

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0486/22/HFUL
Proposal: Proposed first floor side extension above garage, single storey side extension, Demolition of conservatory and erection of single storey sunroom. Construction of retaining wall and erection of timber garden shed adjacent rear boundary fence.
Location: 60 Shearwater
Whitburn
SR6 7SG

Site Visit Made: 22/08/2022

Relevant policies/SPDs

South Tyneside Local Development Framework

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

Whitburn Neighbourhood Plan

- 1 Policy WNP2: Whitburn Design Guidelines

Planning history

ST/0802/97/DM Change of use from open space land to form part of residential garden area. Approved 17/12/1997.

Description of the site and of the proposals

Planning permission is sought for extensions and alterations to a modern detached dwelling, which is situated in a corner plot at the end of a cul-de-sac on Shearwater, a residential area towards the edge of the urban boundary of Whitburn. To the east of the site is Whitburn Point Local Nature Reserve, with a Public Right of Way running in-between. To the north of the site is no. 51A Shearwater, and no 61. Shearwater lies to the south.

The proposed works consists of a 1st floor extension above the existing garage, conversion of the garage to form a sitting and utility area, the erection of a single storey rear extension, and a single storey garage extension to the northern side elevation. The 1st floor extension has been amended following discussions with officers so that a 1 metre set back to the first floor and a dropped ridgeline from the main dwelling is achieved.

The proposed 1st floor extension would measure 5.2 metres in width, 4.7 metres to the eaves and 6.7 metres to the ridge. The extension would contain 2 windows to the front elevation serving a bedroom, with French doors and a Juliet balcony to the rear elevation.

The existing garage would be converted to form a sitting and utility area, the garage door would be replaced with 2 windows to the front elevation.

The proposed side garage extension would measure 4.7 metres in width, 8.3 metres in length, 2.4 metres to the eaves and 4.5 metres to the ridge. As part of this element, the existing driveway is to be altered to have an offshoot across the front garden to the new garage to provide vehicular access.

The proposed rear extension would replace an existing conservatory and measure 5.4 metres in length, 3.2 metres in width, 2.1 metres to the eaves and 3.4 metres to the highest point.

The proposed extensions to the dwelling would be constructed from materials to match.

It is also proposed to erect a timber shed to the bottom of the garden. The proposed shed would measure 1.5 metres in width, 1.7 metres in length, 2.4 metres to the eaves and 2.6 metres to the highest point. The shed will require the formation of a raised platform. The shed and platform would be sited in an extended area of garden granted planning permission is 1997 ref ST/0802/97/DM. The proposed siting of the shed has been revised following discussions with officers as the ground works and raised platform were in the root protection area of Sycamore Trees. The amended siting has moved the shed by 1500mm towards the hedgerow away from the trees root protection area.

The scheme has not been re advertised as the revised scheme would have less of an impact than the original submission and the original scheme had not attracted any comments from neighbouring properties. This is in line with guidance set out in the South Tyneside Statement of Community Involvement.

It should be noted that as part of the proposed works a flue is proposed to the rear of the proposed garage roofslope. Permitted development (PD) rights were removed from the Shearwater estate when it was originally granted planning permission including in relation to external alterations. The insertion of the flue would therefore require planning permission on its own, and technically should have been included in the planning application description. However it is clearly shown on submitted drawings, and so for this reason it is considered that the planning application should still be determined based on the current application description.

Publicity / Consultations (Expiry date 07/09/2022)

1) Neighbour responses

None

2) Other Consultee responses

None

Assessment

Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies and all other material planning considerations, including representations received, it is considered that the main issues for consideration are the impact upon on visual amenity; the impact on residential amenity; and the impact upon highway safety.

Design and Impact on Visual Amenity

Part 12 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment.

Policy WNP2 encourages development that reflects, respects and reinforces local architecture and local distinctiveness; and respects surrounding buildings in terms of scale, height, form, materials and massing.

Policy DM1(A) requires extensions and alterations to an existing dwellinghouse to convey sensitive consideration to 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.

The Council's SPD9 design guidance provides design guidance specific to two-storey side extensions in section 7 of SPD9, however, this is specific to two-storey side extensions on semi-detached and high-density detached properties.

As the application dwelling is detached and is considered to be part of a low-density development, the guidance in section 7 of the SPD is not directly applicable to this proposal.

Paragraph 7.1 of SPD9 advises instead that proposals must have regard to the general principles set out in Section 3 of SPD9 to avoid giving rise to inappropriate design.

It is considered that the proposed first floor extension with the hipped roof set down from the main ridge, to match the existing dwelling, which would be built above the existing garage, would be a proportionate addition to the existing dwelling that would complement the shape, scale and proportions of the original dwelling to maintain the character of the original dwelling, and would therefore be in keeping with the character and appearance of the host property, and the street scene. The proposed extension incorporates a Juliet balcony, which is a feature to some other dwellings on the Shearwater estate. The dimensions of the opening are appropriate to the dwelling, and it would not represent an inordinate addition to the dwelling.

