptable. 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 reduce the existing driveway length to the front of the host property. However it is proposed for the driveway to be widened to allow parking for two cars to the front of the dwelling 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

The proposal is considered to be an acceptable form of development, subject to the inclusion of the suggested conditions. However, it must be pointed out that approval of the proposed development will not prevent the Local Planning Authority from resisting similar development in cases where it will result in a detrimental impact. Each planning application will be considered on its individual planning merits.

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

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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 and Elevations P0-20-000 Rev B received 05/05/2022

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 as per the details provided in the application form. 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the south east side elevation of the rear extension hereby permitted unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenity of the occupiers of the adjacent property 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: 05/05/2022

Authorised Signatory: Geoff Horsman
Date: 06/05/2022

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