DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0510/22/HFUL
Proposal: Two and single storey side extension. Single storey rear extension.
Location: 215 Sunderland Road
South Shields
NE34 6AQ

Site Visit Made: 18/10/2022

Relevant policies/SPDs

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

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site consists of a detached dwelling located on Sunderland Road, South Shields. The dwelling is constructed from red brick to the ground floor with render above. The dwelling has a veranda to the front elevation with the front door set back. Above this is a dormer window, with a two story gable to the northern side. The property has been previously extended with a single storey wrap around extension to the rear and southern side elevation. To the northern elevation is an attached garage with a vehicular access. The property sits within a generous plot with a large front garden which contains 2 trees which are covered by a Tree Preservation Order, a Lime tree (T1) and a Copper Beech (T2). To the Sunderland Road boundary, the plot is marked by a 2 metre high red brick wall which has sandstone decorative coping stones to the southern boundary on the entrance with 217 and 219 Sunderland Road. To the north of the site is no 213 Sunderland Road which is an end terraced property which has a two storey rear extension. To the east of the site are nos. 217 and 219 Sunderland Road, and to the south lies 221 Sunderland Road.

Planning permission is sought for the erection of a two storey side extension, a single storey side/ rear extension, and a single storey front extension.

The proposed two story side extension would be constructed on the northern side of the property, and would measure 2.1 metres in width, 7.1 metres in length, 5.2 metres to the eaves and 8.2 metres to the highest point. The proposed extension would contain a garage and office to the ground floor, a dressing room and ensuite to the 1st floor, and would also facilitate a new bathroom. The proposed extension would be constructed from brick to the ground floor with render above to match the existing dwelling. An opening is proposed to the northern elevation serving the ensuite which would be obscurely glazed.

The proposed side/ rear extension would form an 'L' shape and measure 2.1 metres in width at the front where it would be built into the proposed 2 storey extension, and 3.4 metres to the rear, 2.8 metres to the eaves and 3.2 metres to the highest point. This extension would be flat roofed with a roof lantern over the rear section. This extension would contain part of the new office and a kitchen. The northern side elevation would contain 2 windows serving the garage and office with an access door. To the rear elevation sliding glass doors are proposed. This extension would be constructed from brick to match the dwelling.

A small porch is proposed to the southern elevation measuring 2.1 metres in width, 1.7 metres in length, 2.2 metres to the eaves and 3 metres to the ridge. To the front, the existing veranda would be enclosed with brick to match the existing dwelling, with central access doors with windows either side.

The scheme has been amended to remove a proposed detached garage which was proposed to the south of the dwelling with a new access following case officer concerns in relation to the impact the new

access and driveway would have on the protected Copper Beech tree to the front of the plot. The roof of the two story side extension has also been amended to a part hipped arrangement. Neighbours have been notified about the amended plans in writing.

Publicity / Consultations (Expiry date 20/10/2022, 04/05/2023)

1) Neighbour responses

188 Sunderland Road, South Shields

Drainage issues. If the proposed drive is elevated this will contribute to problems we already have with drainage, when there is heavy rain. The street drains are unable to cope with large amounts of heavy rain. As our drive is directly opposite and at a much lower level, this will cause water to flood down our drive, even more so than it does at present.

Proposed angled fence on driveway. a wooden fence is not in keeping with the rest of the properties in the vicinity (we all have brick walls). Excess litter will gather in the new opening, as this is already an issue.

The proposed building work is not in keeping, aesthetically, with the rest of the period properties in the area. The proposed hard standage area, is taking up too much of the natural garden, which is detrimental to the environment.

213 Sunderland Road, South Shields

I would like to object to the proposed plans, firstly for the following reason :
Firstly the reason we bought this property was, it was an end terrace property / semi. This proposed extension, in my view takes away the reason we bought an end terrace, so we had light and space and buying the property next to a detached property away from our house.

- Overbearing
- Loss of light ,this will block a huge amount of natural light not only to my garden but entire house especially kitchen and dining room and rooms upstairs at the back.
- Overshadowing
- Overlooked
- Loss of Privacy
- Appearance, not in keeping with the old traditional houses that have been restored in the local area.
- Effect on Setting
- Worries about the Trees.
- Loss of any view from two aspects

I also brought up a number of other concerns with you at our meeting which you discounted down to building control, which I understand. However I feel the need to outline these concerns as your department may think it could be useful information to pass on to building control to make them aware of the problems on the previous build/ works carried out at this address.

