South Tyneside Council

Reference:	250428
Location:	37 A Front Street Cleadon SR6 7PG
Ward:	Cleadon and East Boldon
Description:	Alteration to entrance and yard. Extension of existing rear dormer. Alterations to roof covering. Replacement rear windows.
Recommendation:	Grant Permission with Conditions
Case Officer:	Samantha Gallagher
Case Officer Contact No.:	0191 4247447 or 07741109243

Description of the Site

This application relates to 37A Front Street, Cleadon. The property is an upstairs flat with a coffee shop located on the ground floor. The property benefits from a yard area offering separate access to the first floor unit. The property is located within the Celadon Conservation Area located on the main shopping street within the village centre.

Either side of the site are commercial units on the ground floors with residential units above. To the rear is the Britannia public house.

The Cleadon conservation area character appraisal (March 2007) states that '*The north side of Front Street is almost wholly retail or commercial. It does not have key historic buildings such as Cleadon Tower and Cleadon House to anchor its ends and to give it centuries-old historic depth. The frontage is a mixture of late nineteenth century and post war buildings that do not penetrate into backland areas other than contemporary service yards'*

There are trees within the land adjacent to the application site. However, due to the nature of the works proposed and the position of adjacent trees, it was concluded that a tree survey would not be required as part of this planning application.

Description of the Proposal

Planning permission is sought for alterations to relocate and alter the rear yard and entrance to make it safer by reducing the number of steps and create a landing area, as well as moving the entrance door away from stairs. Works proposed also include alterations to remove the membrane on the pitched roof and recover in slate, extend the existing rear dormer to be clad in slate, and replace the rear windows with upvc.

Relevant Planning History

The planning history of the site is as follows:

None relevant to this application

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 20/08/2025.

Historic environment officer

Glimpses of the proposed extension will be visible from limited views within the Conservation Area. However, the property has already been substantially altered, and I am of the view that the proposal would have a neutral impact on the character and appearance of the Conservation Area. As such, I have no objections.

Countryside
No bat survey required. Please attach the bat and breeding bird informative and biodiversity enhancement.

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 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:

- DM1 – Management of Development
- DM6 – Heritage Asserts and Archaeology.
- Core Strategy: EA3 – Biodiversity and Geodiversity

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

- LDF CS ST1 - Spatial Strategy for South Tyneside
- Supplementary Planning Document 9 (Householder Development)
- Supplementary Planning Document 14 (Cleadon Conservation Area Management Plan)

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.

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 43 Development Affecting Designated Heritage Assets (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

The key issues in the assessment of this planning application are as follows:

- Impact on Visual Amenity and the character and appearance of the Cleadon Conservation Area.
- Impact on Residential Amenity.

Impact on Visual Amenity

LDF Policy DM1 seeks to preserve the visual amenity of the area (limb A), whilst Supplementary Planning Document 9 provides guidance for householder developments.

Section 3 of the Supplementary Planning Document 9 'Householder Development' states the visual impact of a proposal on the dwelling and its immediate neighbourhood should be

acceptable and achieve a high standard of urban design. Paragraph 11.1 state that any alterations to the roof should be designed to complement the existing dwelling and the street scene.

Development Principle CA-C3 'Alterations to Buildings' of SPD14 'Cleadon Conservation Area Management Plan' states that proposals involving the alterations of buildings within the Conservation Area must be appropriate in terms of scale and design, and that materials must respect the age and character of the building. It states that proposals that are detrimental to the character and appearance of the building or the wider Conservation Area will be resisted.

The Council's Historic Environment Officer was consulted on the application and has confirmed the works proposed would have a neutral impact on the conservation area given the property has already been substantially altered and only very small glimpse of the proposed extension and alterations would be visible within the conservation area. The Historic Environment Officer has confirmed they have no objections to the application.

Whilst the property is identified within the Cleadon Conservation Area Character Appraisal, this is strictly in relation to the front elevation as part of the northern side of Front Street. The proposal is therefore considered in the context of its impact on the wider street scene and overall character and appearance of the conservation area.

