DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0770/22/HFUL
Proposal: Single storey rear extension
Location: 58 West Drive
Cleadon
SR6 7SL

Site Visit Made: 20/10/2022

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a semi-detached dwelling situated on the north-eastern side of West Drive in Cleadon. Residential properties on West Drive are consistently styled, sized, and spaced semi-detached properties. Various extensions and alterations have been made to properties on West Drive over time. The adjoining semi-detached dwelling (60 West Drive) is situated to the north-west and has previously had a conservatory added to the rear. 56 West Drive, another semi-detached property, is situated to the south-east. The site backs onto the rear boundary of other properties on West Drive.

The single-storey extension proposed in this new application would extend 4 metres from the main rear wall of the property, at 3 metres in height (excluding the roof lantern), extending the full width of the property, except for a marginal offset from the common boundary with 60 West Drive. Full dimensions of the proposed extension can be scaled from the application plans.

Publicity / Consultations (Expiry date 31/10/22)

1) Neighbour responses

None received.

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 proposed single storey rear extension would be a secondary and subservient to the main dwelling. It would not be visible within the public domain and would therefore not be harmful to the character or appearance of the area.

With the exception of the flat GRP roof and roof lantern, the proposals would utilise a similar palette of materials to the main dwelling, including a brickwork exterior of a similar appearance to the main dwelling.

This scheme is considered to be acceptable in respect of its impacts on the visual character of the surrounding area and in accordance with South Tyneside LDF Policy DM1 (A).

Residential Amenity

The application proposes the addition of a single storey rear extension with a 4-metre rear projection. While this exceeds the guideline 3 metre figure which paragraph 8.1 of SPD9 states will ordinarily be acceptable, each proposal must be considered on its own individual merits to consider whether significant harm is caused to the residential amenities of neighbouring residents.

The proposed rear extension would only have a marginally longer rear projection than the existing conservatory at the adjoining semi-detached property, 60 West Drive (which the application plans indicate to be 3.7 metres in depth). As the proposed extension would only have a marginal projection beyond the rear elevation of the neighbouring conservatory, which provides the main ground floor outlook to the rear, it is not considered that the proposal would have significant adverse impacts in respect of outlook or dominance/overbearing impacts.

It is recognised that the conservatory at 60 West Drive also includes an outlook facing towards the rear garden. The proposed extension, which would include a solid gable wall, would remove the existing harmful overlooking impact caused by the side facing openings within the conservatory at 60 West Drive.

It is also recognised that, as advised by the design guidance in paragraph 6.2 of SPD9, where a later addition has been added to a property with windows adjacent to the common boundary, that where a neighbour subsequently wishes to develop near their boundary, as is the case in this instance, the planning system could not protect an outlook created by placing a window on a common boundary.

The proposed rear extension would be set approximately 1.5 metres from the common boundary with 56 West Drive, with a similar gap at the opposite side of the 1.8-metre-high boundary fence. The rear elevation of 56 West Drive is also staggered slightly further to the rear of the existing property than the application dwelling. These factors mean that a 4-metre-long rear extension of the proposed 3 metre height would not significantly impact the outlook from the closest ground floor habitable room opening at this property, or otherwise harm the residential amenities of the occupiers of this property.

Both proposed side elevation would be solid gable walls, meaning that the proposed extension would not create any potential for additional overlooking of neighbouring residents to each side.

The residential properties to the rear of the site are situated a significant distance away from the rear of the proposed extension, and a 1.8-metre-high fence runs along the rear boundary of the site. It is not considered that there is any realistic potential for harm to the residential amenity of these neighbours as a result of the proposed development.

In summary, it is considered that the proposal would not cause unacceptable harm to the existing level of residential amenity that is enjoyed by the occupiers of neighbouring residents and would be in accordance with South Tyneside LDF Policy DM1 (B).

Summary

For the reasons outlined above, it is considered, in the site circumstances and context of this particular case, that the proposal 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 01 received 22/09/2022
Drg No 02 received 22/09/2022
Drg No 03 received 22/09/2022

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 of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part, except where otherwise stated on the planning application form received 22/09/2022. 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.

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 NOTE TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
https://www.gov.uk/party-wall-etc-act-1996-guidance

Case officer: Chris Stanworth
Signed: Chris Stanworth
Date: 02/11/22

Authorised Signatory:
Date:

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