Work not carried out to a satisfactory standard, visually or safely.
Rubbish and litter not taken away in due course
The burning off waste in the garden causing fire brigade to come as it was very near the trees and a massive fire hazard, this happened several times. We were unable to let children outside or open doors or windows

Rats because of all the rubbish and food waste left by the workers for days on end, Environmental health were called and involved as they spread to all neighbours gardens causing a massive health risk to us all.
Unsightly and a real eyesore for years as the work took years to complete.

217 Sunderland Road, South Shields

Previous work along our driveway and fencing has been done very poorly affecting the width of our drive. Not confident the work carried out will benefit us in any way other than more issues. Ground floor and first floor extension would prevent light coming into our front room and restrict views. Not in favour of the plans as it stands.

219 Sunderland Road, South Shields

The knocking down of the North Wyngarth Pillar for the new driveway - The pillars are a pair, historical and as we both agreed a lovely feature and in keeping to the street. I believe there are areas between the 4 houses (215-221) which have overlapped land and its agreed they can be used for ie the pillars, I shall raise this with the solicitor that conveyed on our house sale as it was something that was scrutinised at the time.

Trees With TPO - We are also concerned the impact of the new drive way will have on the trees, will tarmacking kill the trees? as you know Sunderland road and Harton Village is a beautiful tree lined conservation area and it would be a disgrace to lose this. The occupiers of 215 have already felled one of these trees with a TPO on with no repercussions. I also feel this is a matter which concerns more than the 2 houses which have been consulted and I believe the properties opposite should be notified of this also.

I then have massive concerns regarding the balsam tree which they are proposing to build over the roots for (site of intended new garage). The tree belongs to 217 however is directly in line with my property. Their last tree came down onto 221's house, and I'm frankly surprised no one was killed with it. The 215 owners weren't particularly bothered nor apologetic. I am extremely concerned for my families safety that when they start messing around with the balsam tree roots they will weaken it and we'll have the same situation again, however this time it would be my childrens' bedrooms it would fall into. If the build does go ahead I strongly insist a tree surgeon must be consulted at every stage of the build to ensure its safe for everyone that is surrounding it.

Standard of workmanship and lack of respect for Laws - The occupiers of 215 have had a lot of work done to their property since they have bought it and standard is terrible. The work was carried out by questionable contractors, who were anti social and rude to speak to/walk passed.

I'd be interested to know to what standard and regulations were covered as the work that is visible is an absolute disgrace. The exterior painting is shoddy and an eyesore, they ripped down a shared fence and Hedge without consulting myself nor 217 both of whom the boundary was shared with, The replacement (and I'm sure you'll agree with me) is the one of the worse fences I have ever seen, the fence is well over 2meters in height. Myself, 217 and 215 are all furious about the fence and yet nothing is done to remedy this. I believe it negatively impacts on my property both with decreasing the value and on the mental health toll for all 3 houses concerned who seem to have their hands tied with it. Its incredibly frustrating and what felt like a 'forever house' for us now has a huge question mark hanging over it.

Waste Management - While they have been doing work on the house, they have allowed their rubbish to pile up, this has resulted in an infestation of Rats, the street being dirtied with the rubbish on windy days and the fire brigade being called out as the workers set fire to it all. A huge hazard with all of the trees around and again negatively impacting us where we can't open our windows.

Some of the points above I know is more to do with building control then planning but im sure you can see our concerns, especially the not in keeping with the Victorian houses of Harton Village and the potential loss of trees with TPO in place.

221 Sunderland Road, South Shields

I wish to object to the recent planning application due to the following;

From the side of my house all I will now see is brickwork
The narrow road in between 215 and 221 will be more "encompassed"

Comment was also made by the occupier of 221 Sunderland Road in respect of previous tree works at the property.

2) Other Consultee responses

Highways
The amended details remove the previous requirement for a new vehicular access crossing from Sunderland Road and retain the existing vehicular access arrangements, which is acceptable. The Highway Authority therefore has no objections to the proposal.

Tree Team
No response received to the amended plans.

Countryside
No significant impacts on bats would arise from the proposed development of the building. Bat and breeding bird informative is recommended.

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, the impact upon trees, and 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 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.

SPD9 (House Holder Developments) of the South Tyneside LDF provides guidance in respect of householder developments.

