DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

**Ref No:** ST/0212/22/HFUL
**Proposal:** Single storey extension to the rear of the property
**Location:** 8 Ashleigh Villas
East Boldon
NE36 0LA

**Site Visit Made: 29/04/2022**

**Relevant policies/SPDs**

1 DM1 - Management of Development (A & B)

SPD9 - Householder Developments

SPD15 - East Boldon Conservation Area Management Plan - Adopted April 2009

East Boldon Conservation Area Character Appraisal – February 2006

EB3 (Design) East Boldon Neighbourhood Plan

EB4 (Heritage Assets) East Boldon Neighbourhood Plan

**Description of the site and of the proposals**

The application site is a semi-detached property fronting onto Front Street (A184), within the East Boldon Conservation Area, situated between Grange Park and The Hawthorns, and a short distance from the junction where Front Street meets with Sunderland Road (A184) and Station Terrace (B1299).

The East Boldon Conservation Area Appraisal (2006) identifies the historic and architectural significance of the properties at Ashleigh Villas. The application property forms part of a collection of imposing two-storey predominantly buff brick houses in terraced, semi-detached or double fronted detached form, which all adopt similar designs and motifs. The properties display strong gables facing the street and are enlivened with darker brick string courses, copious timber and sandstone detailing, built using design creativity to increase their perceived grandeur.

Planning permission is sought for the erection of a single storey rear extension to the rear of the above address. The proposed extension would replace an existing utility and store extension, and would measure 6.5 metres in length, 4.7 metres in wdith, 3.4 metres to the eaves and 5.4 metres to the highest point. The existing store extension would be retained and converted to a WC extension. The submitted details state that the proposed extension would be constructed from materials to match the host dwelling.

**Planning History**

**ST/0296/16/ENQ –** To make an immediate article 4 direction

**Publicity / Consultations (expired 26/04/2022)**

**1) Neighbour responses**
**None**
**2) Other Consultee responses**
**Ecology:** The risk of bats and birds using the building for roosting/ nesting is low, and as such an informative is recommended.

**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 Swift Brick (an example of which can be found here: https://www.nhbs.com/manthorpe-swift-brick) in the build itself following the below criteria:
  - Under the eaves on the north eastern aspect
  - A clear flight line must be available to the nest
  - Not placed directly above windows or doors
- 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 south western aspect of the extension (this shelters them from strong winds and exposes the bat box to the sun for part of the day)

## 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 effect on visual amenity and heritage assets;
- Impact on residential amenity;

**Design/Visual Amenity/ Heritage**

NPPF parts 12 and 16 also advocate the importance of achieving good design in new developments, which show sensitivity to heritage assets and the historic environment.

The proposed development site is within the East Boldon Conservation Area; therefore regard must be given to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to assess the impact on the character, appearance and significance of the designated heritage asset.

There is a Conservation Area Management Plan for East Boldon (SPD 15). The site is located within character area 4 which is described as an area of mature residential streets. Here, high quality Victorian and Edwardian housing in authentic architectural styles was developed mainly in terraces and semis. This housing varies from cheerful mid-Victorian cottages, through imposing buff brick terraces, and low density paired villas behind deep gardens, to smart red-brick terraces with elaborate features. Most are mature and authentic with good survival of original window, door and high level features.

Policy DM1(A) of the South Tyneside LDF seeks to ensure new development is appropriate for the host building.

SPD 9 'Householder Developments' advises that single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 3m in respect of semi-detached dwellings will generally be acceptable. The proposed rear extension would not project any further from the rear of the dwelling than the existing rear extension at the application site, and whilst this will result in an extension measuring more than 3 metres in length, this will not be longer than the existing situation.

SPD 15 sets out principles for development which states that the Council will only permit development in, or affecting the setting of, East Boldon Conservation Area that protects, preserves and where possible enhances its character or appearance.

Policy EB3 of the East Boldon Neighbourhood Plan encourages high quality and sustainable design and sets out the key principles that should be addressed as part of proposals for new development whilst seeking to ensure the plan area does not place unnecessary restrictions on new development.

