DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0210/23/FUL
Proposal: Garden Room/Office
Location: 19 Thurston Gardens
Jarrow
NE32 4AH

Site Visit Made: 16/05/2023

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Description of the site and of the proposals

The applicant's property is a ground-floor flat located in Thurston Gardens in Jarrow. It is part of a collection of 4 (2 ground floor/2 first floor) flats located at the end of the cul de sac at Thurston Gardens. To the southern boundary is a public footpath/highway connecting Grasmere Avenue and Lodore Grove. To the west of the property is Grasmere Avenue with an electrical substation located on the western common boundary. To the east boundary is 16 Lodore Grove.

The applicant seeks planning permission for a single-storey outbuilding, to be used as a garden room / office. It will be constructed from dark grey composite wall cladding, dark grey upvc framed windows/door and dark grey membrane roof covering. It will be located on the southern boundary. The proposed outbuilding will measure 3.3 metres in length, 4 metres in width and a total height of 2.7 metres. It will include patio doors to the front elevation and four windows to the side elevation.

Publicity / Consultations (Expiry date 11/05/2023)

1) **Neighbour responses**

None received.

2) **Other Consultee responses**

None received.

Other Relevant Matters

The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. The requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.

In this instance it is considered that the proposals do not raise any specific implications in these respects and therefore it is not considered that a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is required.

Assessment

The main issues relevant to the determination of this application are the:

- Design of the proposal and its impact on visual amenity;
- Impact on residential amenity; and
- Highway safety and parking.

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.

Design, character and visual amenity

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.

The proposal is a relatively modest addition to the property. The proposal will be visible above the 1.8 metre fence and will project 0.9m above the existing 1.8m fence. Whilst the proposed materials, would not match the existing properties' brick material or white UPVC it is not deemed that the proposal would result in a significant visual impact on the application property or the neighbouring properties to result in significant harm. The proposed outbuilding will not be visible from Thurston Gardens due to its location at the rear.

The proposal would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Residential amenity

Policy DM1(B) requires a development to be acceptable in relation to any impact on residential amenity.

Overdominance/ Loss of outlook/overshadowing:

The proposed outbuilding will be located on the southern boundary that borders the public footpath and it is noted that the proposal will project 0.9 metres above the existing 1.8 metre fence. However, due to the location of the public footpath, it is deemed the height above the fence will not result in significant overdominance/loss of outlook/overshadowing. The proposal will be located 0.6 metres away from the common boundary with 16 Lodore Grove, which forms the rear boundary to the property. The rear elevation of this neighbouring property is set 15m from the boundary, which is considered to be a sufficient separation distance to ensure no loss of amenity. Furthermore, the proposal would be located 14.45 metres from the western boundary with no. 20/21 Thurston Gardens and as such it is deemed would not result in significant overdominance/loss of outlook.

Overlooking/Privacy Concerns:

The proposed patio doors will face towards the western boundary, located 14.45 metres from the common boundary. The elevation would be orientated away from the neighburing residential properties and face National Grid land with electric facilities adjacent, and due to the nature of the land would not result in significant overlooking/loss of privacy.

The proposal includes windows to the northern elevation of the proposed outbuilding, but these will face primarily towards the applicant properties' eastern elevation and will not face directly towards a neighbouring property and as such is acceptable.

For these reasons, it is not considered that the development would result in harm to the amenity of surrounding residents; and would accord with LDF Policy DM1 (B), SPD9, and the requirements of the NPPF, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Highways and parking

The application property includes one off-street car parking space to the front and this will remain unaffected due to the nature of the works. As such the proposal would not result in an unacceptable impact on highway safety or off-road vehicle parking; and would be in accordance with LDF policy DM1 (G) and the guidance as set out within SPD9.

Recommendation

It is considered that the development would be in accordance with LDF Policy DM1 (A, B and G), the associated Supplementary Planning Document (SPD) 9 'Householder Developments', and the requirements of the NPPF.

In conclusion it is considered, taking the above and all other relevant material planning considerations into account that the application should be recommended for approval subject to conditions.

Recommendation

Grant Permission 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

Existing and Proposed Plans Drg No AL(0) 100 Recieved 21.03.23.
Existing and Proposed Site Plans and Site Location Plan Drg No AL(9) 100 Recieved 21.03.23

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 facing materials of the development hereby permitted shall be as detailed on the existing and proposed plans Drg No AL(0) 100 Received 21.03.23.

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

Case officer: Drewe Russell
Signed: Drewe Russell
Date: 07/06/2023

Authorised Signatory: Helen Lynch
Date: 07/06/2023

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