DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0337/23/HFUL
Proposal: Demolish existing detached garage. Construct new single storey side/rear kitchen/family dining room extension with 3 No. rooflights. Convert part of existing kitchen to W.C. with new side window
Location: 39 York Avenue
Jarrow
South Tyneside
NE32 5QN

Site Visit Made: 04/07/2023

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 two-storey semi-detached house located on York Avenue. The property includes a detached garage and an outbuilding located to the rear of the garden. To the north of the applicant property,and adjoining the application site is 41 York Avenue and to the south is 37 York Avenue.

The proposal is for a proposed rear / side extension. To the rear the proposal will project a total distance of 3.9m and include a chauffeured corner adjacent to the boundary with no. 41 York Avenue, where it extends beyond 3m. Extending across the full width of the property and an additional 2.6m beyond the side elevation of the main dwelling, the proposals will be located 150mm from the common boundary with 41 York Avenue and 900mm from the common boundary with 37 York Avenue. The proposals will be constructed from brick to match the existing property and proposes bi-fold doors to the rear, and a window to the proposed front (western elevation), where the extension extends beyond the existing side elevation of the property.

To facilitate these proposals the existing detached garage will be removed.

The proposals have been amended following consideration of initial plans, the extension would project 3m along the common boundary to no. 41 and then introduce a chamfered corner, with the extension projecting to 3.9m, pulling the development away from the common boundary. In accordance with the Council's SCI, no further neighbour re-notification has taken place, with the proposals being reduced in scale.

Publicity / Consultations (Expiry date 15/06/2023)

1) **Neighbour responses**

None received.

2) **Other Consultee responses**

Not applicable.

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 proposed rear extensions, single- storey rear 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 proposal will be located to the rear of the property so will not result in significant harm to the streetscene. Although it will be partially visible from the streetscene, due to the proposal extending to the side, due to the setback from the streetscene it will not result in significant harm.

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.

The proposal will not result in significant harm in terms of loss of outlook, over dominance or overshadowing to the 37 or 41 York Avenue due to its relatively modest projection and the addition of the chamfered corner.

The proposal will not result in significant overlooking or loss of privacy to 37 or 41 York Avenue as no windows are proposed on that elevation. Bi-fold doors are proposed to the rear elevation but will be

located 13m from the common boundary. A window is located on the western elevation but this will primarily look towards the applicants driveway and not directly to a neighbouring property.

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 result in the loss of the existing detached garage but due to the existing driveway it will provide sufficient off street parking and would be in accordance with LDF policy DM1 (G) and the guidance as set out within SPD9.

Conclusions

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.

Recommendation

Taking the above and all other relevant material planning considerations into account that the application should be recommended for approval.

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

AMENDED Existing and Proposed Plan Drg No.0797-7624-460 Rev B 31.07.23
AMENDED Proposed Plan Drg No.1 Rev B 31.07.23
AMENDED Proposed Site and Roof Plan Rev A 31.07.23

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 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

Case officer: Drewe Russell
Signed: Drewe Russell
Date: 14/08/2023

Authorised Signatory: Helen Lynch
Date: 15/08/2023

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