DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0044/24/VC
Proposal: Application under Section 73 of the Town & Country Planning Act 1990 to vary Condition 2, Approved Plans, of ST/0375/23/HFUL to replace the part side dormer window with pitched roof and part rear dormer window with flat roof for a pitch to gable roof extension and rear dormer with flat roof.
Location: 24 Summerhill Road
South Shields
NE34 6DT

Site Visit Made: Previous application - 26/06/2023

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)
2 SPD9 - Householder Developments

Description of the site and of the proposals

The application site is a semi-detached residential property, situated within a residential area of South Shields.

This is an application under Section 73 of the Town and Country Planning Act 1990 to vary Conditions 2 of ST/0375/23/HFUL. The approved hipped side dormer would be removed from the scheme and a hip to gable extension is proposed. To the rear, the approved flat and pitched roof dormer would be amended and a flat roof dormer is proposed.

Planning permission ref: ST/0375/23/HFUL was granted on 14/07/2023 for the following works: *"*Demolition of detached pre-fabricated garage, brick outhouse. Construction of single storey side and rear garage, single storey rear snug extension, and single storey front porch extension. Conversion of loft to create bedroom and ensuite with part side dormer window with pitched roof and part rear dormer window with flat roof. Replacement of bay window with PVCu window. Removal of pebbledash and re-rendering of external walls. Formation of rear patio area.*"*

That permission was subject to three conditions - Condition 1 related to development commencing within 3 years.

Condition 2 states as follows:

> *The development shall be carried out in accordance with the approved plan(s) as detailed below*
>
> - *Drg. No. A/3587/02 - Proposed Plans - Received 15/05/2023*
>
> *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*

Condition 3 related to external materials.

Publicity / Consultations (Expiry date 16/02/2024)

1) **Neighbour responses**
   None received

2) **Other Consultee responses**
   N/A

Assessment

The principle of the proposed development has already been established, by virtue of the grant of ST/0375/23/HFUL; and this is not open for re-examination or re-consideration in dealing with a planning application that has been made under section 73 of the Town and Country Planning Act.

The main issues relevant to the assessment of this proposal are the:

- Design of the proposal and its impact on visual amenity; and
- Impact on residential amenity

Design/Visual Amenity

The design and visual impact was considered within the previous application and it was concluded that the works sufficiently display sensitive consideration of its surroundings having regard to their scale, proportion and use of materials. This application seeks to replace the part side dormer window with a pitched roof and a part rear dormer window with a flat roof for a pitch to gable roof extension and rear dormer with flat roof. The proposed changes to the rear section of the roof would not be visible from the public domain along Summerhill Road. The proposed amendments to the side section of roof are considered to be sympathetic amendments to the already approved scheme and would not have an adverse impact on the character of the street scene.

For these reasons, it is judged that the proposed window would not appear out of scale in relation to the host building, or out of character within the immediate street scene. The development would convey sensitive consideration of its surroundings, having regard to scale and proportions, use of materials and architectural detailing; and would accord with LDF Policy DM1 (A)

Residential Amenity

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

The proposal is to amend the approved part side / part rear dormer to a hip to gable extension with rear dormer. This amendment would not affect any neighbouring properties as the proposed windows would be located in the same or similar location, the rear dormer would not be constructed any closer towards the attached neighbour and the hip to gable would not project beyond the side elevation of the existing dwelling.

As such, it is concluded that the proposal would result in no material harm to the amenity of surrounding residents. It is therefore considered that the development accords with LDF Policy DM1 (B) and the requirements of the NPPF.

Conclusion

It is considered that the development would be in accordance with South Tyneside Local Development Framework Development Management Policy DM1 (A and B), Supplementary Planning Document SPD9 (Householder Developments) and the requirements of the National Planning Policy Framework.

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. A/3587/02A - Proposed Plans – Received 22/01/2024

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, except where otherwise stated on approved plan A/3587/02A (received 22/01/2024).

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 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: Emma Thomas
Signed: E.Thomas
Date: 06/03/2024

Authorised Signatory: Seán Gallagher
Date: 14/03/2024