DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0341/23/HFUL
Proposal: Demolish existing single storey rear conservatory. Construct new single storey kitchen/family/dining room extension to rear with associated alterations to door/window arrangements and 1 No. new roof light. Convert existing attached garage to bedroom.
Location: 55 Summerhill Road
South Shields
South Tyneside
NE34 6RZ

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 applicant property is a two-bed brick semi-detached house located on a corner plot location on Summerhill Road and Pinewood Villas. It includes a front garden with driveway to front and a rear garden. To the east of the property is 53 Summerhill Road and due to the corner location of the property there is no property immediately to the west.

The proposal is to demolish an existing single storey rear conservatory, construct a new single storey kitchen/family/dining room extension to rear with associated alterations to door/window arrangements and 1 no. new roof light and conversion of the existing attached garage to a bedroom.

Planning permission to the application site, reference ST/0804/22/HFUL, was refused consent on 15/11/2022 for the ddemolition of an existing single storey rear conservatory and the construction of a new first floor side extension over existing garage/sun lounge (en-suite bedroom extension). The application also sought to construct a new single storey kitchen/family/dining room extension to the rear with associated alterations to door/window arrangements of the roof, with 3no. roof lights. Permission was also sought to change the existing hipped roof to the porch/garage to a 'lean to' roof. The reason for refusal was as follows:

The proposed first floor side extension by virtue of its substantial projection beyond the established building line on the eastern side of Summerhill Road, its scale and its hipped roof design would appear as an incongruous, overdominant and out of character feature in the streetscene and in relation to the pair of semi-detached dwellings of which it forms part resulting in significant harm to the visual amenities of the locality. This would be contrary to Policy DM1(A) of the South Tyneside Local Development Framework, the Council's Supplementary Planning Document (SPD) No.9 - Householder Developments and the National Planning Policy Framework (NPPF).

The refused application went to appeal after receiving the refusal above (Appeal Ref: APP/A4520/D/22/3311338). The appeal was dismissed on 10th January 2023 with the main issue cited as the effect of the proposed development on the character and appearance of the area.

This current planning application is an amended scheme, to that previously refused, removing the first-floor side extension originally proposed and amending proposals for a rear single storey extension and the conversion of the existing garage to habitable accommodation.

Publicity / Consultations (Expiry date 20/06/2023)

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

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

LDF Policy DM1 seeks to preserve residential and visual amenity.

SPD9 provides guidance on householder developments.

Rear Extension

In relation to rear extensions, SPD9 states that single storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 3 metres in respect of semi-detached or terraced houses will generally be acceptable.

The proposed rear extension would replace the existing conservatory and would project 2.3m from the main rear elevation of the host property adjacent to the boundary with No. 53 Summerhill Road, the attached property. Tthis projection would be the same as the existing conservatory. The roof of the extension would be 0.2m higher than the existing conservatory. It is not considered that this would result in any significant further harm to the residential amenity of No. 53, particularly in terms of loss of outlook, overdominance and overshadowing. There would be no windows in the side elevation of the rear extension facing towards No. 53 and so there would be no significant loss of privacy to No. 53.

The design of the rear extension would be acceptable. It would not result in significant harm to the visual amenity of the area.

For these reasons, it is not considered that the rear extension 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.

Garage

The proposed conversion of the garage will require the removal of the existing garage door, bricking up and insertion of a window. The proposal would use matching materials to that of the existing property which represents a sympathetic addition to the existing property and wider streetscene. A window would be of a suitable design and proportions to the main dwelling and will face the applicants own front driveway and wider streetscene, not resulting in significant loss of privacy/harm to a neighbouring property.

Highways and parking

The proposal would result in the loss of the existing garage, through the proposed conversion to a habitable room. However, the existing driveway (which it is noted has a depth of 4.7m and therefore slightly below dimensions as set out in SPD9) would be retained. As such the property will still provide one off street parking space on the front driveway, not differing from the existing off-street parking provision and 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.

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

Proposed Site/Roof Plan received 27/04/2023

Drg No. 0773/7137/898 received 27/04/2023

Drg No.1 received 27/04/2023

Drg No.2 received 27/04/2023

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

Case officer: Drewe Russell
Signed: Drewe Russell
Date: 10/07/2023

Authorised Signatory: Helen Lynch
Date: 11/07/2023

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