The proposed single storey extension to the rear of the property, at 5.4 metres in depth, is considered to represent a secondary, subservient and proportionate additions to the existing detached dwelling. It is noted that the proposed rear extension would be approximately 500mm longer than the existing conservatory, but as the extension would be situated at the rear of the property, it would not have an appreciable impact on the character and appearance of the street scene.

The proposed attached garage would be a modest single storey extension with a pitched roof, and would be less than 50% of the width of the existing dwelling in line with Part 6 Single Storey Side Extensions of SPD9. It is not considered that the addition of the proposed detached garage would be harmful to the character or appearance of the street scene.

The proposed flue would be a minimal addition, and would not terminate above the ridge of the dwelling. As such it would not appear prominent within the wider street scene.

The proposed shed would represent a small scale addition to the dwelling, and would be partly screened by the existing hedge. The shed requires consent as the area of land on which it is sited has its permitted development rights removed for structures under planning permission ST/0802/97/DM. It would be constructed from timber and would match others in the locality. It would appear as a lightweight structure, and would not be unduly visually prominent from the PROW which passes to the east. The shed would be sited within the curtilage of the property, and would not extend into Whitburn Point Local Nature Reserve.

It is considered that the development accords with Whitburn Neighbourhood Plan Policy WNP2 (B & C), Policy DM1 (A) of the adopted South Tyneside Local Development Framework, and the design principles within the associated Supplementary Planning Document (SPD) 9 'Householder Developments,' in relation to design and visual impact.

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.

The footprint of the property would not be extended closer to the common boundary with 61 Shearwater, although a first-floor extension would be added above the existing ground floor, which would be approximately 2.3 metres away from the blank side elevation of the main dwelling at 61 Shearwater, and set back as the dwellings are staggered. As a result, there is no realistic prospect of the proposed extension significantly affecting the residential amenity of occupiers within habitable rooms of the main dwelling of 61 Shearwater.

It is recognised that the proposed Juliet Balcony would allow some additional overlooking of part of the garden area closest to the application site at 61 Shearwater. Paragraph 3.23 of SPD9 advises that the extent to which an extension impacts on a neighbour's outdoor space is a material consideration but is given less weight than impacts from within the dwelling. In this context, it is not considered that the proposal would cause significant enough overlooking or overbearing impacts affecting outdoor spaces to reasonably warrant the refusal of planning permission for this reason.

The proposed single storey rear extension of 5.4 metres in depth is not considered to create any significant adverse impacts on the residential amenity of the occupiers of the adjoining property to the north (51A Shearwater), given that this property has a detached garage in-between the two dwellings, and there is also a boundary treatment of significant height between the two properties. The two-storey extension is also situated at the opposite side away from 51A Shearwater.

The proposed garage extension would be sited to the northern elevation of the application site, extending towards no. 51A Shearwater. Again, as with the proposed rear extension, is not considered to result in any significant adverse impacts on the residential amenity of the occupiers of the adjoining property to the north (51A Shearwater), given that this property has a detached garage in-between the two dwellings, and there is also a boundary treatment of significant height between the two properties.

It is therefore considered that the proposal would be acceptable in respect of residential amenity impacts, and in accordance with adopted Whitburn Neighbourhood Plan Policy WNP2, South Tyneside LDF Development Management Policy DM1 (B), the associated SPD9 and the NPPF in relation to residential amenity

Highway safety

Criterion G of the LDF policy DM1 requires the impact of the development to be acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts.

The scheme would convert the existing garage at the property and seeks consent for the erection of a new garage to the northern elevation. This would be served by a new driveway measuring over 12 metres in length. The existing driveway in front of the existing garage would also be retained, and the existing drop kerb would be utilized with no alterations.

The proposed extended driveway would be paved with blockwork which is not permeable. As such a condition is recommended to ensure surface water does not run off it onto the adopted highway.

Conclusion

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

Proposed Ground Floor Plan Drg No. 3071 Rev B received 26/08/2022
Existing and Proposed First Floor Plan Drg No. 3072 Rev A received 26/08/2022
Proposed Elevations Drg No. 3073 Rev A received 26/08/2022
Existing and Proposed Site Layout Plans Drg No. 3074 Rev C received 14/09/2022

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 specified on Proposed Elevations Drg No. 3073 Rev A received 26/08/2022, 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 Adequate provision for the disposal of surface water off from the new drive (as shown on the proposed site plan within Drg No. 3074 Rev C received 14/09/2022 and Proposed Ground Floor Plan Drg No. 3071 Rev B received 26/08/2022), either through connection to mains drainage or through the utilisation of an appropriate soakaway, shall be made prior to the new drive being brought into use. No surface water shall run off from the new drive onto the public highway.

To prevent surface water run-off from private land onto the highway in the interests of highway safety preventing damage and flooding of the highway, in accordance with the National Planning Policy Framework.

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: Adam Williamson

Date: 15/09/2022

Authorised Signatory:

Date:

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