## DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

**Ref No:** ST/0997/22/HFUL
**Proposal:** Single storey front porch and rear extension. Two storey side extension and conversion of garage into a studio.
**Location:** 185 King George Road
South Shields
NE34 0EX

**Site Visit Made: 18/01/2023**

## 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 (no. 185 King George Road) is a semi-detached dwelling located within a residential area in South Shields. The adjoining property to the north (no.183 King George Road) is attached to this application site whereas the property to the south (no 187 King George Road) is detached. The dwellings along this part of King George Road generally share a similar appearance, being constructed from red brick, with double height bay windows to the front elevation, and have either a driveway or garage to the side. The neighbouring property to the south, no 187 King George Road does not share the external appearance of the other immediate dwellings as it is detached, and does not have a bay window to the front elevation and is of a different style and proportions.

Rear gardens are provided to the east, and in the case of the application site there is a detached garage set to the rear of the dwelling built approximately 450mm off the shared boundary with no. 187 King George Road. The application site also has a recently built rear extension which projects 3.4 metres from the original rear elevation of the dwelling.

Some of the dwellings along the road have two storey side extensions, with no 189 King George Road, the neighbour plus one to the south having a two storey side extension built to its northern boundary with No. 187 King George Road approved in February 2007 (Ref ST/3334/06/FUL).

To the front of the dwellings is the highway, with an area of tree planted verge between the footway and the highway. Some dwellings have a concrete crossover the verge to provide vehicular access. The rear of the property backs on to Prince of Wales Close which serves as the front street for dwellings on its eastern side and around the turning head at its northern end.

The application proposes a single storey porch to the front (already constructed), a two storey side extension, a single storey rear extension (already constructed), and to convert the existing detached garage to form a studio. The garage would be linked to the dwelling via the new rear extension.

The porch extension to the front of the property projects 1.2 metres from the front elevation, measures 3.4 metres in width, 2.3 metres to the eaves and 3.6 metres to the highest point. The porch contains a door with windows to the front and side elevations. The porch is constructed from brick to match the dwelling with antique slate clay roof tiles. The door and windows are uPVC.

The proposed two storey side extension would measure 3.03 metres in width and would be constructed to the shared boundary with no. 187 King George Road, measure 7.6 metres in length, 5.7 metres to the

eaves and 8 metres to the ridge. The first floor element would be set back 1 metre from the front building line of the dwelling, and set down approximately 1 metre from the ridge. A parapet wall would be provided to the boundary so no guttering would overhang the shared boundary with no. 187 King George Road. The side extension would contain a garage to the ground floor, with a garage door to the front elevation, a utility room and a study. To the first floor a bedroom would be provided with a new bay window to the front elevation, and a window is proposed to the 1st floor rear elevation. No openings are proposed to the side elevation facing no. 187 King George Road. The extension would be constructed from brick to match the host dwelling with a concrete tile used for the roof. The bay window would utilise a clay hanging tile with a uPVC window.

The proposed rear extension projects 3.4 metres from the rear of the dwelling, and measures 9.9 metres in width, 2.7 metres to the eaves, and 3.8 metres to the highest point. The rear extension contains 4 no. rooflights and aluminium folding doors to the rear elevation and hosts a dining room/ kitchen extension. The rear extension is set in by approximately 600mm at the narrowest point and 1 metre at the widest point from the boundary with No. 183 King George Road to the north, and the proposed link would be built to the boundary with no. 187 King George Road to the south. The rear extension is finished in textured render for the walls and antique slate clay tiles for the roof.

It is also proposed to construct a link between the proposed rear extension and the existing detached garage. This link would measure 1.6 metres in length by 2.6 metres in width and 2.4 metres in height. The existing garage would be altered by the increase in its height from 2.3 metres in height to 3 metres, the addition of a roof lantern, and new long window to the northern elevation. It is proposed that the garage and the link extension be finished in textured render.

