DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0123/24/HFUL
Proposal: Demolish existing attached garage, construct new single storey side/rear extension - porch, utility room, kitchen/dining room (with rooflight) and en-suite bedroom
Location: 11 Luffness Drive
South Shields
Tyne and Wear
NE34 8AJ

Site Visit Made: 11/03/2024

Relevant policies/SPDs

LDF

1 DM1 - Management of Development (A, B and G)

2 SPD9 - Householder Developments

Emerging Local Plan

3 LP Policy SP1 - Presumption in favour of Sustainable Development

4 LP Policy 47 - Design Principles

The NPPF is also relevant.

Description of the site and of the proposals

The application property is a semi-detached mid-link dwelling located within a residential area of South Shields. The neighbour to the north is a semi-detached dwelling (no.9 Luffness Drive and the neighbour to the south are dwellings (no.13 Luffness Drive and no.8 Glamis Court). To the east beyond the rear boundaries of these properties' gardens lies properties at Glamis Court. To the west lies the highway and further properties at Luffness Drive. The proposal seeks permission to demolish the existing attached garage and to construct new single storey side and rear extension.

Publicity / Consultations (Expiry date 25/03/2024)

1) Neighbour responses

12 Luffness Drive, South Shields – Not in keeping with bungalows in the area and the building work will cause parking congestion in an already parking congested street.

2) Other Consultee responses

None

Assessment

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 making 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 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

Design / visual amenity

The proposal would be, in part, visible from the public domain. The existing attached garage would be demolished and a single storey side and rear extension would be constructed partly in its place. The rear extension element would extend approximately 2.8 metres from the original rear elevation of the property, in line with SPD9 guidance which sets out extensions of up to 3 metres are generally considered acceptable on semi-detached properties. In terms of the side extension element, this would extend approximately 1.7 metres from the side elevation of the dwelling at its widest point. The existing dwelling measures approximately 6.5 metres in width and therefore the side extension element is significantly less than half the width of the original dwelling in line with SPD9 guidance. The materials proposed include matching brick walling, white uPVC rainwater goods, fascias and frames and a dark grey fibreglass roof, all to match the existing dwelling.

Concerns have been raised from a neighbour who considers the works would not be in keeping with bungalows in the vicinity of the site, however it is noted that the elements visible from the public domain (i.e. the side extension) could be undertaken utilising the property's Permitted Development rights if it was not attached to the rear extension element. This fallback position should be awarded some weight in the decision making process. Furthermore, it is also noted there are a significant variety of properties within the vicinity of the site, many of which have had extensions differing in nature.

Given all of the above, the proposal is considered acceptable in visual amenity terms. A condition is suggested with regards to the materials matching those on the existing dwelling and in this respect the proposal would accord with LDF Policy DM1 (A) and the guidance contained within SPD9.

Impact on residential amenity

The neighbour to the north (no.9 Luffness Drive) would be located adjacent to the rear extension element, however this property has a rear extension also and the proposal would not extend beyond this neighbour's rear extension. Additionally, no openings or windows would face from the application site towards this neighbour. In this regard it is not considered any adverse amenity, overshadowing or privacy effects would occur to this neighbour.

The neighbour to the south (no.8 Glamis Court) is positioned perpendicular to the application site, with this neighbour's rear elevation facing towards the southern boundary of the application property's garden. The adjacent neighbour's side elevation (no.13 Luffness Drive) also is positioned in proximity to this southern boundary, and this neighbour has windows within their rear elevation adjacent to this element. The side / rear extension element would be positioned closest to this boundary, however would be set approximately 0.8 metres from the boundary compared with the existing attached garage and would protrude no further to the rear than the position of the existing attached garage.

Although the height of the roof (excluding the rooflight) would be approximately 0.2 metres higher than the existing attached garage, this is not considered to be significantly harmful to the amenity within these neighbours' ground floor windows, particularly as the proposal is set 0.8 metres from the boundary than

the existing attached garage, and would only protrude marginally beyond the rear elevation at no.13 Luffness Drive, and in line with the existing attached garage. In this regard and given the scale of the proposed side / rear element, it is not considered any adverse amenity, overshadowing or privacy effects would occur to these neighbours.

Given the position of the proposed development, it is not considered that any other property would be significantly affected by the works, and given the above the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B).

Highway safety and parking

Concerns have been raised from a neighbour who considers the building work will cause parking congestion in an already parking congested street. Construction vehicles are an inevitable part of most developments being undertaken, but this is a temporary rather than permanent effect; and it is noted the street has no parking restrictions. Any obstructions or dangerous parking (should this occur) should be reported to the Police for investigation, plus the council operates a permitting scheme for skips (and so these should not be placed on the highway unless a permit has been given to do this).

The existing driveway at the property is would be retained with a length of approximately 11 metres, significantly in excess of the 5 metre length as set out in SPD9. Therefore, the proposal is considered acceptable in terms of highway safety and parking and in accordance with LDF Policy DM1 (G).

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

Proposed Site / Roof plan received 23/02/2024
Drg. No. 1 received 23/02/2024
Drg. No. 0798/0459/664 received 23/02/2024

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 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 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: Nick Graham
Signed: N. Graham
Date: 02/04/2024

Authorised Signatory: *G. Simmonette*
Date: 02/04/2024

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