DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0581/23/HFUL
Proposal: Single storey and two storey rear extension. Convert garage to store/garden room
Location: 60 Cauldwell Villas
South Shields
NE34 0SX

Site Visit Made: 06/09/2023

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 consists of a semi detached dwelling located on Cauldwell Villas, South Shields. The dwelling is constructed from brick to the ground floor with render above. The front the dwelling has a double height bay window, and a parking area for 2 vehicles. Access to the dwelling is taken from the southern side facing elevation. To the rear of the site is a detached garage which is accessed via the gap between 60 and 62 Cauldwell Villas. The rear garden of the application site is enclosed with a 1800mm high close boarded fence. There is an existing single storey rear extension to the application site which is to be demolished as part of this scheme. To the north is the adjoining dwelling, 58 Cauldwell Villas, which has a 5 metre long single storey rear extension which is built to the shared boundary. The detached neighbouring dwelling to the south no. 62 Cauldwell Villas, has a 3 metre long flat roof two storey extension to the rear.

Planning permission is sought for the erection of a two storey rear extension and single storey rear extension at the above address. The proposed two storey extension would project 3.3 metres from the rear of the dwelling, with the single storey element projecting a further 2 metres beyond that. The proposed extensions would be full width, measuring 5.7 metres. The two storey element would measure 5.7 metres to the eaves and 7.9 metres to the ridge and would have a hipped roof to match the dwelling. The single storey element would measure 2.4 metres to the eaves and 3.8 metres to the highest point. The side elevations of the extension would be blank, with sliding doors to the ground floor serving a kitchen, and 2 rooflights to the single storey element and 2 windows serving a bedroom and ensuite to the first floor. The extension would be constructed from brick and render to match the host dwelling.

The application also seeks to convert the existing detached garage into a garden room. The garage door would be retained, and an internal wall would be erected to make a storage area. A window is proposed to the western elevation and sliding doors to the northern elevation.

Publicity / Consultations (Expiry date 11/09/2023)

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, including representations received, it is considered that the main issues for consideration are the impact upon on visual amenity; and the impact on residential amenity.

Design and Impact on 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) 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 (House Holder Developments) of the South Tyneside LDF provides guidance in respect of householder developments.

In terms of the impact of the rear extension upon visual amenity LDF Policy DM1 criterion A makes clear that in determining all applications under the Planning Acts the council will ensure that, where relevant: the development, including new buildings, extensions and alterations to existing buildings, is designed to convey sensitive consideration of 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;

This proposed extension is large, but it is to the rear of the property and it will not be prominent from within the public realm. This total projection is split between a first-floor element that would project 3.3 metres and a ground floor element which would project 5.3 metres from the rear of the dwelling. However, the dwellings within this estate have rear offshoots including those found at both the application site and neighbouring properties. These rear offshoots are a strong characteristic of Cauldwell Villas and the houses that back onto the application site. The vast majority of these offshoots however are single storey but the length of the gardens separating the gardens are significant providing generous back-to-back distances between the houses. The proposed rear extension is considered to be a suitably designed rear extension, being proportionate in terms of its overall scale and massing and using a similar palette of materials to the host property. The roof of the proposed two storey element would be set down by 1 metre from the ridge of the dwelling.

This scheme is therefore considered to be acceptable and in accordance with Policy DM1(A) and the associated SPD9.

Residential Amenity

Parts 12 and 15 of the NPPF, require that a good standard of amenity for existing and future users be ensured. In line with this, Policy DM1(B) of the South Tyneside LDF seeks to protect residential amenity of neighbours from harmful impacts from development.

The council's SPD9 guidance makes clear that single- storey rear extensions that would extend beyond the rear wall of the original dwelling house by 3 metres in respect of semi-detached houses will generally be acceptable. However in terms of two-storey rear extensions SPD9 explains that in instances where these type of extension would project 3 metres from the rear wall of the original dwelling, and be set in 2 metres from the any side boundary and 7 metres from the rear boundary (opposite the rear wall of the dwelling) these will often be permitted development, and will generally be acceptable in many situations

unless specific impacts of privacy, over-dominance or over-shadowing arise for neighbouring properties. On widely spaced houses SPD9 makes clear, there may be scope for larger rear extensions if it can be demonstrated that there will be no adverse impact on residential amenity for occupiers of neighbouring properties.