Planning permission is extant at the site for a “Single storey front porch and rear extension. Two storey side extension and conversion of garage into a studio.” (ref: ST/0123/22/HFUL). This application was approved on 18/07/2022. Construction of this development has already commenced, as the rear extension and the porch have been constructed. The garage has not been converted, the link has not been constructed, and the two storey side extension has not been constructed. It should be noted that the construction of this scheme (as a whole) would be a reasonable fall back position.

The previously approved scheme is identical to the now proposed scheme, except for the design of the two storey side extension. As previously approved, the first floor element was to be set back 2.7 metres from the front building line of the existing dwelling, and would project 2 metres beyond the existing rear building line of the existing dwelling, whereas it is now proposed that the first floor element would be set back by 1 metre from the front building line of the existing dwelling, and would not project beyond the existing rear building line of the existing dwelling, as set out above.

**Publicity / Consultations (Expiry date 04/01/2023)**

1) **Neighbour responses – none received**
2) **Other Consultee responses – none**

**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.

In deciding whether to grant planning permission the Council must have due regard to the equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

The National Planning Policy Framework (NPPF), introduced in July 2021 (and which replaced the March 2012 version of the same), is a material consideration in all planning applications.

Paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 124 states that, good design is a key aspect of sustainable development, creates better places in which to live and work and helps makes development acceptable to communities.

Paragraph 126 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF states that Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 132 of the NPPF states that design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

LDF 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 (Householder Developments) of the South Tyneside LDF provides guidance in respect of householder developments.

Paragraph 119 of the NPPF requires planning decisions to ensure healthy living conditions and paragraph 124 emphasises the importance of securing healthy places. Paragraph 185 seeks to ensure that new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions.

In line with this, Policy DM1(B) of the South Tyneside LDF seeks to protect residential amenity of neighbours from harmful impacts from development.

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

Two Storey Side Extension

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

The council's general design objectives for development (as set out under Part 3, paragraph 3.1a of its SPD9 householder guidance) makes clear that; *'In assessing planning applications for all extensions and alterations to dwellings it is important…that the visual impact of the proposal on the dwelling and its immediate neighbourhood is acceptable and that high standards of urban design are achieved.'*

This 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 3.08 metres which would be half the width of the existing original dwelling, which measures 7.5 metres in width.

The SPD9 guidance also makes reference to the unwanted terracing affect within semi-detached housing estates, and it makes clear that: *'a key objective in the case of side extensions is to achieve subordination and to avoid a visual terracing effect. A terracing effect occurs when the spaces between semi-detached or closely spaced detached properties are lost. This can often be avoided through the use of setbacks and a lowered ridgeline. A set-back is where the extension is constructed behind the main front building line of the dwelling; setbacks can also help to disguise brick bonding difficulties and problems of achieving colour / texture match. The width of a side extension should also be subordinate and in scale to the width of the original dwelling.'*

To achieve the desired subordinate appearance and to minimise any terracing effect, the council's SPD9 guidance makes clear that: *two-storey side extensions on semi-detached and high-density detached properties should:*

- *Retain a minimum 1 metre gap between the extension and the side boundary of the application site*
- *Provide a minimum 1 metre set-back between the front wall of the upper storey extension and the main front wall of the house, and*
- *Provide a significantly lowered ridge line and a roof shape that corresponds to the main dwelling.*

However, this SPD9 guidance also provides the following exemption at paragraph 7.4: *'In those cases where the whole width of the plot is already built up by a single storey extension or garage, or where an existing single storey extension or garage has resulted in a gap along the common boundary of less than 1 metre, a first floor extension built up to the boundary may be acceptable where:*

- *It is set back behind the front wall of the main dwelling;*
- *It does not occupy more than two- thirds of the depth of the dwelling and is located towards the rear of the main dwelling;*

- *The roof ridgeline is significantly lower than the main dwelling ridgeline;*
- *A pitched or hipped roof, depending upon the existing dwelling and proposed extension design, is constructed on any residual flat roof of the original single storey structure in order to reduce the visual impact of the structure upon the proposed extension and street scene;*
- *A window is included to the front elevation of the proposed extension.'*

In this case there is a detached garage constructed within 500mm of the shared boundary, but it is noted that this is located to the rear of the dwelling and the two storey extension would not be above it. Therefore the exemption as set out in paragraph 7.4 of SPD9 would not apply in this case. As a result, the guidance contained within SPD9 would require that the proposed extension provide a minimum 1 metre gap to the side boundary with No. 187 King George Road in order to achieve a subordinate appearance and to minimise terracing.

