South Tyneside Council

Reference:	250538
Location:	3 Forster Avenue South Shields NE34 6NL
Ward:	Harton
Description:	Proposed 2-storey side and single-storey rear extension.
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 property in a residential area in South Shields. The application site is a semi-detached dwelling, situated in a small cul de sac. There are a mix of bungalows and two storey semi- detached dwellings within the cul de sac.

Description of the Proposal

Planning permission is sought for a two storey side extension and single storey rear extension. The two storey side extension would be flush with the front elevation of the dwelling and will comprise of a hipped roof in line with the original ridgeline. The single storey rear extension would extend the existing rear extension to match the side elevation of the proposed two storey side extension.

Summary of Consultation Responses

Highways - No issues arise from the proposal.

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 following policies of the South Tyneside Local Development Framework Core Strategy are relevant to this planning application:

- LDF Policy DM1 (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 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
- Impact on Residential Amenity

Impact on Visual Amenity

LDF Policy DM1 (A) seeks to preserve visual amenity.

The proposal includes the widening of the existing single storey rear extension so that it would match the full width of the existing dwelling and side extension. This would not be visible from the street scene and would therefore be considered acceptable.

SPD9 states that consideration must be given to the width of the proposed side-extension in relation to the existing property. Side extensions which are excessively wide can undermine the character of the street and of the existing property. To maintain a reasonable level of subordination, side extensions should not be more than 3 metres in width or be more than half of the width of the original dwelling frontage, whichever is the greater. In this instance the proposed side extension would host a width of 2.97m which is marginally wider than half the width of the existing original dwelling, which measures 5.46m wide, however this is a minimal

amount. Therefore it is considered to not compromise the character of the property and street in this regard.

The design and scale of the two-storey side extension lacks any subordination, with the extension being flush with the front and rear elevation, and having no drop in the ridge height of the roof. This style of design runs contrary to the advice within SPD9, however a significant factor that needs to be considered in this particular instance is the fact that the attached semi-detached property no.1 Forster Avenue has an identical extension (ref: ST/0919/89//DM), and the pair of semi-detached dwellings (no. 5 and 7 Forster Avenue) both also host a flush two-storey side extension (ref: ST/0738/15/HFUL and ST/2372/06/FUL). In light of these circumstances it is clear that a localised precedent has been set and with the neighbouring semi-detached property having a similar extension a flush two storey side extension with no dropped ridgeline, would not look out of place within the street scene. Having the final property of the row of four dwellings also hosting a flush side extension would improve the visual amenity and bring a symmetry to the street scene.

External materials as proposed would also be acceptable in the context of this street scene.

Therefore the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B).

Impact on Residential Amenity

The proposed two storey side extension at no. 3 Forster Avenue would not project beyond the front and rear elevations of the existing dwelling and would not be visible to any of the habitable room windows of the attached (no. 1 Forster Avenue) dwelling and the adjacent (no. 5 Forster Avenue) dwelling. It is therefore considered that the extensions would not have an adverse impact on the residential amenity of the neighbouring properties in terms of loss of privacy, loss of outlook, overshadowing and over dominance.

The neighbours are located at a sufficient distance so that there would be no harm to their residential amenity.

Therefore the proposal would be acceptable in relation to the consideration of the residential amenities of the surrounding neighbours and would be in accordance with LDF Policy DM1 (B).

Impact on Highway Safety

LDF Policy DM1 (G) seeks to preserve highway safety. The Council's Transport Development Officer has been consulted on this application and has raised no objections. It is considered that the development would result in no harm to highway safety and would be therefore acceptable in this regard.

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. 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. TH-ENG25-272-03 - Existing and Proposed Site Plans – Received 27/08/2025
- Drg No TH-ENG25-272-02 - Proposed Elevations and Floor Plans – Received 27/08/2025

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

Case officer: Emma Thomas
Signed: *E.Thomas*
Date: 03/11/2025

Authorised Signatory: Seán Gallagher
Date: 05/11/2025