South Tyneside Council

Reference:	260163
Location:	79 Leander Drive, Boldon Colliery, South Tyneside, NE35 9LS
Ward:	Boldon Colliery
Description:	1st floor side extension.
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Summary of Consultation Responses

N/A

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 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 Local Plan has been subject to examination in public hearings in July 2025 and January 2026. The Local Plan is now subject to Main Modifications consultation following receipt of the Inspectors post-hearing letter (12 February 2026) which determined that the plan as submitted is not sound but could be made sound through Main Modifications.

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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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,
- 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 an advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies. Local Plan policies subject to Main Modifications consultation may still be subject to objection and, therefore very limited weight should be given to those policies. Policies not subject to Main Modifications can generally be afforded greater weight. 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

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

- Impact on Visual Amenity
- Impact on Residential Amenity

Impact on Visual Amenity

LDF Policy DM1 (A) seeks to preserve visual amenity. SPD9 sets out guidance for householder development.

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.

The proposed side extension would be constructed above an existing garage which is located 1 metre from the side boundary as marked on the proposed plans, and as such Part 7.5 of SPD9 would not apply to this proposal.

The proposal is to construct above the existing garage, replacing a pitched roof dormer window which is approximately 1 metre from the southern shared boundary with no. 78 Leander Drive. The proposal would display a 0.2 metre set back from the front wall of the main dwelling and a 0.3 metre set down from the main ridge. The roof shape would match the existing roof, and a window would be included to the front elevation. The proposal would occupy more than two- thirds of the depth of the dwelling and this seems an unnecessary

request to set back the front elevation by a third (2.6m), bearing in mind the considerable variation in dwelling designs on this part of Leander Drive (including a near identical style extension as proposed here at no. 88 Leander Drive approved in August 2024 under application ref ST/0365/24/HFUL), this 1st floor extension with the 0.2m set back is considered acceptable on visual grounds. External materials would match the main dwelling.

Given the distance of approximately 1 metre from the shared boundary with no.77 to the south, means that a terracing effect would not arise, if in the unlikely scenario no. 77 chose to extend to their northern elevation.

Therefore, it is considered that the development would convey sensitive consideration of its surroundings, having regard to scale and proportions and would accord with LDF Policy DM1 (A) and the not undermine the guidance contained within SPD9.

Impact on 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.

Neighbours to the north and south are located a sufficient distance from the applicant property.

The proposed first floor side extension would not be visible from any habitable room windows of the adjacent southern neighbour (no. 78 Leander Drive). The east side elevation of no. 77 Leander Drive is located approximately 11.3m from the rear elevation of the proposed first floor side extension. The rear elevation would have an obscure glazed ensuite window to the rear elevation and would not move any build development closer to this dwelling. Given the nature of the proposal, it is considered that it would have no unacceptable impact on residential amenity in relation to privacy, outlook and over dominance, or overshadowing.

It would therefore accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD9 ‘Householder Developments’ in relation to impact on residential amenity.

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

   Proposed roof and site plan received 12/05/2026
   Existing and Proposed Elevations and Plans Drg No 0780-8200-429 received 12/05/2026
   Proposed Sections Drg. No. 1 received 12/05/2026

   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. Bat Informative
   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

3. Breeding Bird Informative
   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.

4. 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: 14/05/2026

Authorised Signatory: *G. Simmonette*
Date: 14/05/2026