South Tyneside Council

Reference:	ST/0702/24/HFUL
Location:	117 Bamburgh Avenue South Shields NE34 7SZ
Ward:	Horsley Hill
Description:	Single storey extension to form porch. Dormer extension to the front at first floor level. Garage conversion and extension. Rear single storey extension to form link to garage conversion. Ground and First floor extension to the rear to include glazed balcony. Second floor loft conversion and dormer roof extension to the rear. Alterations to the rear boundary to be replaced with dwarf wall and glazing above.
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Drewe Russell
Case Officer Contact No.:	0191 4247445 or 07765649865

Description of the Site

This application relates to a semi-detached bungalow with a dormer window to the front roof slope which is located on Bamburgh Avenue. It includes a front and rear garden. The property has a single storey rear extension and a detached garage to the rear with a shared access driveway.

Description of the Proposal

This application seeks permission for several changes to the property:

Single Storey Front Porch Extension:
The porch would extend 1.8 metres outwards, be 2.6 metres wide, and have a total height of 3.6 metres.

Dormer Extension at First Floor Level (Front):
The proposed dormer extension would increase the width of the front dormer from 2.032m to 5.1m. It would include an additional window and would be constructed from matching materials. It would project 1.4m and have a height of 1.3m.

Garage Conversion and Extension:
The garage would keep its current footprint but would have two windows on the west side and one window on the northeast side, facing the coast/open fields.

Rear Single Storey Extension to Link to Garage Conversion:
This extension would be 2.6 metres long, 1.8 metres wide, and 3 metres high, creating a link between the house and the garage. It would have a side door on the east side and patio doors on the west side.

Ground and First Floor Rear Extension with Glazed Balcony:
The ground floor extension would extend 3.1 metres, be 4.4 metres wide, and 3.1 metres high, with a door/window to the rear.

The first-floor extension would extend 3.3 metres, be 3.5 metres wide, and 3.3 metres high, with windows/glazing to the rear. It would include a balcony accessed from the first-floor bedroom, extending 3.1 metres and 2.6 metres wide.

The balcony would have a balustrade on the side boundary next to 115 Bamburgh Avenue, 1.8 metres high and obscurely glazed for 2.4 metres, reducing to 1.1 metres. A 1.1-metre high obscurely glazed balustrade is also proposed for the front of the balcony.

Second Floor Loft Conversion and Rear Dormer Roof Extension:
The new rear dormer would be 5.7 metres wide, 3.4 metres deep, and 3.2 metres high, with two windows to the rear.

Alterations to Rear Boundary:
The existing rear boundary wall would be partially removed and replaced with a glazed boundary. The first metre would be brickwork, and the following metre would be glazed.

Summary of Consultation Responses

N/A

Summary of Representations

No responses received

Relevant planning policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Core Strategy 2007, a Development Management Policies Development Plan Document (DPD) 2011.

The following policies of the South Tyneside Local Development Framework Core Strategy are relevant to this planning application:

- LDF Policy DM1 (A, B, G)

The following policies and guidance are also relevant to this planning application:

- Supplementary Planning Document 6 (Parking Standards)

- Supplementary Planning Document 9 (Householder Development)

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.

National planning policy is also a material consideration in determining this planning application. Relevant national policy comprises the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the National Design Guide and the National Model Design Code.

Assessment

The key issues in the assessment of this planning application are as follows:

- Impact on Visual Amenity
- Impact on Residential Amenity
- Highway Safety

Impact on Visual Amenity

LDF Policy DM1 (A) seeks to preserve visual amenity.

Single Storey Front Porch Extension:
This extension would not cause significant visual harm. Although it would be visible from the street, its modest size, scale, and use of matching materials mean it would not significantly impact visual amenity. Similar work has been done on other properties in the area.

Dormer Extension at First Floor Level (Front):
Although the proposal would be contrary to the guidance set out within SPD9 regarding front dormers, due to the existing dormer the proposal would be merely an extension of this existing dormer, and it is deemed would not result in significant visual harm. This extension would not cause significant visual harm as it is simply widening an existing front dormer. Many similar extensions have been carried out on other properties in the street.

Garage Conversion and Extension:
The size and scale of this conversion and extension would be appropriate and would not cause significant visual harm.

Rear Single Storey Extension to Link to Garage Conversion:
This extension would not cause significant visual harm due to its symmetrical design and use of matching materials.

Ground and First Floor Rear Extension with Glazed Balcony:
This extension would not be visible from the street and therefore would not cause significant harm. Although it would be visible from the coast road, its modern design is considered acceptable and would not cause significant harm.

Second Floor Loft Conversion and Rear Dormer Roof Extension:
This extension would use matching materials and would not cause significant visual harm. Furthermore, these aspects of the development could be carried out under permitted development rights.

Alterations to Rear Boundary:
Replacing the rear boundary with a dwarf wall and glazing above would not cause significant visual harm. Furthermore, this aspect of the development could be carried out under permitted development rights.

Conclusion:
Having regard to the above, the proposed development is considered to have no significant harm to the visual amenity of the area and is considered to be in accordance with LDF Policy DM1 (A).

