South Tyneside Council

Reference:	ST/0668/24/HFUL
Location:	34 Watson Avenue South Shields NE34 7QX
Ward:	Cleadon Park
Description:	Proposed development for two storey rear and single storey rear extension and retrospective consent for front porch
Recommendation:	Grant Permission with Conditions
Case Officer:	Casey Scott
Case Officer Contact No.:	0191 4246780 or 07442 655446

Summary of Consultation Responses

No consultees required.

Summary of Representations

No responses received

Relevant planning policy

Local Development Framework

- LDF Policy DM1 - Management of Development
- Core Strategy: EA3 - Biodiversity and Geodiversity

The following SPDs are relevant for this application:

- Supplementary Planning Document 9 – Householder Development

Relevant Planning History

No planning history recorded.

Assessment

Although the Publication draft South Tyneside Local Plan is now at a more advanced stage of preparation having been subject to two statutory consultation periods, Borough Council decided on 5 September 2024 not to endorse submission of the Local Plan to the Secretary of State for Examination. As such only negligible weight can be afforded to relevant policies

at this time and less weight than would have been afforded in the period between completion of the Regulation 19 consultation in March 2024 and prior to Borough Council's decision. For this reason, the report does not seek to identify specific policies from this Plan.

LDF Policy DM1 seeks to preserve the visual amenity of the area (limb A) and the residential amenity of neighbouring properties (limb B), whilst Supplementary Planning Document 9 provides guidance for householder developments.

The application seeks permission for the construction of a two-storey rear extension and single storey rear extension. The proposal also seeks retrospective consent for a front porch which has been constructed. The porch requires planning permission by virtue of the height and scale and the porch, which would not conform to the requirements Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Therefore, there is no permitted development fall back position.

The two-storey rear extension is proposed to project approximately 4.2m from the rear of the property to create a third bedroom. The original submission of the application included a flat roof above this extension, but during the course of the application amendments have been sought and the updated plans show a hipped roof above the two-storey extension.

Included within the proposed first floor element, the application includes a new bathroom to adjoin the main bedroom. This element has been reviewed in the context of the 45 degree test to assess the impact of this part of the development on the first floor window of the adjoining neighbouring property to the north (no. 32 Watson Avenue). From assessment of the plans, it is not considered that the proposal would result in an unacceptable negative impact on the residential amenity of the neighbouring property. Furthermore, based on the existing layout of the host property it is considered likely that the window that could be affected by this development would serve the main bedroom which appears to be dual aspect with an additional opening to the east (front) elevation of the neighbouring property.

The single storey rear extension is proposed to project a maximum of 6m from the rear elevation of the property to wrap around the proposed two-storey rear extension. The single storey rear extension, at a length of 4.22m, has been stepped in from the boundary to the north to minimise the impact of the development on the neighbouring property No. 32 to the north.

Having regard to the design, scale, massing and relationship with neighbouring properties of the proposed development, it is considered that it would not give rise to significant harm to the visual amenity of the area or the residential amenity of any neighbouring properties. Whilst the use of the flat roof to the single storey rear extension would not reflect the design of the main dwelling, in this instance, its design will assist with minimising the impacts of the development on the neighbouring property to the north and is considered to be acceptable.

Conclusion

In conclusion, and having regard for all of the above, it is considered that the proposal would have an acceptable impact upon the residential and visual amenity of the area. It is considered that the proposal complies with all relevant local and national planning policy and the application is therefore recommended for approval.

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:

A201 Proposed Plans Floor and Roof Plans – received 14.01.2025
A202 Proposed Elevations – received 14.01.2025
A203 Proposed Site Layout Plan – received 16.12.2024

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 materials for the development hereby permitted shall be those as stated within the application form received 04.11.2024.

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

01. Approval of a Biodiversity Gain Plan NOT REQUIRED before development commences

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

However, based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply - please refer to Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk).

02. 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Case officer: Casey Scott

Signed: C.Scott

Date: 03.02.2025

Authorised Signatory: H. Lynch

Date: 04/02/2025