South Tyneside Council

Reference:	260206
Location:	1 Shepherds Way, West Boldon, NE36 0QT
Ward:	Boldon Colliery
Description:	Single storey rear extension with 2no. roof lights
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 West Boldon, and lies outside of the West Boldon Conservation Area.

The attached neighbouring property, no.2 Shepherds Way, is situated to the east of the applicant property, while the detached neighbouring property, Mayfair Bungalow, is situated to the south-west.

Description of the Proposal

This application seeks full householder planning permission for a single storey rear extension, while the existing rear conservatory would be demolished to enable the development.

The proposed extension would project beyond the rear wall of the original property by 3m, with a width of 6.9m, which would project beyond the western side elevation by approximately 0.65m.

The proposed extension would have a pitched roof with 2no rooflights, with an eaves height of 2.55m, and a maximum height of 3.5m.

The proposed extension would be set off the adjacent boundary with no.2 Shepherds Way by 0.2m, and the western boundary wall by 3m; these replicate the distances between the existing conservatory/rear extension and the site boundaries.

Relevant Planning History

The planning history of the site is as follows:

Application 1
- Application Reference: ST/0397/80//DM
- Description: Extension to provide porch
- Decision: Grant Permission with Conditions
- Decision Date: 23.05.1980

Application 2

- Application Reference: ST/0303/02//DM
- Description: Proposed conservatory
- Decision: Grant Permission with Conditions
- Decision Date: 13.05.2002

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 01/05/2026.

Tree Team
In the situations where the protected trees on site are not impacted by the proposal, but may benefit from protective fencing to create a 'construction exclusion zone' to avoid damage by soil compaction, I would recommend issuing a condition to secure submission and compliance with a tree protection plan (TPP) and accompanying method statement.

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 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 development would have a rear projection of 3m and width of 6.9m. The proposed extension would have a smaller footprint than the existing conservatory/rear extension, as the existing conservatory has a larger projection of 4m, meaning the scale of the proposed extension would be considered to be acceptable.

The proposed materials, roof tiles and facing brick, would be in keeping with the materials used in the existing dwellinghouse. The proposed black door frames would vary from the existing white upvc windows. However, given the sufficient distance from the properties to the rear on Hardie Drive, and the presence of TPO-protected trees within the rear garden, the proposed rear windows would be largely obscured and as such would be considered to be acceptable.

The proposed pitched roof, with a maximum height of 3.55m, would be visible where the existing rear extension projects beyond the western side elevation, but would not negatively impact upon the street scene.

The proposed 2no. rooflights would be of a low profile and therefore would not impact upon visual amenity.

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 extension. The proposed windows to the rear of the extension would not compromise privacy within habitable rooms of neighbouring properties, as the properties to the rear on Hardie Drive are situated at a sufficient distance from the host property. Moreover, proposed extension would host less windows than the existing conservatory/rear extension.

With regard to outlook, a reasonable outlook would be maintained from habitable room windows of neighbouring properties. This is due to the fact that the attached neighbouring property, no.2, hosts a conservatory on the boundary with a larger projection than the proposed extension. The view of the proposed extension would also be obscured by the 1.8m boarded fence, which would be retained.

The proposed extension would not result in overshadowing of habitable windows of neighbouring properties above that of the existing situation. This is because the proposed extension would be set off the western boundary wall by 3m, which would be retained. While the extension would be set off the boundary with no.2 by 0.2m, it would be adjacent to the neighbouring conservatory.

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

- Existing and Proposed Front Elevations Drg No.2 – received 26/05/2026
- Existing and Proposed Plan Drg No.0772/5005/658 – received 08/04/2026
- Proposed Rear Elevation Drg No.1 – received 08/04/2026
- Proposed Site/Roof Plan – received 08/04/2026

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 as set out in the plans as listed in condition 2.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1.

4 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

(a) a specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

(b) tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

(c) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.

Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy DM1 (C) and pursuant to section 197 of the Town and Country Planning Act 1990

Informatives

1 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

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).

3 The following British Standards should be referred to:

(a) BS: 3998:2010 Tree work – Recommendations
(b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

Case officer: Evie Werndly
Signed: E.Werndly
Date: 26.05.2026

Authorised Signatory: Seán Gallagher
Date: 26/05/2026