South Tyneside Council

Reference:	260406
Location:	294 Mortimer Road, South Shields, NE34 0DL
Ward:	West Park
Description:	Demolition of rear conservatory and erection of single storey rear / side extension
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Nick Graham
Case Officer Contact No.:	0191 4247427 or 07741108995

Summary of Consultation Responses

Countryside Officer
This does not require a bat survey as the development is single-storey and in a relatively urban area with limited foraging habitat. However as there is still a risk, the applicant should be made aware of the bat and bird informatives, and biodiversity enhancements should be sought.

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)
- EA3 Biodiversity and Geodiversity
- 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 was subject to examination in public hearings in July 2025 and January 2026 and a consultation on proposed

Main Modifications in March/April 2026. On 29 June, the Council received the Inspectors Final Report, which concluded that with recommended main modifications, the South Tyneside Local Plan is sound.

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).

As the draft Local Plan has now been found sound, subject to recommended main modifications, significant weight can now be afforded to all of the policies. Relevant policies are listed below:

- Policy SP1: Presumption in favour of Sustainable Development
- Policy 1: Promoting Healthy Communities
- Policy 33: Biodiversity, Geodiversity and Ecological Networks
- Policy 47: Design Principles

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

LDF Policy DM1 seeks to preserve the visual amenity of the area (limb A) and the residential amenity of neighbouring properties (limb B), whilst Supplementary Planning Document 9 provides guidance for householder developments. Emerging Local Plan Policy 47 promotes good design. It is noted the replacement extension would have a slightly larger projection than the existing conservatory, and although this would project approximately 3.5 metres from the original rear elevation of the property, it is not considered this additional projection would adversely impact on the amenity of the adjoining property (no.296 Mortimer Road). Having regard to the design, scale, massing and relationship with neighbouring properties of the proposed development, it is considered that it would not give rise to significant harm to the visual amenity of the area or the residential amenity of any neighbouring properties.

LDF Policy EA3 promotes optimisation of conditions for wildlife. Emerging Local Plan Policy 33 seeks to ensure the promotion and enhancement of biodiversity and ecological networks. The Countryside Officer has commented raising no objections and suggesting informatives relating to bats and birds. That Officer has also *suggested* [case officer emphasis added] biodiversity enhancements are sought through the insertion of a bird box; but this is not considered to be reasonable or necessary to secure by planning condition in order to make the development acceptable in planning terms and so is included as an informative instead.

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, and in terms

of biodiversity. 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 05/06/2026
Proposed Rear Plan Drg. No. 1 received 05/06/2026
Existing and Proposed Elevations and Floor Plans Drg. No. 0777-1575-028 received 05/06/2026

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 UNIQUE NOTE TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at:
https://www.gov.uk/party-wall-etc-act-1996-guidance

3 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

4 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

5 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.

6 The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The inclusion of the following feature should be provided if possible:

- Externally fitted bird box, preferably made of ‘Woodcrete’. These should be placed:
    - Under the eaves on the northern or eastern aspects.
    - A clear flight line must be available to the nest.
    - Not placed directly above windows or doors.

Case officer: Nick Graham
Signed: N. Graham
Date: 16/07/2026

Authorised Signatory: *G. Simmonette*
Date: 17/07/2026