DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0119/24/HFUL
Proposal: Proposed Rear Extensions
Location: 10 Duchess Crescent West
Jarrow
Tyne and Wear
NE32 5QJ

Site Visit Made: 19/03/2024

Relevant policies/SPDs

Local Development Framework

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

Emerging Local Plan

3 LP Policy 47 - Design Principles

Description of the site and of the proposals

This application relates 10 Duchess Crescent West, a semi-detached bungalow in the residential area of Jarrow. The property is located on a corner plot and has a gable feature to the front and the rear and bow windows on the front and rear elevations. The property also benefits from a detached single garage and a single storey conservatory on the rear. The property is situated in a large triangular shaped plot with a paved driveway.

The attached neighbour (No.12 Thirwell Grove) is located to the west of the application site and benefits from a rear extension of the gable feature on the rear of the property. The adjacent neighbour (No. 9 Duchess Crescent West) is located to the northeast of the application site and is also a semi-detached bungalow but is orientated 45 degrees to the application site with its main outlook facing towards the southeast. No. 9, also benefits from a side and rear extensions close to the boundary with the application site.

Planning permission is sought for two rear extensions. The first extension would remove the bow window in the rear elevation of the property and replace it with a single storey porch. This extension would be 1.1m in projection and would have patio doors leading to the properties garden. The extension would have a lean to roof and with an eaves and ridge height of 2.3m and 2.5m respectively.

The further rear extension proposed would remove the existing single storey conservatory and replace it with a pitched roof extension to house a larger kitchen/diner. The extension would project 4.9m and would have an eaves and ridge height of 3.1m and 4.5m respectively to match the existing rear projection. The extension would have matching ridge tiles and upvc windows and doors to match the existing property but would be clad in light coloured render.

Publicity / Consultations (Expiry date: 20/03/2024)

1) **Neighbour responses – none received**

2) **Other Consultee responses – none received**

Assessment

The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Adopted supplementary planning documents are also capable of being material considerations in planning decisions. A Regulation 19 version of the South Tyneside Local Plan was recently subject to consultation from 15/01/2024 to 03/03/2024 and this marked the second of two statutory consultation periods in the plan-marking process. While the draft Local Plan is now at a more advanced stage of preparation, with the Regulation 19 consultation completed, the extent to which there are unresolved objections to particular policies is currently being assessed and therefore only very limited weight can be afforded to policies in the emerging local plan at the current time having regard to paragraph 48 of the NPPF. As such, any relevant emerging local plan policies that were listed earlier in this report are not appraised in detail in the assessment set out below*.*

The main issues for consideration in this case are considered to be;

- Design and visual amenity and
- Residential amenity.

Design and 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) of the South Tyneside LDF seeks to ensure new development if appropriate for the host building. SPD 9 of the South Tyneside LDF provides guidance in respect of householder developments.

The proposals are located to the rear of the application site. The rear porch extension would not be visible from the wider street scene due to it being obscured from the public realm by the existing dwelling. It is therefore considered that this element of the works would not be harmful to the visual amenity of the property or the character of the surrounding area.

The proposed kitchen extension would project 4.9m beyond the rear offshoot of the dwelling which would exceed the 3m set out in SPD9 for semi-detached dwellings. However, the application site has a long rear garden, and a number of other properties in the locality have extended in a similar way, particularly the attached neighbour at No.12 Thirwell Grove. While the extension would not have a dropped ridgeline, it could still be read as an extension due to the contrast in materials. The extension itself would only be partially visible from the wider street scene due to the presence of the detached outbuilding / garage within the curtilage of the property. Given the limited views of the proposal it is not considered that the use of render would be harmful enough to warrant a reason of refusal on this instance. Additionally, there are elements of render on other properties along Thirwell Grove and Duchess Crescent West.

Overall, it is considered that the proposals would not have an adverse impact on the visual amenity of the surrounding area or the built form of the host dwelling. A condition is suggested to ensure the facing materials are as per the application form and proposed elevations provided with the application. The proposal accords with Local Development Framework Policy Development Management DM1 (A) and the objectives of SPD9.

Residential amenity

Part 12 and 15 of the NPPF, require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being at unacceptable risk from unacceptable levels of pollution. In line with this, Policy DM1 (B) of the South Tyneside LDF seeks to protect residential amenity of neighbours from harmful impacts from development.

