South Tyneside Council

Reference:	250680
Location:	219 Bamburgh Avenue South Shields NE33 3HT
Ward:	Horsley Hill
Description:	Loft conversion with dormer window. 1st floor rear extension.
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Summary of Consultation Responses

Not applicable

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 Development Management Policies Development Plan Document (DPD) 2011.

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

• DM1 – Management of Development (A and 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 Page 3 of 6 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

Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies and all other material planning considerations, including representations received, it is considered that the main issues for consideration are the impact on visual amenity and the impact on residential amenity.

Impact upon Visual Amenity

Dormer Window

Permitted development rights for roof alterations are intact at the address. The proposed dormer window would have a cubic volume of approximately 4.9 cubic metres and would be located to the rear roof slope on the original dwelling. Normally a dormer window of these dimensions and positioning would constitute permitted development under Schedule 2 Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [The GPDO], with the condition that similar external materials are used.

In this case the dormer would be clad with grey cladding which is not an existing external material on the dwelling, and as such the dormer window would require planning permission as it does not meet the exception under condition B2(a) of the GPDO. The proposed dormer would have a pitched roof and would not be visible over the existing ridgeline of the dwelling and would not appear visually over dominant in the roofslope.

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

1st Floor Rear extension

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.

Paragraph 8.1 of SPD9 states that single- storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses or 3 metres in respect of semi-detached or terraced houses will generally be acceptable. In this case, a 2.4 metre rear projecting 1st floor rear extension to a mid-terraced dwelling is proposed.

The host dwelling occupies a mid-terraced plot and has an approximately 6.8-metre-deep rear garden. The proposed extension would be constructed to the eastern boundary which is adjacent the boundary with 217 Bamburgh Avenue and would be constructed above the existing rear single storey extension. The extension would be visible above the rear boundary fence from the A183 Coast Road which passes approximately 35 metres north from the rear of the dwelling. The proposed extension would be finished with grey composite cladding. However, several dwellings along Bamburgh Avenue have rear extensions of varying material finishes, with no. 135 Bamburgh Avenue to the east having a dormer window to its rear A183 facing roofslope, and as such the contrasting materials would not be detrimental to the wider street scene in this case.

On balance, 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 would not undermine the objectives of the guidance contained within SPD9.

Residential amenity

Parts 12 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.

Given the proposed existing rear extension to the rear of the application site which is constructed to the shared boundary with no. 217 Bamburgh Avenue, this proposal would increase the height of that extension from 5 metres to 5.5 metres to the highest point, and the existing hipped roof to a gable roof. There is an existing kitchen window to the western rear side of 217 Bamburgh Avenue. However given the orientation of the proposed extension and the existing windows, the proposal would not lead to any overbearing or overshadowing impacts to this window. Given the limited projection of the proposed extension, it would not break the 45 degree rule from the exiting kitchen window at 217 Bamburgh Avenue (as per the existing situation) and would not lead to a loss of light or outlook from this habitable room window over and above the existing situation given the northeastern orientation of the rear of the dwellings meaning the roofs already overshadow the rear of the dwellings past midday.

Given the orientation of no. 221 Bamburgh Avenue to the northwest, the proposal would not impact upon the residential amenity of this dwelling.

The proposed dormer window would look out over the A183 Coast Road and would not cause any loss of privacy, overbearing or overshadowing impacts to neighbouring properties.

Overall, it is not considered that the proposal has any potential to materially harm the residential amenity of any neighbouring occupier. Therefore, the proposed development is considered to be in accordance with Policy DM1 (B), while having regard to the principles set out in SPD 9.

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

   Existing and Proposed Plans, Elevations, Roof Plans and Site Layout Plan Drg No A_3819_01 received 31/10/2025

   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 materials of the development hereby permitted shall be as stated on the plan Existing and Proposed Plans, Elevations, Roof Plans and Site Layout Plan Drg No A_3819_01 received 31/10/2025

   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. 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: Adam Williamson
Date: 26/01/2026

Authorised Signatory: *G. Simmonette*
Date: 26/01/2026