



South Tyneside Council

Reference:	250358
Location:	10 Burnside Close Boldon Colliery NE35 9BU
Ward:	Boldon Colliery
Description:	Rear ground floor extension to rear lounge
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Daniel Martin
Case Officer Contact No.:	0191 4246796

Summary of Consultation Responses

No responses received

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, a Site Specific Allocations Development Plan Document DPD 2012.

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

- DM1 Management of Development (A & B)
- 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, the weight that can be given to individual Policies in the Plan varies dependent upon the extent and nature of objections to those Policies. In this regard, it is considered that certain Policies can only be afforded very limited or limited weight whilst others can be afforded significant weight in assessing this planning application. Relevant Policies are as listed below (with text provided after each Policy regarding the weight that officers consider can be afforded to that Policy):

- Policy SP1: Presumption in favour of Sustainable Development (limited)
- Policy 1: Promoting Healthy Communities (limited)
- 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

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 (SPD9) provides guidance for householder developments.

Design and Impact on Visual Amenity

Part 12 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment.

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.

SPD9 (House Holder Developments) of the South Tyneside LDF provides guidance in respect of householder developments.

In terms of visual amenity, this rear extension proposal causes little concern. The proposed extension has a projection of 3.048m which extremely marginally over the 3m projection referenced in the SPD9 guidance for terraced dwellings, and is considered to be of a respectful proportion and alignment in relation to the curtilage of the host property, as the rear garden has a length of 11.29m and so an appropriate amount of space will remain in the rear garden of the host property with the addition of the development. Thus, the rear extension is considered to be of a suitable scale and massing in relation to the host property's size, with proposed materials of a similar palette to the existing host dwelling.

Being a rear extension, there will be little impact on the visual appearance of the Burnside Close Street scene as the development will not be visible from the public eye. The host property at No. 10 Burnside Close is a terraced property adjointly neighboured by No. 9. Burnside Close to the north and No. 11 Burnside Close to the south. Nos. 9-12 Burnside Close are all part of a terraced row of dwellings and the building line is staggered in which No. 9 and No. 12 Burnside Close are set forward by 0.1m to the east ahead of Nos 10 and 11 Burnside Close. The neighbour dwelling at No. 11 mirrors the host property at No. 10 as these two houses have the same design and footprint.

The neighbour to the north at No. 9 Burnside Close has a 3m rear conservatory and the proposed extension will be of a similar projection and size to this which ensures that the rear development at No. 10 will not negatively affect the visual amenity of the rear gardens serving the host property and the surrounding terraced dwellings.

It is considered that the proposal is acceptable in terms of its design and external appearance meaning it accords the objectives of LDF Policy DM1 (A) and it would not undermine the objectives of the guidance contained within SPD9.

Residential Amenity

Parts 12 and 15 of the NPPF, require that a good standard of amenity for existing and future users be ensured. In line with this, Policy DM1(B) of the South Tyneside LDF seeks to protect residential amenity of neighbours from harmful impacts from development.

Paragraph 3.1 of the SPD9 references the residential considerations for householder developments in terms of privacy, outlook and overdominance.

As mentioned in the previous section, the neighbour at No. 9 Burnside Close to the north has a 3m rear conservatory. The proposed extension at No. 10 is set 0.37m from the boundary with the neighbour at No. 9. Due to the neighbour conservatory and proposed development at the host property having a very similar projection around 3m, there is no expectation for the proposed development to have any overshadowing effects on the conservatory at No. 9. This is due to the rear extension only projecting forward of the rear conservatory by 0.4m to the west which is an insignificant overtake and will not negatively impact the amenity of No. 9's garden space.

Meanwhile regarding the other neighbour to the south- No. 11 Burnside Close, this rear development is not expected to have any adverse impact on residential amenity. This neighbouring property does not have any extended development in the rear. The host property's extension does run up to the boundary to the south with No. 11, however this does not raise concerns due to the sufficient 11.29m garden space in these terraced properties and thus the 3.048m extension of the host property is not expected to overshadow this neighbour at No. 11. In addition, the dwelling at No. 12 to the south of this neighbour does not have any rear development either, so there will be an adequate source of sunlight and no blocking of light from this direction, whilst the 3m developments of the houses to the north of this neighbour (Nos 9 and 10) are not expected to significantly overshadow No. 11 Burnside Close.

The position of the extension maintains an adequate level of privacy for the neighbouring properties and there are no visible concerns for neighbouring outlook, as no windows or doors of adjoining dwellinghouses are directly facing the proposed development, thus little effect on outlook is caused. There are likewise no windows in the side elevations of the proposed extension facing the adjoining neighbours.

It is considered for the reasons elaborated above that the proposal would be acceptable in relation to the impact on the residential amenities of the occupiers of the neighbouring properties and in accordance with Policy DM1 criterion B of the Local Development Framework Development Management Policies and the associated SPD9.

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

Drg No. 0001- Existing and Proposed Elevations and Floor Plans (received 04/06/2025)

Drg No. 0002- Existing and Proposed Roof and Site Plan (received 04/06/2025)

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.

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

- 3. All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

Case officer: Daniel Martin

Signed: D.Martin

Date: 03/07/2025

Authorised Signatory: *G. Simonette*

Date: 03/07/2025