South Tyneside Council

Reference:	250096
Location:	19 Westcliffe Way South Shields NE34 9HF
Ward:	Bede
Description:	Side extension to first floor and conversion of garage and paving of front garden to provide additional off street parking
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Emma Thomas
Case Officer Contact No.:	0191 4247593 or 07741105284

Description of the Site

This application relates to a semi-detached dwelling in a residential area of South Shields. The garage located along the side elevation is attached to the garage of no. 18 Westcliffe Way.

A number of properties within this section of the cul-de-sac host a first floor side extension hosting a roof ridge set down and a 1m set back of the front elevation from the front elevation of the main dwelling.

Description of the Proposal

This application seeks householder planning permission for a first floor side extension, conversion of the garage and paving of front garden to provide additional off street parking. The roof ridge of the proposed side extension would be set down from the roof ridge of the main dwelling and the first floor front elevation would be set back 2.75m from the front elevation of the main dwelling. Also proposed is the conversion of the garage to an additional living area and the paving of the exsting front garden to provide additional off street parking.

Following discussions with the agent, the plans were amended by creating a 2.75m set back of the front elevation of the first floor side extension from the front elevation of the main dwelling. The neighbours were not re-notified of the amendments in line with the SCI.

Summary of Consultation Responses

N/A

Summary of Representations

None 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 and 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)

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

- Supplementary Planning Document 9 (Householder Development)

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:

- Policy SP1: presumption in favour of Sustainable Development
- Policy 47: Design Principles

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; and
- Impact on Residential Amenity

Impact on Visual Amenity

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.

To achieve the desired subordinate appearance and to minimise any terracing effect, Supplementary Planning Document 9: Householder Developments (SPD 9) advises that in those cases where the whole width of the plot is already built up by a single storey extension or garage, a first floor extension built up to the boundary may be acceptable where:

- it is set back behind the front wall of the main dwelling;
- it does not occupy more than two- thirds of the depth of the dwelling and is located towards the rear of the main dwelling;
- the roof ridgeline is significantly lower than the main dwelling ridgeline;
- a pitched or hipped roof, depending upon the existing dwelling and proposed extension design, is constructed on any residual flat roof of the original single storey structure in order to reduce the visual impact of the structure upon the proposed extension and street scene;
- a window is included to the front elevation of the proposed extension.

In addition, SPD 9 advises that side extensions should not normally be more than 3 metres in width or be more than half the width of the original dwelling frontage, whichever is greater.

There are a number of properties within the cul-de-sac which host a first floor side extension with a third set back and roof ridge set down (including nos. 12 and 13 Westcliffe Way).

The proposed two storey side extension at no. 19 would incorporate the existing garage to the side of the dwelling; and would be built up to the side boundary of the site with 18 Westcliffe Way. The extension would not occupy more than two-thirds of the depth of the dwelling and would be located towards the rear of the main dwelling. The extension would have a significantly lowered ridgeline and roof shape that corresponds to the main dwelling. Its 2.52m width would be over half the width of the main two storey dwelling frontage (which measures to 4.4m) but, having regard to its significant set-back from the front wall of the dwelling (and lowered ridgeline) it would still appear as a subordinate addition. The extension would also use facing materials to match those of the existing property.

The proposed driveway extension and garage conversion are also considered to be acceptable in terms of visual amenity.

Having regard to the sympathetic design of the proposed first floor side extension; and its subordinate scale (in relation to the original dwelling), the impact of the proposal on the dwelling and its immediate neighbourhood in terms of visual amenity would be acceptable; and would not result in the creation of a visual ‘terracing effect’ within the street scene. As such, it is concluded that the development would convey sensitive consideration of its surroundings, having regard to scale and proportions, use of materials and architectural detailing; and would accord with LDF Policy DM1 (A) and the guidance contained within Supplementary Planning Document 9.

Impact on Residential Amenity

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

Neighbours to the north and south are located a sufficient distance from the applicant property as to not result in significant harm to residential amenity. The proposed two storey side extension would not be visible from any habitable room windows of the attached neighbour (no. 20 Westcliffe Way) and the adjacent dwelling (no. 18 Westcliffe Way) as it would not project beyond the front or rear elevations of the host property.

Given separation distances it is considered that the proposal would have no unacceptable impacts on the amenities of the occupiers of any neighbouring properties in relation to privacy, outlook and over dominance, or overshadowing.

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).

Other Matters

The Highways team were not consulted on this application as the paving of the front garden measure more than a length of 5m. A condition has been included to ensure the paving used for the driveway is porous and an informative has been included relating to the vehicle access.

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.

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

Drg. No. WW/19/02/p Rev C - Proposed Ground Floor Plans and Front Elevations – Received 23/04/2025

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 stated on drawing no. WW/19/02/p Rev C (received 23/04/2025). Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

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 The proposed driveway / hard standing hereby permitted shall be made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

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).
3	Alterations to the adopted highway/footway to create or widen a vehicular footway crossing will require the approval of the Council as Local Highway Authority. Please see https://southtyneside.gov.uk/article/3281/Apply-for-a-dropped-kerb or call 0191 427 7000 for further information.

Case officer: Emma Thomas
Signed: *E.Thomas*
Date: 18/03/2025

Authorised Signatory: Seán Gallagher
Date: 29/04/2025