However, the two storey side extension would be constructed alongside the common boundary of the application site with No.187 King George Road (i.e. leaving no gap to the side boundary) but the front elevation of the upper storey extension would be set back by only 1 metre from the main front wall of the house and the ridge line of this hipped roofed side extension would be approximately 1 metre lower than that of the main house roof.

This proposed design would be contrary to the guidance that is contained within SPD9 and would not be in keeping with the prevailing character of the streetscene, which is of balanced semi detached and detached properties with distinct separation between each dwelling or pair of dwellings. Although there would be a reduced ridge height, the lack of substantial set back at first floor level would not be a subordinate design in relation to the host property. Furthermore, the lack of set back would unbalance the pair of semi detached dwellings which would further erode the character and appearance of the street scene.

The proposed development would leave no gap to the side boundary, whereas SPD9 sets a standard of 1 metre. The adjacent property No. 187 King George Road, would be able to be extended in a similar fashion above its side garage, and as such it is considered that this would lead to potential terracing within the streetscene which would be to the detriment to the character and appearance of the area, which is characterised by widely spaced two storey semi detached and detached properties.

There are a number of side extensions at first floor level in the street however these examples display a set back at first floor level or have a significant gap to the side boundary in order to mitigate against a terracing impact. It is noted that there are other examples in the area of first floor/two storey side extensions, including at Nos. 44, 52 and 64 King George Road, as highlighted by the applicant. However, these properties had different site specific circumstances prior to development as the whole width of each plot was already built up by a single storey garage. Furthermore these properties are set on the opposite side of a wide dual carriageway and are set a considerable distance from the host property itself, being approximately 750 metres to 1km away. Therefore the proposed development would be a stark contrast to those existing examples in the streetscene.

In terms of residential amenity impacts, the property most affected by the proposal is no.187 King George Road, to the south of the application site. That property has a garage set adjacent to the boundary which has a number of windows in its side elevation facing the application site.

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 a very 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.

According to the council's SPD9 guidance, a garage and utility room window are not classed as habitable rooms. The gable elevation of no.187 King George Road would face the blank gable elevation of the proposed two storey side extension measuring approximately 6.5 metres in hight at a distance of approximately 1 metre. At this point, no. 187 King George Road is set approximately 500mm higher than the application site, with the boundary fence at this point measuring approximately 1.1 metres in height to no. 187's side and approximately 1.6 metres in height to no. 185's side.

In terms of overshadowing issues, SPD9 discourages development that cause a significant overshadow of habitable windows of neighbouring properties over and above that of the existing situation. There is already a poor outlook from the side facing, non habitable room windows of No. 187 facing towards the applicant's dwelling. Given the sites orientation, there is already a high degree of existing overshadowing from the applicant's house and garage as they lie to the south of the application site. As the sun rises in the east and moves westwards during the day, by mid morning, the existing height of the dwelling already causes a high degree overshadowing to this side space between the dwellings.

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 space receives, this may be given increased weight.

The proposed extension would not increase overshadowing to the rear garden of no. 187 to the south, and as such the proposed side extension is not considered to create any significant further levels of overshadowing, daylight loss or any further sustained periods of overshadowing to have an adverse or harmful impact on the attached neighbour. The rear garden of no. 187 would be unaffected by overshadowing from the proposed development.

It is therefore considered on balance, the occupiers of no. 187 King George Road would not be significantly adversely impacted in terms of loss of privacy, outlook, overdominance, daylight or overshadowing from the proposed two storey extension.

