South Tyneside Council

Reference:	250066
Location:	11 Selby Court Jarrow NE32 3JF
Ward:	Primrose
Description:	Retrospective planning permission sought for the removal of front elevation full height window (externally beaded), blockwork to fill reduce void and installation of new, smaller, modern standard UPVC window (internally beaded) to match neighbouring. Replacement of remaining existing UPVC windows (externally beaded) and doors with upgraded UPVC windows (internally beaded) and doors. Rendering of brickwork on lower part of front elevation to cover and protect brickwork.
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Drewe Russell
Case Officer Contact No.:	0191 4247445 or 07765649865

Summary of Consultation Responses

None received

Summary of Representations

No responses received

Relevant planning policy

The following policies are relevant to this application:

- LDF Policy DM1
- Supplementary Planning Document 9

On 4 March 2025, the Council was directed by the Secretary of State for the Ministry of Housing, Communities & Local Government to submit the South Tyneside Local Plan for examination by 12 March 2025 in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Plan has now been submitted and is at the examination stage. Paragraph 49 of the National Planning Policy Framework (2024) states that local planning authorities may give weight to relevant policies in emerging plans according to:

1. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

2. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,
3. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Whilst the draft Local Plan is now at a more advanced stage of preparation, it is considered that the Policies in the Plan cannot be afforded significant weight. The following Policies, whilst not appraised in detail in the assessment, are considered relevant:

- LP Policy SP1 - Presumption in favour of Sustainable Development
- LP Policy 1 - Promoting healthy communities
- LP Policy 47 - Design Principles

Assessment

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.

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

Existing and Proposed Elevations received 29.01.25

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 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

2 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).

Case officer: Drewe Russell

Signed: DR

Date: 20.03.2025

Authorised Signatory: Seán Gallagher

Date: 24/03/2025