South Tyneside Council

Reference:	ST/0732/24/HFUL
Location:	24 O'leary Close South Shields NE33 5EH
Ward:	Simonside and Rekendyke
Description:	Side extension and driveway to front of house
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Summary of Consultation Responses

Transport Development Officer: The proposal includes for the provision of a new parking space across the property frontage to replace the loss of a single parking space down the side of the property, to facilitate the side extension. No amendments or new provision of vehicular access will be required as the existing access will serve the new parking space.

Given that the side extension will remove the parking space from the property it is recommended that a planning condition be imposed on any consent granted requiring the new replacement parking space to be provided in advance of the side extension works commencing. This is to ensure that the residential plot retains a parking space during the construction phase and to prevent parking being displaced onto the highway.

Summary of Representations

No responses received

Relevant planning policy

The following policies are relevant to this application:

- LDF Policy DM1
- Supplementary Planning Document 9

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. 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.

LDF Policy DM1 (G) seeks to preserve highway safety. Given the comments of the Transport Development Officer, it is considered that the development would provide sufficient on-site parking and that there would be no significant harm to highway safety.

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, and highway safety subject to the suggested conditions. 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

Proposed Plans and Elevations Drg. No. THT/03 received 09/12/2024
Proposed Side Elevations and Sections Drg. No. THT/04 received 09/12/2024
Proposed Site Plan Drg. No. THT/06 received 09/12/2024

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 surfaces of the side extension 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 Adequate provision for the disposal of surface water off from the driveway hereby permitted, either through connection to mains drainage or through the utilisation of an appropriate soakaway, shall be made prior to the driveway being brought into use. No surface water shall run off from the driveway onto the public highway.

To prevent surface water run-off from private land onto the highway in the interests of highway safety preventing damage and flooding of the highway, in accordance with South Tyneside LDF Development Management Policy DM1.

5 Prior to the occupation of the side extension hereby permitted the new car parking area shown on the Proposed Site Plan Drg. No. THT/06 received 09/12/2024 shall be provided in accordance with that approved plan. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

To ensure vehicle parking is accommodated within the site and retained available for use, in the interests of highway safety, in accordance with South Tyneside LDF Development Management Policy DM1.

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: Adam Williamson
Date: 27/01/2025

Authorised Signatory: *G. Simmonette*

Date: 27/01/2025