DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0160/24/HFUL
Proposal: Single storey rear extension
Location: 16 St Peters Avenue
South Shields
NE34 6NN

Site Visit Made: 22/04/2024

Relevant policies/SPDs

Local Development Framework

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Developments

South Tyneside Local Plan Emerging Policy

3 Policy SP1: presumption in favour of Sustainable Development

4 Policy 47: Design Principles

The NPPF is also relevant.

Description of the site and of the proposals

The application site consists of a detached bungalow sited on the junction of St Peters Avenue and Forster Avenue, South Shields. The bungalow is constructed from red brick under a red tiled roof. To the main highway the site is bounded by a 1 metre high red brick wall. To the west of the application site is 14 St Peters Avenue, which is also a detached bungalow. The western boundary of the site is marked by the western gable of the application bungalow which turns to a wall past the rear of the dwelling. To the rear of the property is a small kitchen extension which is to be demolished as part of this proposal. There is a detached garage to the bottom of the rear garden.

Planning permission is sought for the erection of a single storey rear extension at the above address. The proposed extension would project 3 metres from the rear of the bungalow, 9.8 metres in width, and 3.3 metres to the highest point. The proposed extension would have a flat roof and would be finished in Parex Mouse Grey coloured render. The side elevations would be blank, with a window and folding doors to the rear elevation.

Planning permission is required in this case as the proposed extension would not be constructed from materials to match the host dwelling.

Publicity / Consultations (Expiry date 09/04/2024)

1) **Neighbour responses**
None

2) **Other Consultee responses**
None

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.

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 on visual amenity and the impact on residential amenity.

Impact upon 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.

Paragraph 8.1 of SPD9 states that single- storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses or 3 metres in respect of semi-detached or terraced houses will generally be acceptable. In this case, a 3 metre rear projecting extension to a detached dwelling is proposed. The host dwelling occupies a corner plot, and has an approximately 8 metre deep rear garden. The proposed extension would be constructed to the western boundary which is adjacent the driveway of no. 14 St Peters Avenue and would be approximately 3.5 metres from the eastern gable wall of 14 St Peters Avenue, which has an existing single storey rear extension projecting approximately 3 metres from the rear elevation flush with the eastern boundary. The extension would be visible from the junction with Forster Avenue. The proposed extension would be finished with coloured render whilst the main dwelling is red brick. However, several dwellings along St Peters Avenue have rendered elements / extensions, and as such the contrasting materials would not be detrimental to the wider street scene in this case.

On balance, it is considered that the proposal is acceptable in terms of its design and external appearance meaning it accords the objectives of LDF Policy DM1 (A) and would not undermine the objectives of the guidance contained within SPD9.

Residential amenity

Part 12 of the NPPF, require that a high 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.

Given the proposed existing rear extension to the rear of 14 St Peters Road, which has a blank gable to the eastern elevation, the proposed extension would not be visible from inside 14 St Peters Avenue. The extension would be visible from the driveway as the western gable of the proposed extension would form a new boundary element, however, there is sufficient separation distance to ensure there is no overbearing or overshadowing impacts created from the proposal.

Given the orientation of no. 12 Forster Avenue to the south, the proposal would not impact upon the residential amenity of this dwelling.

Overall, it is not considered that the proposal has any potential to materially harm the residential amenity of any neighbouring occupier. Therefore, the proposed development is considered to be in accordance with Policy DM1 (B), while having regard to the principles set out in SPD 9.

The rear garden depth of the application site would remain at over 5 metres at its shortest point ensuring sufficient useable space is retained to serve the property.

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).

Conclusion

It is considered that, in the site circumstances and context of this particular case, that this proposal would be in accordance with Local Development Framework (LDF) policies DM1 (A & 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

Proposed Plans and Elevations Rev. 01 received 13/03/2024

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 specified on proposed materials email received 17/04/2024.

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 UNIQUE NOTE TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
https://www.gov.uk/party-wall-etc-act-1996-guidance

Case officer: Adam Williamson
Date: 22/04/2024

Authorised Signatory: *G. Simmonette*
Date: 23/04/2024

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