DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0279/23/FUL
Proposal: Demolish existing single storey rear storage extension. Construct new 3 storey flat roofed extension - freezers/store and W.C. to ground floor to rear of existing sandwich shop, office/store/W.C. to first floor and bedroom extension to second floor of existing maisonette
Location: 72 New Green Street
South Shields
NE33 5DL

Site Visit Made: 15/05/2023

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 LDF CS SC1 - Creating Sustainable Urban Areas

Description of the site and of the proposals

Planning permission is sought for the erection of a three storey extension to the rear of the above address. The proposed extension would measure 11.6 metres in total length, 7.1 metres in width, 8.6 metres to the eaves and 9.4 metres to the ridge. To the ground floor the extension would contain a freezer/ store for the existing deli use, an office/ store to the 1st floor, and 3 no. bedrooms to serve the existing maisonette to the 1st and 2nd floor. The proposed extension would be constructed from red brick and pebble dashed rendered walls and grey slate for the roof to match the existing building. No internal access between the commercial floorspace and the residential floorspace is proposed.

The application site consists of commercial unit to the ground floor (currently a deli) with residential accommodation above. The existing single storey rear extension is to be demolished as part of this proposal. The adjoining building to the south was a former Lloyds Bank which is now vacant, with a Chinese Takeaway to the west. To the rear, there is a courtyard with buildings forming a U shape around. The courtyard area runs east to west and is bounded on both sides by 2+ storey buildings. The yard is approximately 2.5 metres in width. This courtyard has a number of overlooking windows into it which serve the existing commercial uses along with extraction flues and items of plant. There are some residential windows looking into the rear yard but these belong to the existing maisonette to the application site. The site lies to the south west of South Shields town centre, and it is located within the Frederick Street district shopping centre (as defined on the Site Specific Allocations Proposals Map) .

The scheme has been amended following discussions with officers over the proposed design, so that the amended plans now show a hipped roof rather than a flat roof. Neighbours were not reconsulted upon the amended plans as the proposal would not create any additional impacts in accordance with the South Tyneside SCI.

Publicity / Consultations (Expiry date 12/05/2023)

1) **Neighbour responses**
None

2) **Other Consultee responses**
None

Assessment

Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies and all other material planning considerations, it is considered that the main issues for consideration are:

Design / visual amenity

Part 12 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment.

Policy DM1(A) of the South Tyneside LDF seeks to ensure new development is appropriate for the host building.

The proposed north facing elevation of the extension would be visible from New Green Street. The proposed plans have been amended so that a pitched roof is proposed to the extension rather that a flat roof. Whilst the 11.6 metre long projection of the extension is noted, the development would be views in the context of existing larger commercial scale properties adjacent at both Frederick Street, New Green Street and Laygate, however is not considered the development would compromise the wider character of the area as a result of the existing building's design and the position of the proposed development.

The extensions would be constructed in materials matching the existing building, whilst the details of the proposed lighting are also considered acceptable. It is judged that the development would convey sensitive consideration of its surroundings, having regard to scale and proportions, use of materials and architectural detailing, subject to a condition requiring sample materials of external materials being submitted and approved. In this regard the development is proposed to accord with LDF Policy DM1 (A).

Impact on residential amenity

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

The case officer has checked with the South Tyneside Council Tax team and where it has been confirmed that only the application site is used for residential use to the upper floors (and where there is no residential use in the adjacent / immediate neighbouring properties). Whilst the increased ridge height would lead to a loss of daylight / light to the rear yard, it is already substantially enclosed on all sides by multiple storeys and given its orientation the actual loss of daylight / light to it (the yard) would not be to a demonstrably harmful extent over the existing situation.

The proposed bedroom windows to the 2nd floor would look onto the adjacent roofslope of 83 Laygate, which would be sloping away from the proposed windows, and as such would provide sufficient outlook to serve these habitable room windows.

Taking into account the established commercial character of this part of South Shields and the position of the nearest residential properties, it is not considered that the proposals would result in harm to the residential amenity of the neighbouring occupiers; and would accord with LDF Policies DM1 (B) 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.

Conclusion

It is considered that the proposed development would be acceptable in terms of the relevant material planning considerations and would accord with development plan policies. The proposal is therefore considered to be an acceptable form of development.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

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

Drg. No. 0794-7886-327 Rev. A received 16/05/2023.
Drg. No. 2 Rev. A received 16/05/2023.
Proposed Site and Roof Plan Rev. A received 16/05/2023.
Drg. No. 1 received 24/03/2023.

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.

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

3 UNIQUE NOTE TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls,

boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
https://www.gov.uk/party-wall-etc-act-1996-guidance

Case officer: Adam Williamson
Date: 28/06/2023

Authorised Signatory:
Date:

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