DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0221/23/HFUL
Proposal: Flat roofed rear extension and loft conversion.
Location: 2 Cleaside Avenue
South Shields
NE34 8DQ

Site Visit: 26 April 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 property is a semi-detached single storey brick and tiled roof constructed property located in South Shields. The property is part of a collection of semi-detached brick and tiled roof properties located on Cleaside Avenue. The applicant property is a corner property located on Cleaside Avenue and Sunderland Road. It includes a front and rear garden. To the east of the application site is 4 Cleaside Avenue, the adjoining semi, to the north the highway of Cleaside Avenue with properties beyond, to the south 1 Sunniside Drive and to the west the highway of Sunderland Road with properties beyond.

The proposal is for a single storey flat roofed rear extension and a loft conversion. The single storey flat roof extension is proposed to project 3.7 metres and have a width of 6.5 metres and a total height of 3.2m. It proposes bi fold doors to the rear and three Velux roof lights in the flat roof.

The proposed loft conversion does not include significant alterations to the existing properties roof form but the addition of three roof lights to the rear and one roof light to the front.

The application has been amended to remove the inclusion of a driveway and dropped kerb, which would have been permitted development. Amended plans and an amended description have been received. In accordance with the council's SCI, no further re-notification to neighbours has been undertaken.

Publicity / Consultations (Expiry date 19/05/2023)

1) Neighbour responses

1 neighbour objection received from 1 Sunniside Drive that can be summarised as:

- It will severely compromise my privacy on my property. My Garden will no longer be private, and will be overlooked by their extension. I have lived here for the last 37 years and had no issues whatsoever with this property, and pride myself in the fact it is extremely well kept, and has privacy for myself and my family.
- Not wanting to have neighbours that can look into my garden, or my bedroom window.

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 proposed rear extension will be constructed from brick and white UPVC to match the existing property. It is noted that the flat roof proposed does not match the pitched tiled roof of the existing property, but it is not deemed that the proposal would result in significant harm to the design and character of the existing property or wider streetscene. The proposed extension will be partially visible from Sunderland Road due to the corner location of the property but due to its scale, size, design and use of appropriate materials it is not believed would result in significant harm.

The proposed loft conversion would involve the installation of three Velux windows to the existing rear elevation roof and one to the front elevation roof, however due to their location, positioning on the roof slopes, design and scale, the proposed rooflights to facilitate a loft conversion, would not result in significant harm to the host property or wider street scene.

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:

The proposed rear extension will be located adjacent and in alignment to the existing single storey offshot to the rear of the property, which links to a similar projecting rear element to the neighbouring

property no. 4 Cleaside Avenue. As such the proposed extension would be screened from view; the extension set in 2.85 metres from the common boundary with the adjoining semi-detached property, and not extending beyond the rear building line of the offshot. As such there would be no resultant loss of amenity to the occupiers of no. 4 Cleaside Avenue through these proposals. The proposed rear extension would be located 7.8 metres from the common boundary with 1 Sunniside Drive, to the rear of the application site and it is considered that due to this separation distance that the proposal will not result in significant overdominance/loss of outlook to the occupiers of this neighbouring property. The proposed rear extension will be located 5 metres from the western boundary that borders Sunderland Road, with the highway and properties beyond. It is considered that due to the separation distance that the proposals will not result in significant overdominance/loss of outlook to users of the highway or residential properties to the west of Sunderland Road.

The proposed rooflights to the front and rear elevation of the existing property will not result in significant overdominance/loss of outlook/overshadowing to neighbouring properties due to the nature of the works.

Overlooking/Privacy Concerns:

The proposed rear extension includes bi-fold doors to the rear of the proposed rear extension and three roof lights. The proposed bi-fold doors will primarily face towards the applicant's own garden and the rear boundary with no. 1 Sunniside Drive, which comprises a timber slatted fence, retaining wall and partial brick wall formed from the neighbours outbuilding. There are two existing windows within the rear elevation of the application property serving a bathroom and living room. The proposal would introduce bi-fold doors to a kitchen/dining/living space 3.7m closer to the boundary with no. 1 Sunniside Drive. A representation received from the occupiers of no. 1 Sunniside Drive raise concerns in respect of the resultant loss of privacy to their property (habitable, bedroom windows) and garden. SPD9 states that '*windows of extensions should be positioned so that they do not directly look into the habitable room windows of neighbouring properties*.' It proceeds to state that '*acceptable separation distances between habitable room windows on a proposed extension and those on the main rear elevation of facing dwellings should be sufficient to ensure a reasonable level of privacy for the residents opposite. This will be assessed on a case by case basis'*. As referenced above there would be a separation distance of 7.8m between the rear elevation of the extension and common boundary, formed from timber fencing and a partial brick wall. The rear elevation to No. 1 Sunniside Drive is itself set a further 14.82m from the boundary. As such, it is considered that this would provide a sufficient separation distance to ensure no loss of privacy or overlooking to habitable room windows from the proposed extension.

The representation also refers to loss of privacy to the rear garden of no. 1 Sunniside Drive. In respect of gardens and outdoor space SPD9 states that '*The extent to which an extension impacts on a neighbour"s outdoor space is a material consideration but is given less weight than impacts from within the dwelling*.' It is considered that due to the separation distance to the common boundary of 7.8m, the retained boundary enclosure between the two neighbouring properties and noting the existing location of windows within the rear elevation of the application site, that there would be no substantial loss of privacy to the rear garden area of no. 1 Sunniside Drive.

Due to the location of the proposed roof lights and the nature of them, they will not look directly into a neighbouring properties private amenity space and as such are 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.

<u>Highways and parking</u>

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

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 02/CA/02 received 09/03/2023

Drg No 02/CA/01 received 09/03/2023

Drg No 02/CA/03 received 09/03/2023

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, with the exception of the flat roof and where otherwise indicated on drg no. No 02-CA-01 received 07/06/2023.

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: 07/07/2023

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

«END»