South Tyneside Council

Reference:	250296
Location:	1 Dell View West Boldon NE36 0AA
Ward:	Boldon Colliery
Description:	Single storey rear extension, first floor front bay window and PV to the front.
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Samantha Gallagher
Case Officer Contact No.:	0191 4247447 or 07741109243

Description of the Site

This application relates to a south facing detached property in West Boldon. The property is a newly built dwelling on a cul-de-sac of similarly designed dwellings. The application site is located within the Wet Boldon Conservation Area.

The West Boldon Conservation Area Management Plan identified the site in character area 3 where a school was formerly located. Planning permission was granted for the construction of new dwellings on the former school site.

Description of the Proposal

This application seeks full householder planning permission for the construction of a single storey rear extension, a two storey bay window and the installation of solar panels to the front elevation.

Relevant Planning History

The planning history of the site is as follows:

250360 - Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO 355). T17 and T19 - 2 x ash - remove due to stage 3 ash dieback; T18 - 1 x ash - remove due to stage 2 verging stage 3 ash dieback and increased wind loading caused by loss of T17 and T19 adjacent. Note: These trees are misidentified as sycamore in TPO 355. – GRANTED

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 07/08/2025.

Historic Environment Officer - none received.

Tree Team – satisfied with information provided.

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 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, G)
- DM6 - Heritage Assets and Archaeology

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

- Supplementary Planning Document 6 (Parking Standards)
- Supplementary Planning Document 9 (Householder Development)
- Supplementary Planning Document 11 (West Boldon Conservation Area Management Plan)

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 (limited)
- LP Policy 1 - Promoting healthy communities (limited)
- LP Policy 36 - Protecting Trees, Woodland and Hedgerows (very limited)
- LP Policy 43 - Development Affecting Designated Heritage Assets (very limited)
- LP Policy 47 - Design Principles (very limited)

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 appearance of the West Boldon Conservation Area
- Impact on Residential Amenity
- Impact on protected trees

Visual Amenity and appearance of the West Boldon Conservation Area

LDF Policy DM6 seeks to preserve the historic, cultural and architectural character and heritage, visual appearance and contextual importance of our heritage assets and their settings. As set out above, the property is located within the West Boldon Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The property is located adjacent to North Road and therefore the proposals would be visible from the public realm, and from within the conservation area. The property however is somewhat screened by the boundary treatments of the development and has intervening side garden. The single storey extension would be 3.5m in projection with a pitched roof and constructed of materials to match the main dwelling. This element of the proposal would therefore be in accordance with the design guidance contained in SPD9.

With regard to the proposed bay window, SPD9 states that two-storey front extension will only be permitted where it can be demonstrated that the proposal would not result in any detrimental impact in respects of the design being acceptable in the immediate neighbourhood. It is proposed to extend the existing bay up to the first floor of the dwelling and would be of the same projection/design as the existing bay window with window arrangements to match the ground floor. It is therefore considered that the extension to the bay window would not be harmful to the dwelling or to the character and appearance of the conservation area.

The solar panels are proposed on the front elevation. The property is not within the vicinity of any listed buildings and would be located within a cul-de-sac of modern dwellings. The panels would be minimal in projection from the roof slope and would be coloured grey to blend into the roof slope. Whilst the panels would be visible from the conservation area, it would be viewed in the context of a modern housing development. It is considered that the solar panels would have an acceptable impact on the appearance of the host dwelling.

Overall, it is considered that the proposals would have an acceptable visual impact on the host dwelling and the surrounding street scene. It is also considered that the proposals would preserve the character and appearance of the West Boldon Conservation Area and is considered in accordance with the NPPF, policies DM1 and DM6 of the LDF and SPD 11.

Impact on Residential Amenity

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

Given their nature, it is considered that the proposed solar panels would not be harmful to the amenity of neighbouring residents.

Given their locations on the application dwelling, the relationship with the neighbouring property at 2 Dell View and the scale and massing of the proposed extensions, it is considered that the proposals would not be harmful to the amenity of neighbouring residents with regards to loss of privacy or outlook or increased overdominance or overshadowing.

Given the nature of the development, it is not considered that the development results in harm to the amenity of surrounding residents. The proposals are therefore considered to accord with LDF Policy DM1 (B) and SPD9).

Impact on Protected Trees

There are a number of trees within the site which are protected via Tree Preservation Order 355, as well as being within the conservation area. A recent application (ref :250360) to fell 3no. of these trees was recently granted due the trees suffering from stage 2/3 ash die back and replacement planting with a silver birch was secured with several other trees on site remaining. As part of this application the tree team raised initial concerns about the potential impact on the trees due to root compaction during the construction phase and requested a Tree Protection Plan. A Tree Protection Plan was provided on the 23/07/2025 and the tree

team have provided further comments that this satisfactory. It is therefore recommended that a condition be attached requiring the works to be undertaken in accordance with the details of the Arboricultural Method Statement and Tree Protection Plan.

Subject to the inclusion of this condition, it is not considered that the proposed development would have the potential to have any likely significant effect on the health of amenity value of the protected trees. The proposals are therefore considered to be in accordance with LDF Policy DM1 (C).

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 the property, the appearance of the West Boldon Conversation Area, the residential amenity of any neighbouring properties or to the protected trees within the site.

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

Proposed Elevations Drg No 09 Rev A Received 13/05/2025
Proposed First Floor Plan Drg No 07 Received 25/04/2025
Proposed Ground Floor Plan Drg No 06 Received 25/04/2025
Proposed Roof Plan Drg No 08 Received 25/04/2025
Proposed Site Plan Drg No 10 Received 25/04/2025
Solar Panel Details Received 13/05/25
Solar Panel Specification Details Received 13/05/2025

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 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 The development hereby approved shall be carried out in accordance with the arboricultural protection measures as set out in section 5 of the Arboricultrual Assessment for 1 Dell View, West Boldon received 23/07/2025 and the Tree Protection Plan at Appendix 5 of the Arboricultrual Assessment Received 23/07/2025 and shall be adhered to in full.

In order to safeguard the trees within the site and in accordance with the NPPF and Policy DM1 (C) of the South Tyneside Local Development Framework 2011.

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: Samantha Gallagher
Signed: S Gallagher
Date: 12/08/2025

Authorised Signatory: Helen Lynch
Date: 12/08/2025