Each element of the proposed works will be assessed separately below.

Two Story Side Extension

The works comprise the construction of a two storey extension to the northern side of the dwelling. Two-storey side extensions can create a terracing effect within the street scene and give rise to inappropriate design.

Objections have been received from the occupiers of 188, 213, 217 and 221 Sunderland Road in respect of the scale and visual impact/ appearance of the proposed development.

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.

However, 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 two storey extension with the part hipped roof set down 1100mm from the main ridge, which would be built 800mm off the shared boundary with no. 213 Sunderland Road, would complement the shape, scale and proportions of the original dwelling to maintain its character.

SPD9 guidance discourages side extensions which are excessively wide as this type of development can undermine the character of the street and the existing property. To maintain a reasonable level of subordination, the SPD9 guidance suggests that side extensions should not be more than three metres in width or be more than half of the width of the original dwelling frontage, whichever is the greater. In this instance the proposed extension would have a width of 2.1 metres which would be less than half the width of the existing original dwelling, which measures approximately 10 metres in width.

In terms of the planning assessment for the current proposal, the two storey side extension would be visible from the public domain and surrounding properties. The proposed materials including the walling, roof tiles, rainwater goods and windows would match those on the existing dwelling.

The views of the neighbours in respect of the design and scale of the proposal are noted. However, as assessed above, the amended scheme has been appropriately designed and the resulting scheme is in keeping with the scale and design of the existing dwelling. For these reasons, it is considered that the design of the two storey side extension overall would convey sensitive consideration to its site and surroundings and that the proposal would therefore accord with LDF Policy DM1 (A) and SPD9 subject to a planning condition that seeks to ensure that the proposed facing building materials match those which have been set out in this planning application.

Side/ Rear Extension

SPD9 (House Holder Developments) of the South Tyneside LDF provides guidance in respect of householder developments. Paragraph 8.1 of the design guidance in SPD9 states that single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of semi-detached houses will generally be acceptable but does allow the scope for extensions larger than this to be granted planning permission where their impacts are considered to be acceptable on their planning merits and based on the site-specific circumstances.

The proposed single storey extension to the side and rear of the property, at 5.6 metres in depth past the rear elevation of the original dwelling, 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 3400mm longer than the existing sunroom extension, 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 extension would retain an 800mm separation distance off the shared boundary with no 213 Sunderland Road to the north.

The proposed plans state that the single-story rear extension is to be brick to match the dwelling. In the absence of any identified harm, although finely balanced, there is no conflict with that policy SPD9, or with the development plan when taken as a whole in respect of the external appearance of the proposed side/ rear extension.

Front Extension

The scheme proposes to block up the existing front veranda with brickwork to match the dwelling and doors and windows. The footprint of the veranda area would remain as existing.

The proposed porch to the southern side of the dwelling would measure 2.2 metres by 1.8 metres and would not project past the front of the dwelling as it would occupy the footprint of an existing porch.

The alterations to the porch to the side of the dwelling and the veranda would represent minor additions to the dwelling and would be in accordance with policies DM1 and SPD9 of the South Tyneside LDF.

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.

Two storey side extension/ single storey side extension

The Council's SPD9 guidance sets out a presumption against development that would not maintain a reasonable outlook from the habitable room windows of neighbouring properties. This generally means that a development should not be so large and/or so close that it forms an unacceptable overly dominant feature when looking out from habitable rooms of a neighbouring property. This SPD9 guidance defines 'habitable rooms' as living, dining, kitchen, bedroom, study, games room etc. and 'non-habitable rooms' as a bathroom, hall, cloakroom, landing and toilet.

The occupier of 213 Sunderland Road has objected to the proposals stating that the scheme would be overbearing, cause a loss of light, would result in overshadowing, overlooking and a loss of privacy.

It is noted that a side extension could be constructed right up to the shared boundary of no. 213 Sunderland Road up to 3 metres eaves height and 4 metres to the highest point under permitted development rights. This carries weight in the determination of this application as this would represents a viable fall back position of what works could be undertaken without planning permission.

The neighbour to the north, no. 213 Sunderland Road, southern gable is sited on the shared boundary of the application site- this gable is blank with no openings. An obscurely glazed window serving an en suite is proposed to the north facing gable of the two storey extension. This window would face onto the blank gable, thus there would be no amenity impacts created by this window, especially as it is to be obscurely glazed.

