DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0354/23/HFUL
Proposal: Demolition of conservatory and erection of single storey side extension
Location: 102 West Avenue
South Shields
NE34 6BH

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-storey brick and tiled roof semi-detached property located in South Shields. The property includes a front driveway and a rear garden. To the south of the property is 98 West Avenue, and an intervening strip of land, which is enclosed /gated and not developed, includes grass, trees and shrubbery. To the north is 104 West Avenue (the attached neighbour). To the east is the rear garden of 27 Moor Avenue and to the west highway with further properties beyond.

The proposal is for the demolition of an existing conservatory and erection of a single storey side extension. The proposal will replace the existing conservatory, located to the side of the property and towards the rear of the two-storey side extension, which includes a garage at ground floor. The proposed single storey side extension will be constructed from grey silicone render and include a flat roof. It proposes a sliding door to the south-eastern elevation. The proposal will measure 4.4 metres in length, have a 2.7 metre projection with a total height of 3.2 metres.

As described above, there is an intervening strip of land between the application site and the boundary of no. 98 West Avenue. The landowner has not been identified. Based on the proposals, where the development would not project beyond the existing side elevation of the property, the proposal would not prejudice the landowner.

Publicity / Consultations (Expiry date 04/07/2023)

1) **Neighbour responses-** letters of notification were issued and the application was publicised on the council's website.

   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.

The proposed single storey side extension is to be constructed from render and a flat roof which, whilst not matching the existing properties brick and tiled roof in terms of design and materials, will not represent a harmful addition. The proposal will be located to the rear of the property and will be hidden from the streetscene, by virtue of the existing built form of the property. As such, due to the proposals location it will not result in significant harm to the existing property or the wider streetscene.

As such, 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, overshadowing and loss of light:

The proposal, due to its position on the adjacent elevation to the common boundary with 104 West Avenue, will not result in significant overdominance, loss of outlook, overshadowing or loss of light. The proposed single storey side extension will be located 4.4 metres from the southern common boundary and due to this resultant separation distance to no. 98 West Avenue (located beyond intervening land) will not result in significant overdominance, loss of outlook, overshadowing or loss of light to this property or result in any impact to the intervening land.

Furthermore, due to the position of the proposed extension and relationship to further neighbouring properties, the extension would not result in a loss of amenity through over dominance, loss of outlook, over shadowing or loss of light, to any other neighbouring properties.

Overlooking/Privacy Concerns:

The proposal includes sliding doors to the side elevation that will face towards the southern common boundary. It is considered this opening will not result in significant overlooking/loss of privacy to the adjacent land or 98 West Avenue located beyond, due to the separation distance of 4.4 metres to the existing boundary fence, which would be retained at a height of 1.8m and noting existing planting, which provides further screening.

As noted above, due to the position of the proposed extension and relationship to further neighbouring properties, the extension would not result in a loss of amenity to any other neighboring properties through overlooking or loss of privacy.

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 would not result in an unacceptable impact on highway safety or off-road vehicle parking, with the current off street parking retained. As such, the proposal 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

Drg No 3181 received 05/05/2023

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 facing materials of the development hereby permitted shall be as detailed on the planning application form received 05/05/2023 and Drg. no. 3181 received 05/05/2023.

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: 01/08/2023

Authorised Signatory: Helen Lynch
Date: 01/08/2023

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