The proposed side extension would be screened from No. 183 King George Road to the north and so there would be no significant harm to the residential amenity of that property.

Given the separation distances to the front and rear, there would be no significant loss of privacy/overlooking from the first floor window to the front and, also given the fact that it would be obscurely glazed, the first floor window to the rear.

Given the above, the proposed two storey side extension as set out in this amended planning application would be acceptable in relation to its impact upon residential amenity of the surrounding neighbours and it would be in accordance with LDF Policy DM1 (B).

<u>Single Storey Rear Extension / Garage Conversion</u>

The single storey rear extension has been constructed however works to the garage/link have not commenced. It should be noted that this has been carried out under the previously approved planning permission.

SPD9 (Householder 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 3 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.

There was previously an existing 3.4 metre projection to the rear elevation of the dwelling, which has been replaced with a new extension of the same projection. The extension is approximately 1300mm

higher than the previous flat roof projection by way of the lean to style roof and the elevation facing the attached neighbour to the north, No. 183, is blank. The boundary to this neighbour is marked by a 1.8 metre high close boarded fence. The extension is set between 0.6 metres and 1 metre from the northern boundary with No. 183 King George Road and would abut the site's southern boundary with no. 187 King George Road.

In terms of overshadowing issues, as stated above, SPD9 discourages development that cause a significant overshadow of habitable windows of neighbouring properties over and above that of the existing situation. The rear elevation of no. 183 contains windows serving the kitchen and dining area. Given the site's orientation, there was previously a degree of existing overshadowing from the existing rear extension to no 185 as it is to the north of the application site. As the sun rises in the east and moves westwards during the day, by mid morning, the existing height of the dwelling previously caused degree overshadowing to rear of the dwelling.

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 space receives, this may be given increased weight.

The new extension does not increase overshadowing to the rear garden of no. 183 to the north, and as such the new rear extension is not considered to create any significant further levels of overshadowing or any further sustained periods of overshadowing to have an adverse or harmful impact on the attached neighbour over and above the previous situation to a level to warrant refusal of this application. The rear garden of no. 183 is not affected by overshadowing from the proposed development.

It is therefore considered on balance, the occupiers of no. 183 King George Road have not been significantly adversely impacted in terms of loss of privacy, outlook, overdominance or overshadowing from the proposed rear extension.

In terms of the impacts to the detached neighbour to the south, no 187. King George Road, no window openings are included or proposed to the southern elevations of the proposed extensions, so there is / would be no impact upon the privacy of the occupiers of no 187 from the proposed development. The existing garage is to be increased in height by 700mm, but this lies to the north of no 187. King George Road, and is set in from the boundary by approximately 500mm, so no additional overshadowing impacts would be created.

The combined projection of the proposed extensions would project approximately 6.5 metres past the rear elevation of no. 187, with 5 metres of this being the existing garage. The new link structure would also be set in 500mm from the shared boundary and would be 2.5 metres in height with a flat roof. Views of this extension would be screened from no. 187 King George Road as the existing garage to that property extends approximately 4 metres from the rear building line of the dwelling, so only the increase in height of the garage would be visible from the rear of the property. The increase in height of 700mm is considered to not be to the detriment of the living conditions of this neighbour.

It is therefore considered on balance, the occupiers of no. 187 King George Road would not be significantly adversely impacted in terms of loss of privacy, daylight loss, outlook, overdominance or overshadowing from the proposed rear extension.

It is not considered that the proposed rear extension has any potential to materially harm the residential amenity of any neighbouring occupier. Therefore, the proposed development is considered to be in accordance with Policy DM1 (B), while having regard to the principles set out in SPD 9.