To the rear of no. 213 is a two storey extension, set in from the shared boundary, containing a south facing kitchen to the ground floor, and south facing bedroom windows to the 1st floor. One of the bedroom windows is a small projecting bay window. At present the flush south facing side windows in no. 213 face onto the north facing gable of no. 215. The proposed two storey extension would not project past the blank south facing gable of no. 213 Sunderland Road. However, it would pass in front of a south facing window adjacent to the original rear elevation of the dwelling. This window however is set back from the shared boundary above the sunroom to the rear of no 213 by approximately 3.5 metres. SPD9 states that if your neighbour subsequently wishes to develop near their boundary, the planning system cannot protect an outlook that you may have created by placing a window on (or near and facing) a common boundary. As this window already looks onto the 2 story side gable of the application site, it does not have an overly open outlook. It is acknowledged that the extension will move this gable 2.1 metres closer to the window, however, this window is already overshadowed by the return elevation of no. 213 Sunderland Road by late morning, and the it is considered that given the already limited outlook from this window, although marginal, the proposed two storey extension would not lead to material a loss of amenity from this window to the extent as to sustain a refusal of this application.

Views of the proposed 2 storey extension would be visible from the 1st floor bedroom bay window at no. 213 as it projects from the site of the dwelling facilitating slight east and west views. However the proposed extension would not be constructed in front of this window, being approximately 6 metres from the west facing window. In terms of overshadowing, this window already suffers some degree of overshadowing from the dwelling at 215 Sunderland Road during the winter months, and it is considered that even though the two storey extension will move closer to the boundary, the modest 2.1 metre width would not cause such a level of overshadowing to the extent as to sustain a refusal of this application.

To the ground floor, the proposed single storey extension would pass in front of the south facing kitchen window of no 213 Sunderland Road. A utility room window is proposed to the north facing ground floor elevation of the proposed single storey extension. The kitchen window of no. 213 Sunderland Road already looks onto the side two storey gable elevation of no. 215. The proposed extension would result in the wall of the dwelling being 2.1 metres closer to this window. The kitchen window of no. 213 does not have an open outlook as it looks onto the gable of the neighbouring dwelling. However, the building closer to this window will affect the amount of light received by this window of an early morning, but as this window will already be overshadowed by 215 Sunderland Road by mid morning, and this window is a side facing window looking onto another property, it is not considered to be a sufficient reason to the extent as to sustain a refusal this application. There would be some intervisibility between this existing kitchen window (a habitable room) and the proposed utility room window, a non habitable room with a separation distance of approximately 3.8 metres. Given this and the fall back position of what could be constructed under permitted development, the proposal is acceptable in this regard.

At present, the gap between nos. 213 and 215 Sunderland Road affords light to pass between the dwellings late afternoon/ early evening, this will still be the case, however as the proposed extension will be sited 800mm from the shared boundary, this will occur later in the day than is the situation now. However, the existing heights of the dwellings already cause a degree overshadowing to the rear gardens. The proposed extension would increase overshadowing to the rear garden of no. 213, however it is considered that this would not be to such a significant further level or sustained period to have an adverse or harmful impact on the attached neighbour. SPD9 states that the overshadowing of outdoor spaces is given less weight than impact within the dwelling. Where the affected space is part of a small plot land/or the overshadowing removes the only area of sunlight a receives, this may be given increased weight. A large proportion of the rear garden of no. 213 would be unaffected by overshadowing from the proposed development given its approx. 6.5 metre width and substantial depth of approx. 13 metres.

It is therefore considered on balance, the occupiers of no. 213 Sunderland Road would not be significantly adversely impacted in terms of loss of privacy, outlook, overdominance or overshadowing as a result of the proposed extensions to the north side elevation of no. 215 Sunderland Road to justify a refusal in this case.

Given the orientation of the application site and the rear/ side extension works in relation to the detached neighbour at 217, 219 or 221 Sunderland Road would be no loss of privacy, overbearing or overshadowing impacts created to the detriment of these dwellings as a result of the works proposed.

Given the above, the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B).

Highways

Policy DM1 (G) Management of Development-Highways and Access (LDF Development Management Policies) – seeks that the impacts of development are not detrimental to highway safety.

The scheme originally submitted proposed a new access from the southern end of the site leading to a new detached garage. Nos. 188, 219 and 221 Sunderland Road objected to the new access and the

visual impact it would have had. This element has been removed from the scheme following discussions with officers.