Policy EB4 of the East Boldon Neighbourhood Plan states that development within or affecting the setting of the East Boldon Conservation Area will be supported where it preserves or enhances the character or appearance of the conservation area and its setting.

The proposed development would infill the space left from the rear of the dwelling and the existing store room following the removal of the existing rear extesion. The original cream/buff bricks would be replicated. The single storey development at the rear would not be easily visible from outside of the application site given the private access and high boundary treatments to the rear curtilage.

Given the above and having regards to S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the design and scale of the proposed extension to the building would not harm the visual amenities of the site's immediate environs or the character, appearance and historic significance of the East Boldon Conservation Area. The design, scale and nature of the proposals are considered to sufficiently convey sensitive consideration of its surroundings and protect the special character of the East Boldon Conservation Area, in accordance with LDF policies DM1 (A & C) and DM6 of the South Tyneside LDF, and having regard to guidance in SPD9 and SPD15.

**Residential Amenity**

Parts 12 and 15 of the NPPF, require that a good standard of amenity for existing and future users be ensured. In line with this, Policy DM1(B) of the South Tyneside LDF seeks to protect residential amenity of neighbours from harmful impacts from development.

There would be an increase in height of 2 metres, from 3.3 metres to 5.3 metres over the existing rear projection. The site is a mid-terraced dwelling, and No.9, the adjoining dwelling to the east has been previously extended and has a large 2 storey offshoot to the rear which creates a north facing void between the extension to no 9 and the application site. It is considered that the increase in height will create an additional overshadowing impact, but given the existing north facing void, this will not be to a substantial level over the existing. Furthermore, the increase in height would not result in an over dominant development, due to the existing arrangement.

A reasonable outlook should be maintained from the habitable room windows of neighbouring properties. This generally means that an extension should not be so large and/or so close that it forms a very dominant feature when looking out from habitable rooms of a neighbouring property. The proposed extension would adjoin the common boundary with No.9 Ashleigh Villas with a parapet wall. This wall would be 5.3 metres in height and is considered to be acceptable given the existing relationship.

All windows proposed as part of the extension would not face any habitable room windows of neighbouring properties. The proposed extension would not have unacceptable impacts with respect to issues of privacy.

The proposed rear extension would represent some overshadowing and loss of light to No. 9 Ashleigh Villas but this is not considered to be severe enough to make the proposal unacceptable given the existing north facing elevation. It is considered that the proposed extension be in accordance with Local Development Framework (LDF) Policy DM1 part B and the associated Supplementary Planning Document (SPD) 9 'Householder Developments'.

**Other matters**

The Ecology team have been consulted and raise no objections, but recommend the bat and breeding bird informative, as set out below with any consent granted. As such an informative is recommended in this case.

The Council's Countryside officer commented on the application and recommended that bat boxes be incorporated into the design. An informative is included in this regard however it is not considered necessary to include a condition requiring the bat boxes to be constructed. This is because they are not deemed to be absolutely necessary to enable the development.

**Summary**

It is considered that in the site circumstances and context of this particular case that the proposal would be in accordance with Local Development Framework (LDF) Policy DM1 (A and B), and the design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments'. The proposal would also be in accordance with guidance in SPD15, and polices EB3 and EB4 of the East Boldon Neighbourhood Plan. Having regard to all other material planning consideration, it is considered that the proposal would be an acceptable form of development, subject to the conditions 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

Drg No.02 received 14/03/2022

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 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.

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 as recommended in section 8.3 and 8.4 (for bats and birds respectively). The applicant is encouraged to include bat and bird features to comply with national policy whether through integrated boxes in the build itself or boxes fixed to the southern elevation of the building as recommended in the Bat Conservation Trust guidelines and can be found here; https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes.

**Case officer: Adam Williamson**
**Date: 03/05/2022**

**Authorised Signatory:**
**Date:**

«END»