Planning applications will be assessed by having regard to permitted development limits within the General Permitted Development Order (GPDO), and the principles listed in Section 3 of the SPD9 document. In particular acceptable separation distances between habitable room windows on a proposed extension and those on the main rear elevation of facing dwellings should be sufficient to ensure a reasonable level of privacy for the residents opposite. This will be assessed on a case by case basis.

The adjoining neighbouring property, no 58 Cauldwell Villas lies to the north of the application site, with the rear gardens facing west. This neighbouring property (no. 58) has an existing 5 metre long single storey extension constructed onto the shared boundary with the application site. The proposed two storey extension would project 3.3 metres from the rear elevation at 1st floor.

The 45 degree rule is a common guideline (established by the Building Research Establishment Group to assess sunlight and daylight). This standard can be used by local planning authorities to determine the impact from a housing development proposal on sunlight and daylight to neighbouring properties.

The proposed first floor element of the two storey rear extension at no. 60 would be visible from within the first floor rear bedroom window of No. 58 Mortimer Road. However, when measuring a 45-degree angle from the centre of the rear bedroom window, the proposed rear extension would only extend over the 45-degree line marginally, and therefore there would continue to be sufficient outlook from the habitable room window. In order to maintain privacy a condition is recommended so that no windows or openings can be made in the northern elevation of the proposed extension by way of a condition.

In terms of overshadowing impacts, given the orientation of the properties, as the adjoining neighbouring dwelling lies to the north of the application site, and as the sun rises in the east and moves westwards during the day, by mid-morning, the existing heights of the dwellings already cause a degree overshadowing to the rear gardens. The proposed extension would increase overshadowing to the rear garden of no. 58, however it is considered that this would not be to such a significant further level or sustained period to have an adverse or harmful impact on the attached neighbour. SPD9 states that the overshadowing of outdoor spaces is given less weight than impact within the dwelling. Where the affected space is part of a small plot land/or the overshadowing removes the only area of sunlight a receives, this may be given increased weight. A large proportion of the rear garden of no. 58 would be unaffected by overshadowing from the proposed development given its approx. 6.5 metre width and substantial depth of approx. 11 metres. It is therefore considered on balance, the occupiers of no. 95 Cauldwell Villas would not be significantly adversely impacted in terms of loss of privacy, outlook, overdominance or overshadowing.

Given the orientation of the application site and the rear extension works in relation to the detached neighbour at 62 Cauldwell Villas to the south, there would be no loss of privacy, overbearing or overshadowing impacts created to the detriment of this dwelling as a result of the works proposed.

It is considered for the reasons elaborated above that the proposal would be acceptable in relation to the impact on the residential amenities of the occupiers of the neighbouring properties and in accordance with Policy DM1 criterion B of the Local Development Framework Development Management Policies and the associated SPD9.

Other matters

The proposed works to convert the garage to a sunroom do not require planning permission, falling within permitted development set out under Schedule 2 Part 1 Class E of the General Permitted Development Order (as amended).

Conclusion

It is considered that, in the site circumstances and context of this particular case, that this proposal satisfies the objectives of Local Development Framework (LDF) policies DM1 (A and B), having regard to all other material planning considerations, including the design guidance in SPD9. The proposal is considered to be an acceptable form of development, subject to the inclusion of the suggested conditions.

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

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 Plans Drg No 1 received 02/08/2023
Existing and Proposed Plans Drg No 0787/4822/034 received 02/08/2023
Existing Site and Roof Plan received 02/08/2023

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.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no window or other opening additional to what is shown on the approved plans shall be made in the northern side elevation of the extension hereby permitted facing No.58 Cauldwell Villas South Shields unless an

application for planning permission has been approved in writing by the Local Planning Authority.

To safeguard the privacy and amenity of the occupiers of adjacent properties and 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: Adam Williamson
Date: 15/09/2023

Authorised Signatory:
Date:

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