It is now proposed to use the existing access adjacent the boundary with 213 Sunderland Road, and to create a new driveway which crosses across the front of the dwelling to the southern side of the dwelling. The highways officer has been consulted on the amended plans and no objections are raised. The scheme will provide sufficient off street parking.

The proposal accords with policy DM1 (G) of the South Tyneside LDF in this respect.

Impact upon Trees

Paragraph 131 of the NPPF states that Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

Policy DM 1(c) states that development must protect existing soft landscaping including trees.

Objections have been received in respect of the potential damage/ loss of trees on the application site.

The site does not fall within a conservation area, and it has no specific heritage significance, nor is it within the setting of any heritage asset.

The amended plans now mean that no trees works are necessary to undertake the proposed works, but part of the revised driveway does pass through the Root Protection Area of the trees. Given the siting of the proposed new driveway, an arboricultural impact assessment has been submitted as trees T1 Lime and T2 Copper Beech are protected by a Tree Preservation Order.

The TPO has been placed in in recognition of the contribution of these trees to the visual amenity of the area and the desirability of their retention. The submitted AIA states that the development can be undertaken without damage to these trees.

Visually, the Lime and Copper Beech trees are considered to make a significant contribution to the visual amenity of the area. They are therefore regarded as a valuable and positive feature in the street scene, worthy of their protected status.

In respect of the effects of construction on the trees, the relocation of the driveway outside the majority of the RPAs is welcomed, but the constraints posed by the trees will make construction difficult.

The best practice contained in BS 5837 - Trees in Relation to Design, Demolition and Construction - recommendations, 2012 (the British Standard) sets out that the default position would be to avoid development within the root protection areas of retained trees, unless there is an overriding justification for construction.

Conditions can be used to control tree protection and construction methodologies. The submitted AIA has a scheme of tree protection within, and this will be conditioned.

In conclusion, the trees on this site that would be affected by the proposals are protected under a tree preservation order. The impact on trees in this case rests largely on the harm to visual amenity from the loss trees on the site. The construction impacts can be minimised by the use of conditions and an element of control will be retained over the trees in the longer term.

By using the protective elements dictated by British Standard 5837, no significant damage should take place during the construction phase and the tree cover should flourish in the longer term.

Other matters

Concern has been raised over drainage from the proposed driveway. The proposed parking area is proposed to be porous gravel, and a condition is recommended requiring surface water run off to go to a soakaway within the property's curtilage and not onto the adopted highway.

Comment has been made over the appearance of the proposed new boundary wall. This has been amended and will remain as existing including the retention of the decorative coping stones.

Concerns over the standard of previous construction methods are not a material planning consideration.

The burning of waste on the site and vermin would be a matter for the Environmental Protection Team.

Matters relating to a loss of view are not a material planning consideration.

Matters relating to house prices are not a material planning consideration.

Comment has been made to previous tree works at the property. These are not material considerations to the determination of this application

Conclusion

It is considered that, in the site circumstances and context of this particular case, that this proposal satisfies the objectives of Local Development Framework (LDF) policies DM1 (A, B, C, and G), and SPD9. Having regard to all other material planning considerations and the representations received, the proposal is considered to 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. 953/03 Rev. A received 24/03/2023
Drg. No. 953/05 Rev. A received 24/03/2023
Drg. No. 953/04 Rev. A received 20/09/2023

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.

4 The development hereby approved shall be carried out in full accordance with the construction method statement, construction details and tree protection measures set out in the submitted Arboricultural Method Statement Tree Protection Plan (AMS TPP Rev A) for 215 Sunderland Road South Shields by AllAboutTrees received 12/06/2023.

To ensure adjacent trees are protected during construction of the development, in accordance with the South Tyneside LDF Development Management Policy DM1.

5 Disposal of surface water off from the driveway hereby approved, shall be either through connection to mains drainage or through the utilisation of an appropriate soakaway, shall be made prior to the driveway being brought into use. No surface water shall run off from the building 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 Policy DM1 (G) of the South Tyneside LDF and 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

3 **Reminder to not store building material or equipment on the highway**

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact Highways@SouthTyneside.gov.uk for Skips and Containers licences.

4 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

5 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.

Case officer: Adam Williamson
Date: 27/09/2023

Authorised Signatory:
Date:

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