Given the location of the works to the rear of the building, very limited views are available within the conservation area. Due to the location of the dormer extension/yard alterations there would only be limited glimpses achieved within the public domain. These small opportunities would also be within the context of extensions already present at properties either side of the application site (including a roof dormer and a flat roof rear extension).

The proposal to remove the membrane on the pitched roof and recover in slate, extend the existing rear dormer and clad this in slate would utilise appropriate materials matching those seen in the locality. The proposal also includes the replacement of the rear windows with uPVC. Whilst traditional materials are encouraged within the conservation area, due to these works being on the rear elevation and not highly visible within the conservation area the use of uPVC in this instance is not considered to be unacceptable.

Having regard to the above, the proposed development is considered to have no significant harm to the visual amenity of the property or the character and appearance of the Cleadon Conservation Area and is considered to be in accordance with LDF Policy DM1 (A).

Impact on Residential Amenity

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

Given the layout of the properties, an assessment of any resultant impacts to the neighbouring properties located either side of the application site is necessary. The proposed changes to the yard area would be obscured by the yard walls preventing loss of amenity to neighbouring residents. The alterations to the dormer would not include side windows facing the neighbouring properties preventing loss of privacy. A glazed Juliet balcony with double doors is proposed, however due to there being no external balcony area and the orientation of the opening, it is considered there would be no loss of amenity through overlooking. Due to other dormers and extensions in the vicinity, the proposed dormer would not result in window-to-window relationships with neighbouring properties and therefore no loss of neighbouring amenity would occur. These previous alterations would also prevent the proposed dormer from causing additional overdominance or loss of outlook.

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).

Impact on protected species and biodiversity net gain

The council's countryside officer confirmed that application did not need to be supported by a bat survey. They recommended the bat and breeding bird Informatives be attached to any consent granted. Countryside also recommended a biodiversity enhancement feature be included within the development. It is not considered that the proposal would be unacceptable if these mitigation measures where not integrated into the scheme and therefore it is recommended that an informative, rather than condition, be attached to inform the applicant of this requirement.

With regards to Biodiversity Net Gain, the development would fall under the de minimus exemption under regulation four of the biodiversity gain requirements (exemptions) Regulation 2024 as it would affect an area of less than 25m2.

Therefore, on the basis of the above, the development would be in accordance with Policy EA3 of the LDF Core Strategy and the NPPF in respect of ecology.

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 character an appearance of the Cleadon conservation area or the residential amenity of any neighbouring properties.

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 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 Drg No 03 Received 11/07/2025

Proposed Floor, Site and Roof Plan Drg No 02 Received 11/07/2025

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 those set out in the Application Form (received 11/07/2025) and the existing and proposed elevations Drawing no 3 (Received 11/07/2025).

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 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 a bat or signs of 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.
Natural England Bat Advice Line: 0345 1300 228

2 Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

3 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).

4 The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Case Officer should seek to secure the inclusion of a feature such as:

- An integrated Swift Brick (an example of which can be found here: https://www.nhbs.com/manthorpe-swift-brick) in the build itself following the below criteria:
  - Under the eaves on the northern or eastern aspects
  - A clear flight line must be available to the nest
- An externally fitted bird box following the below criteria:
  - Under the eaves on the northern or eastern aspects
  - A clear flight line must be available to the nest
  - Not placed directly above windows or doors
  - Tilt the box slightly forward so rain is less likely to enter the box
- An integrated bat box as recommended in the Bat Conservation Trust guidelines. Box suggestions and guidance for installation can be found here; https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes.
- There are several guidelines which must be followed to enable the box to be a useful Net Gain feature:
  - Tucked beneath the eaves, at least 4m above the ground
  - Not placed directly above windows or doors
  - Away from artificial light sources
  - Placed on the western or southern aspect of the extension (this shelters them from strong winds and exposes the bat box to the sun for part of the day)
- Bee Bricks integrated within the building, an example of which can be found here:
  - https://www.greenandblue.co.uk/products/bee-brick

Case officer: Samantha Gallagher

Signed: S Gallagher

Date: 28/08/2025

Authorised Signatory: Helen Lynch

Date: 02/09/2025