**5 WOODLANDS TERRACE, SOUTH SHIELDS**

STATEMENT OF CASE

The work proposed is a two storey rear extension over an existing kitchen offshot, with a bathroom and shower room to first floor level with a balcony above.

The plans were originally submitted under application ref. no. ST/0167/22/HFUL and were subject to a number of changes over a period of months mainly relating to the balcony size and screening in an attempt to accommodate the LPA'S comments.

The first floor element of the extension was not recognised as a problem until the latter stages of the Planning process, resulting in the Refusal of plans for the extension to project beyond the side wall of the existing offshot under the above LPA reference and Appeal reference APP/A4520/D/22/3304604.

However, the end result of the lengthy consultation and refusal of the original plans led to the belief that the proposals would be acceptable if the extension was brought back in line with the existing offshot, as has now been presented under the application ref. ST/0011/23/HFUL, which is the subject of this Appeal.

The terrace is characterised by large rear offshots in close proximity to the adjoining dwellings, and adjacent properties such as 2 and 3 Woodlands Terrace have extensions of a similar type to the Appeal property, granted by the LPA.

These extensions are not only bigger and higher than the proposed extension, but also have walled balconies at first floor level, with less privacy screening, but much more of an adverse impact in terms of overbearing and overshadowing.

The LPA have stated that "The proposed development would, by virtue of its excessive scale, massing and close proximity to the ground floor side habitable kitchen and dining room windows and doors of this adjacent dwelling (no. 4 Woodlands Terrace), be detrimental to the amenities enjoyed by the occupiers of this adjacent property, particularly in terms of its overbearing impact and resultant overshadowing, reduced outlook and reduced day light impacts. As such, the proposed development would not accord with the adopted South Tyneside Local Development Framework Policy DM1 (B) or the associated design guidance held within Supplementary Planning Document 9: Householder Extensions."

SPD9 does not provide any clear guidance as to what makes this unique proposal unacceptable. With regard to two storey rear extensions the primary concern of SPD9 is safeguarding the privacy of adjoining owners, with no specific guidance on overshadowing or over bearing.

The orientation of the house is such that for much of the later part of the day the sun would already be setting behind the existing houses. In this instance, the storey heights have been kept to a minimum and the glazed balcony area both smaller and allowing more light to reach 4 and 5 Woodlands Road than the balconies permitted on the adjoining dwellings.

The Appellant simply wants the LPA to make a fair and consistent decision on the proposed plans having allowed these bigger and bulkier extensions to the adjoining properties under the same policies.

For these reasons the Appellant does not believe that the proposed extension creates an unacceptable level of overshadowing, or an overbearing design, and respectfully requests that the Inspector grant this Appeal.