



South Tyneside Council

Reference:	260176
Location:	18 Moore Avenue, South Shields, NE34 6AA
Ward:	Harton
Description:	Proposed single storey front/side extension, and single storey side/rear infill extension
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Evie Werndly
Case Officer Contact No.:	0191 4247176

Description of the Site

This application relates to a semi-detached dwellinghouse located in a residential area of South Shields.

The applicant property is attached to no.16 Moore Avenue to the east, and the detached neighbouring property, no.20, is situated to the west.

Description of the Proposal

This application seeks full householder planning permission for the construction of a single storey side/rear infill extension.

The proposed extension would project beyond the rear elevation of the host property by 2.44m, and beyond the eastern side elevation by 2.7m. The proposed extension would have a flat roof with a height of 3.26m, and would be set off the adjacent boundary with no.16 Moore Avenue by 0.15m.

This application also seeks permission for a front/side garage/utility and porch extension. The proposed extension would project forward beyond the existing side extension by 5.65m, and beyond the principal elevation of the host property by 1.5m. The side extension would have a width of 2.965m, and a maximum width of 6.15m when measured beyond the front elevation.

The front/side extension would have a pitched roof, with a height of approximately 3m at the eaves, and maximum height of 4.15m.

Relevant Planning History

The planning history of the site is as follows:

Application 1

- **Application Reference:** ST/0363/18/HFUL
- **Description:** Demolition of rear offshoot and shed, and construction of a rear and side kitchen extension with lantern window and roof window.
- **Decision:** Grant Permission Householder with Conditions
- **Decision Date:** 30.05.2018

Summary of Consultation Responses

N/A

Summary of Representations

1no. representation was received in relation to the proposal. The issues raised are summarised as follows:

- There are no details on the height from the rear ground level of the flat roof extension. Would like to know the additional height above the existing fence barrier between number 18 and number 16.

Officer Response to Representation

The proposed height of the single storey side/rear flat roof extension would be 3.26m. The 45-degree light test demonstrated that the proposed extension would not result in significant overshadowing of no.16's 1no. rear ground floor window. This is due to the minimal proposed projection and offset from the shared boundary.

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 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

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)

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.

The proposed single storey side/rear infill extension, with a length of 2.44m and width of 2.7m, would be small in scale. The front/side extension would have the same width as the existing side extension of 2.965m, which is less than half the width of the original dwelling, which is 7.135m. This complies with the guidance set out in SPD9, which advises that single storey side extensions should not normally have a width greater than half the width of the existing property.

The proposed projection of 1.5m beyond the principal elevation is only marginally above the 1.4m recommended within SPD9, and therefore the proposed development would be of an acceptable scale and massing having regard to the existing host property and to the surrounding area.

The proposed materials, red brick, cream render, tiles, flat roof, and windows, would be in keeping with the materials used in the existing dwellinghouse and as such would be considered to be acceptable.

The proposed front/side extension would be visible from properties on Moore Avenue. However, the choice of materials would match those on the existing dwelling, and the pitched roof would reflect the design of the existing property, and therefore the proposal would be acceptable with regard to the impact on the original dwelling and the street scene.

Having regard to the above, the proposed development is considered to have no significant harm to the visual amenity of the 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.

Having regard to privacy, there would be no windows situated within the side elevations of the proposed extensions. There would be 1no. window situated within the rear elevation of the side/rear extension. However, there are no residential properties situated to the rear of the applicant property on Moor Lane which would be opposite the proposed extension. Therefore, the proposal would not compromise the level of privacy within the habitable rooms of neighbouring properties.

Having regard to outlook, the proposed side/rear extension would be visible from 1no. rear ground floor window within the attached neighbouring property, no.16 Moore Avenue. However, the proposed extension would not form a very dominant feature due to the proposed projection of 2.44m beyond the rear wall, and the offset from the shared boundary fence, which would be retained, of 0.15m. There are a number of side extensions within the vicinity, so the front/side extension would not form a very dominant feature on the street.

Having regard to overshadowing, the 45-degree light test demonstrated that the proposed extension would not result in significant overshadowing of no.16's 1no. rear ground floor window. This is due to the minimal proposed projection and offset from the shared boundary. Moreover, regarding the ground floor windows in the eastern side elevation of no.20 Moore Avenue, there would be no overshadowing above that of the existing situation. This is due to the boundary fence, which would be retained, which largely obscures light into these windows, and the proposed pitched roof to the front/side extension would not restrict further light into these windows.

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).

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 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 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 Elevations and Plans Drg No. 002 Rev A – received 20/03/2026

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 ALL HOUSEHOLDER DEVELOPMENTS IN COAL MINING DEVELOPMENT REFERRAL AREAS

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to

new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

2 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).

Case officer: Evie Werndly

Signed: E.Werndly

Date: 24.04.2026

Authorised Signatory: Seán Gallagher

Date: 24/04/2026