

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0255/23/HFUL
Proposal: Demolish existing single storey rear lean-to conservatory. Construct new single storey rear kitchen/family/dining room extensions with 3 no. flat roof rooflights. Black r.w. goods/fascias, dark grey door/window framing and off white render to existing bungalow.
Location: 53 Elmsleigh Gardens
Cleadow
SR6 7PU

Site Visit Made: 26/04/2023

Relevant policies/SPDs

- 1 DM1 - Management of Development (A and B)
- 2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a single-storey bungalow located in Cleadow that includes a front driveway and rear garden. To the south of the applicant property is 51 Elmsleigh Gardens and to the north is 55 Elmsleigh Gardens, the attached semi-detached bungalow. To the west of the property is the rear gardens of 20-21 Ashleigh Gardens.

The applicant seeks planning permission for the demolition of the existing single-storey rear lean-to conservatory and the construction of a new single-storey rear kitchen/family/dining room extension with 3 no. flat roof rooflights. The proposed extension has a total length of 7.9 metres, a width of 6.8 metres and a maximum height of 3 metres. It will extend and be located on the common boundary with 55 Elmsleigh Gardens for the first three metres with the remaining projection of 4.9m, being set away from the boundary by 1 metre. It will include bi-fold doors to the rear.

Publicity / Consultations (Expiry date 09/05/2023)

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.

SPD9 states that for single-storey rear extensions extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses or 3 metres in respect of semi-detached or terraced houses will generally be acceptable. Where such extensions do not exceed 4 metres in height, in either case, the development would be permitted development, unless such rights were withdrawn when the original development was granted planning permission.

The proposed single-storey rear extension will be a relatively large addition to the property that will incorporate a flat roof, which although will not match the existing property's pitched roof with roof tiles, it is not considered to be an unacceptable form of development or of an inappropriate scale and design and as such is acceptable. The proposed rear extension will be constructed from brick and render to match the existing property materials which represents a sympathetic addition. It is noted that the proposed windows and doors will be dark/grey window framing which does not match the existing white UPVC to the remainder of the property, but due to the location to the rear will not result in significant harm and as such is acceptable.

To ensure the appropriate use of materials, a condition will be attached to the application to ensure the use of existing external materials (except where expressly stated otherwise, such as the roof material and proposed windows and doors).

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 have a total length of 7.9 metres, with the first 3 metres located on the common boundary with 55 Elmsleigh Gardens to the north. Beyond 3 metres, the extension will extend and project a further 4.9 metres, set in 1 metre from the common boundary with 55 Elmsleigh Gardens. This separation distance of 1 metre will help reduce overdominance/loss of outlook to 55 Elmsleigh Gardens. There is a rear window within the rear elevation of no. 55, and a further opening within the

side elevation of the existing rear offshoot and glazing to the side elevation of the conservatory, facing towards the application site and common boundary. Currently the rear window to the rear elevation and the window to the side elevation of the rear offshoot, are located adjacent to or face towards the boundary fence (1.75m solid timber fence with 300mm trellis above) and the existing flat roof extension to the rear of the application site and as such it is not considered that the outlook from or impact to these windows would vary significantly from existing. Furthermore, due to the flat roof design of the proposed extension, its total height would be 3m, therefore only extending (and being visible) for approximately 1m above the existing boundary fence. In terms of the existing conservatory to no. 55 and the resultant impact to outlook, the conservatory is set away from the common boundary to the application site by 3.25m and coupled with the additional set in of the proposed extension from the common boundary of 1m, its overall height and that visible above the common boundary, it is not considered that the proposed extension would result in a loss of outlook or be an over dominant development. The proposal will be located 1 metre from the common boundary with 51 Elmsleigh Gardens, which has itself been extended to the rear. The proposed extension would project 3.6 metres beyond the rear elevation of no. 51 (at the proposed southern elevation) and as such it is considered that the proposed extension would not result in significant overdominance/loss of outlook.

Overshadowing/ Loss of Light:

The applicant property's rear garden is a southwest orientation and due to the modest height of the proposed rear extension and the use of a flat roof, it is deemed that the proposal will not result in significant harm to 55 Elmsleigh Gardens by way of overshadowing or loss of light. Furthermore, due to the location of the proposed rear extension and the set in of 1 metre from the common boundary with 51 Elmsleigh Gardens, the proposed extension will not result in significant overshadowing/loss of light.

Overlooking/Privacy Concerns:

The proposal includes three roof lights that will not result in significant overlooking/loss of privacy due to the nature and location of these openings. Bi-fold doors are proposed to the rear of the property, but these will primarily look towards the applicant's rear garden and not towards neighbouring properties. There is sufficient separation distance to properties located at the rear within Ashleigh Gardens to ensure no resultant overlooking or loss of privacy from the rear bi-fold doors. No further openings within either side elevation towards no. 51 and 55 Elmsleigh Gardens are proposed, and as such there would be no issues in respect of privacy loss or overlooking.

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 proposal will not impact on the existing off street parking and 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 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

Existing and proposed floor plans/elevations Drawing Number:0790-5711-361. received 21.03.2023

Proposed Rear Elevation Drg No 1 received 21.03.2023

Proposed Site and Roof Plan received 21.03.2023

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 proposed work will form part except where otherwise stated on the Proposed Rear Elevation Drg. No 1 received 21.03.2023.

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: 11/05/2023

Authorised Signatory: Helen Lynch
Date: 12/05/2023

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