Given the separation distances, the proposals would not be harmful to the properties at the rear of the site. The neighbours most likely to be impacted by the proposal are the neighbours either side of the application site. The proposed porch extension would have no impact on the neighbour at No. 9 Duchess Crescent West given the separation distance from this property. No. 9 has one window facing the application site, however this appears to serve a non-habitable room and is obscurely glazed. The proposed extension would not extend past the rear extension at No. 9 Duchess Crescent West, therefore not impacting on the habitable rooms within the rear elevation of this property. It is therefore considered that the proposals would not be harmful to the residential amenity of No. 9 Duchess Crescent in respect of loss of privacy or outlook or increased overshadowing or overdominance.

The proposed porch extension would be within 0.5m of the boundary with the neighbour at No.12 Thirwell Grove and this property has a bow window within 0.5m of the shared boundary. Given the nature of the extension as a porch, the limited projection and the choice of glazing, it is not considered that this element of the proposal would result in a harmful loss of amenity to the residents of No. 12 Thirwell Grove. The proposed kitchen extension would be located 3.9m from the boundary with No. 12 Thirwell Grove. No. 12 Thirwell Grove has habitable room windows facing the application site housed within the single storey offshoot and extension on the rear of that property. However, the proposed extension would only have 1 no. high-level window facing the neighbour at No. 12 Thirwell Grove which would prevent loss of privacy to this neighbour. Whilst the habitable rooms at No. 12 Thirwell Grove would be looking onto the side elevation of the proposed extension, it would be separated from the property by approximately 4m. Additionally, the windows that would mainly be affected by the extension would be the windows housed in the single storey rear extension. SPD9 is clear that outlook created from windows in a side elevation of an extension cannot be protected should a neighbour with to develop their property. It is therefore considered that the proposals would not cause significant or unacceptable loss of outlook to the attached neighbour. Given the layout of the site and its relationship with the attached neighbour, the proposal would result in some limited over shadowing to No. 12 Thirwell Grove in the very early morning however, this would not be to a degree to be considered harmful.

Overall, it is considered that the proposal would not have an adverse impact on the residential amenity of the neighbouring properties in terms of loss of outlook, loss of privacy, overshadowing or over dominance. The proposal accords with LDF policy DM1 (B) and guidance contained in SPD9.

Other matters
The Countryside Team have confirmed that no bat survey work is required to support this application due to the nature of the conservatory and the roof not being impacted by the works. They have however requested that informative relating to bats and nesting birds be included on any consent granted. Additionally, an informative is also recommended in respect of enhancements to the natural and local environment by minimising impact on and providing net gains for biodiversity.

Summary
The proposal accords with Local Development Framework policy DM1 and Supplementary Planning Document 9: Householder Developments and is therefore considered acceptable.

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 Site Plans - Drawing Number A-03 (received 22/02/2024)

Proposed Plans and Elevations - Drawing Number A-02 (received 22/02/2024)

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 as per the planning application form (received 22/02/2024) and the Proposed Plans and Elevations Drawing Number A-02 (received 22/02/2024).

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

2 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution. Natural England Bat Advice Line: 0345 1300 228

3 Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive, though please note some birds such as pigeons may nest outside of this period. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

4 The NPPF states that planning decisions should contribute to and enhance the

natural and local environment by minimising impact on and providing net gains for biodiversity.

The applicant should include a feature in the build itself such as:

o An integrated Swift Brick, an example can be found here https://www.nhbs.com/manthorpe-swift-brick in the build itself; under the eaves of the northern or eastern aspects with a clear line of flight to and from the nest.

o An externally fitted bird box on the building

o An integrated fitted bird box as recommended in the Bat Conservation Trust guidelines. Box suggestions and guidance for installation can be found here; https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes.

o An integrated bat box in the build itself.

An integrated bat box attached to the western aspect as recommended in the Bat Conservation Trust guidelines which can be found at: https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes

o Bee bricks integrated within the building an example of which can be found here:
o https://www.greenandblue.co.uk/products/bee-brick

Case officer: Samantha Gallagher
Signed: S Gallagher
Date: 10/04/2024

Authorised Signatory: Helen Lynch
Date: 16/04/2024

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