Impact on Residential Amenity

LDF Policy DM1 (B) seeks to preserve residential amenity. SPD 9 sets out guidelines for householder developments.

Single Storey Front Porch Extension:
The proposed single storey extension to the front porch would not significantly impact residential amenity, as it would be located 3.8 metres away from the common boundary with 119 Bamburgh Avenue and 2.6 metres away from 115 Bamburgh Avenue.

Dormer Extension at First Floor Level (Front):
The dormer extension to the front at first floor level would be 2.7 metres away from the common boundary with 115 Bamburgh Avenue and on the common boundary with 119. The proposed dormer would be located approximately 24.5 from 203 Norham Avenue North and so would not result in residential harm to that property. The front dormer would not cause significant residential harm to either 115 or 119 Bamburgh Avenue.

Garage Conversion and Extension:
The garage conversion and extension would be located attached to the garage of 115 Bamburgh Avenue. However, due to the minimal physical changes, it would not cause significant residential harm to 115. The garage is located 4.5 metres from the common boundary with 119 Bamburgh Avenue, so the proposed windows would not cause significant residential harm due to the distance.

Rear Single Storey Extension to Link to Garage Conversion:
The rear single storey extension to form a link to the garage conversion would not cause significant residential harm to 115 Bamburgh Avenue due to the 1 metre distance between the link and the common boundary. Additionally, only a side entrance door is proposed that would face towards 115 Bamburgh Avenue, which would not cause significant residential harm in terms of overlooking or loss of privacy. The proposed patio doors would not cause significant harm to 119 Bamburgh Avenue as they would be located 4.5 metres from the common boundary.

Ground and First Floor Rear Extension with Glazed Balcony:
The ground and first floor extension to the rear, including a glazed balcony, would project 3.1 metres from the main rear elevation of the host property, which is greater than SPD9 guidance suggests for single storey rear extensions for semi-detached properties. However, due to the adjoining neighbour at 119 Bamborough Avenue having an existing rear extension, and the presence of the existing rear extension to the host property, the proposed harm would not be as significant and would be acceptable.

The proposed first floor extension, although a significant addition to the rear of the property, would be located 1 metre from the common boundary with 115 Bamburgh Avenue and 2.7 metres away from 119 Bamburgh Avenue, making it acceptable as given these distances there would be no significant harm in terms of overshadowing, overdominance or loss of outlook. The proposed glazing would face towards the rear and not directly towards the neighbouring properties.

The proposed balcony would not cause significant residential harm to 115 Bamburgh Avenue due to the 4.4 metre distance and the fact it would be obscured by the proposed first floor extension. The balcony would be set adjacent to the boundary with 119 but the development would include an obscure glazed balustrade on the boundary with 119 Bamburgh Avenue at a height of 1.8m would help reduce any loss of privacy or overlooking and would not cause significant residential amenity harm. A condition is proposed that this obscurely glazed privacy screen be erected and retained.

Second Floor Loft Conversion and Rear Dormer Roof Extension:
The second-floor loft conversion and dormer roof extension to the rear would not cause significant residential amenity harm and would primarily look towards the applicant's rear garden and further afield, not directly towards a neighbouring property. Furthermore, these aspects of the development could be carried out under permitted development rights.

Alterations to Rear Boundary:
Alterations to the rear boundary to be replaced with a dwarf wall and glazing above would not cause significant residential amenity harm to the neighbouring properties and would look outwards towards the wider embankment, not towards a neighbouring property. Furthermore, these aspects of the development could be carried out under permitted development rights.

Conclusion:
Having regard to the above, the proposed development is considered to have no significant harm to the residential amenity of neighbouring properties and is considered to be in accordance with LDF Policy DM1 (B).

Impact on Highway Safety

LDF Policy DM1 (G) seeks to preserve highway safety. Maximum car parking standards are set out in SPD6.

Having regard to the above, the proposed development is considered to have no significant harm to the highway safety of the area and is considered to be in accordance with LDF Policy DM1 (G).

Conclusion

In deciding whether to grant planning permission the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this

recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Having regard for the above it is considered that the proposal would result in no significant harm to the visual amenity of the area, the residential amenity of any neighbouring properties or the highway safety of the area.

As a result, it is considered that the proposed development complies with all relevant local and national planning policy and guidance. Consequently, this application is recommended for approval.

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 Elevations Drg No A202 received 04.12.24
Proposed Plans Drg No A201 received 20.11.24
Proposed Site Layout Drg No A203 received 20.11.24.

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.

4 Prior to the first use of the terrace hereby permitted, a solid or obscure glazed privacy screen (minimum 1.7 metres in height above the floor level of the terrace) shall be installed across the full depth of the northwest facing side elevation of the balcony area (facing 119 Bamburgh Avenue) as shown on the plans as listed in condition 2 pursuant to this decision

Once installed the privacy screen shall then be maintained and retained to the reasonable satisfaction of the local planning authority thereafter.

To safeguard the residential amenity and privacy of neighbouring occupiers, in accordance with South Tyneside LDF Development Management Policy DM1(B).

Informatives

1 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).

2 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: Drewe Russell

Signed: DR

Date: 22.01.2025

Authorised Signatory: Seán Gallagher

Date: 23/01/2025