DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0873/22/HFUL
Proposal: Single rear extension
Location: 9 King George Road
South Shields
South Tyneside
NE34 0SP

Site Visit Made: 30/11/2022

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a semi-detached residential property, situated on the east side of King George Road, South Shields. It is a residential street characterised by two-storey semi-detached properties in matching pairs, with single-storey rear offshoots, many of which have also been extended/altered. The properties are of a relatively consistent character and appearance. The property has a paved driveway to the front and benefits from single storey extensions on the rear forming stepped rear elevation. The existing rear extension projects approximately 2.2m from the rear elevation of the property.

No. 7 King George Road is the adjoining dwelling, located to the north of the site, separated by a boundary fence approximately 1.8m in height, this property has an existing extension projecting approximately 2.6m from the rear elevation of the dwelling. No. 11 King George Road, another semi-detached dwelling of similar appearance, is situated to the south and is also separated from the application site by a 1.8m high boundary fence. No 11 King George Road also has a rear extension projecting behind the properties garage projecting approximately 2.5m past the rear elevation on this property.

This planning application seeks consent for the demolition of the existing rear projection and the construction of a single storey rear extension across the width of the dwelling. The extension would have a lean too roof with 5 no. roof lights across the roof with 3no windows and 1no set of patios doors.

Publicity / Consultations (Expiry date 14/12/2022)

1) **Neighbour responses- none received**

2) **Other Consultee 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

LDF Policy DM1 seeks to preserve visual and residential amenity and Supplementary Planning Document 9 (SPD9) provides guidance on householder development. SPD9 sets out that single storey rear extensions that would extend beyond the rear wall of the original dwellinghouse by up to 3m in respect of semi-detached or terraced dwellings will generally be acceptable. Projections further than 3m would be assessed on a case-by-case basis.

In this instance, the existing rear projection would be demolished to make way for the proposed extension. Only the top of the single storey extension would be visible above the roof of the existing garage with the remainder of the extension obscured by the existing dwelling/garage. The property benefits from a relatively large plot/rear garden where the extension could comfortably be accommodated and would still be subservient to the main dwelling. The proposal would be constructed of materials to match those of the main dwelling. Therefore, the proposed development is considered to be in accordance with Policy DM1 (A), while having regard to the principles set out in SPD 9.

Residential Amenity

Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity. SPD9 provides householder design guidance and states that single storey extensions to semi-detached dwellings of 3m in projection are likely to be acceptable.

The proposed extension would be built up to the boundary with No.7 King George Road and project 3.7m along the boundary with this neighbour. However, due to the presence of the extension at No.7, the proposed extension would only project 0.9m past the rear elevation of the single storey rear projection at No 7. Given the limited projection past the extension at No. 7, it is considered that the proposed extension would have limited impact on this neighbour with regards to loss of outlook and overdominance or result in significant overshadowing of the habitable rooms of this property. There are no windows proposed in the side elevation facing this neighbour and therefore no loss of privacy would arise from the proposals. The extension would abut the extension at No 7. And it therefore recommended that an informative be attached to any consent granted advising of the requirements of the Party Wall act.

The proposed extension would be set in 1m from the boundary with No 11 King George Road and would project 4.1m along this boundary, behind the applicant dwellings existing garage. However, due to the presence of the rear projection at No 11, the proposed extension would only project approximately 1.4m past the rear elevation of No 11. Given this limited projection and the 1m set in from the shared boundary, it is not considered that the proposal would result in detrimental loss of outlook, increased overdominance or increased overshadowing to this neighbour. No side windows are proposed to face No 11 and therefore the proposal would have no impact on the privacy of this neighbour. No side facing windows are proposed and it is not considered that the development would create any unacceptably harmful overlooking impacts affecting neighbouring residential amenity or privacy. The properties to the rear are a significant separation distance away and it is considered that there would be no impacts upon the residential amenities of these neighbours.

Taking all the above into account, the proposals are considered, on balance, to not be harmful to the amenities of either neighbour with regards to loss of privacy or daylight nor would it cause overdominance or overshadowing to a harmful degree. The proposals are considered to be in accordance with Policy DM1(B) of the adopted South Tyneside Local Development Framework, and adopted guidance within the associated SPD9.

Summary

For the reasons outlined above, it is considered, in the site circumstances and context of this particular case, that the proposals as submitted 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.002-003 received 18/10/22

Drg No.001 received 18/10/22

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 of 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 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 north or south side elevations of the 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 adjacent properties and 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 UNIQUE 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: Samantha Gallagher
Signed: S Gallagher
Date: 15/12/2022

Authorised Signatory: G.Horsman
Date: 16/12/2022

«END»