In terms of the rear extension as a whole, this would protrude a maximum of 9 metres from the rear elevation of the property. The proposed rear extension, although over the recommended 3 metre depth set out in paragraph 8.4 of SPD9, is considered to be a suitably designed rear extension, being proportionate in terms of its overall scale and massing, and the same depth as existing. The proposed

plans state that the single-storey rear extension is to be rendered in finish. Render is a common material to ground floor extensions in the area, and when combined with the red brick to the existing dwelling, would not appear out of keeping from glimpses of the site from Prince of Wales Close to the rear. 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 rear extension.

Having regard for the above it is considered that the rear extension does not result in significant harm to the visual amenity of the area or the residential amenity of any surrounding properties.

Front Porch Extension

Construction of this part of the proposal has already been started. It should be noted that this has been carried out under the previously approved planning permission.

Given the nature of the proposal, the proposed porch is visible from the public domain. The Council's design guide in SPD9 sets out general design principles for house extensions. Of particular relevance in this case is paragraph 3.16, which states that extensions to the front of a dwelling house can have a particularly significant impact on the street scene and should not interrupt the consistent building lines present in the street. Furthermore, paragraph 5.2 states that single storey front extensions and porches should not normally project forward from the original dwelling by more than 1.4 metres.

In this case the front porch projects 1.2 metres forward of the front elevation of the main dwelling which is under the 1.4 metre projection that is ordinarily considered to be appropriate in the Council's design guidance (SPD9: paragraph 5.2). The porch is constructed from materials to match the host dwelling, and as there are similarly designed porches to neighbouring properties, does not appear unduly prominent within the wider street scene and that the proposal would therefore accord with LDF Policy DM1 (A).

The proposed porch extension has glazed openings to the side elevations facing onto Nos. 183 and 187 King George Road.

Views into the windows to the front of No. 183 King George Road are obscured from the porch by the existing bay window to the front of no. 185 King George Road, and the porch is set over 3.9 metres away from the shared boundary. The proposed porch projects under the recommended distance of 1.4 metres from the front elevation of the host property. As a result, it does not affect the amount of light entering No. 183 King George Road.

The porch is sited over 2.7 metres from the boundary with no. 187 King George Road, with the proposed side extension screening views of the front of no 187. No. 187 does have a front extension between the forward elevation of the garage and the front door, but intervisibility with the proposed porch does not occur. Given the separation distance the proposed porch does not affect the amount of light entering No. 187 King George Road.

It is not considered that the proposed porch results in significant harm the residential amenity of any neighbouring occupier. Therefore, the proposed development is considered to be in accordance with Policy DM1 (B), while having regard to the principles set out in SPD 9.

Conclusion

In conclusion, the proposed development would result in significant harm to the visual amenity of the area and therefore would fail to comply with the NPPF, LDF Policy DM1 and the guidance contained within SPD 9. The applicant has been offered the opportunity to amend the proposed development to an acceptable standard of design, in line with the spirit of the NPPF, however they have declined this opportunity. As such the application is recommended for refusal.

## Recommendation

Refuse Householder Permission

## Refusal Reasons

1 The proposed two storey side extension, by virtue of its insufficient set back from the original dwelling frontage, and insufficient set back from the shared boundary with No. 187 King George Road, would not appear subordinate to the host property when viewed from the street scene and would result in a terracing effect. This lack of subordination would appear as an excessive and discordant feature, unbalancing the symmetry of this pair of semi-detached dwellings and would result in a terracing effect within the streetscene. The development would therefore result in a significant level of harm to the character and appearance of the area and the visual amenity of the area.
As such the proposal would not accord with the National Planning Policy Framework, the adopted South Tyneside Local Development Framework Policy DM 1 (A) or the associated design guidance held within Supplementary Planning Document 9: Householder Extensions

## 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. However, the proposed development is contrary to the policies referred to in the reason(s) for refusal and it has not been possible to reach an agreed solution in this case.

## List of plans for standard note

**Plan Reference**

Drg No 3163 Rec 01/12/22

Drg No 3164 Rec 01/12/22

Drg No 3165 Rec 01/12/22

Drg No 3166 Rec 01/12/22

**Case officer: Seán Gallagher**
**Signed:**
**Date: 01/02/2023**

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

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