South Tyneside Council

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| **Reference:** | 260443 |
| **Location:** | 17 Central Gardens<br>South Shields<br>NE34 6BA |
| **Ward:** | Harton |
| **Description:** | Demolish existing rear conservatory. Construct single storey side/rear kitchen extension with roof lantern. |
| **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 bungalow located in a residential area of South Shields.

The applicant property is attached to no.19 to the south, and the detached neighbouring property, no.15, is situated to the north.

**Description of the Proposal**
This application seeks full householder planning permission for the construction of a single storey side/rear extension. The existing rear conservatory situated along the southern boundary would be demolished.

The proposed extension would project beyond the rear elevation of the existing offshoot, which hosts a kitchen, by 4.5m. The proposed extension would have a total width of 3.5m and would extend beyond the side elevation of the offshoot by 1.4m.

The proposed extension would have a flat roof with an eaves height of 3m, and a pitched glazed roof lantern which would project beyond the roof slope by 0.55m.

**Relevant Planning History**
No planning history.

**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 South Tyneside Local Plan 2023-2040. Relevant policies are listed below:

- Policy SP1: Presumption in favour of Sustainable Development
- Policy 1: Promoting Healthy Communities
- Policy 47 Design Principles

The Local Development Framework (LDF) development plan documents also remain part of the development plan at the current time.

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
Policy 47 of the Local Plan and LDF Policy DM1 (A) set out that all development, including extensions and alterations to existing buildings, shall provide for high quality design that contributes positively to the character and visual amenity of the borough's townscapes, landscapes and seascapes.

The proposed extension, with a projection beyond the rear elevation of the existing offshoot by 4.5m, and a width of 3.5m, would be of an acceptable scale and massing having regard to the host property. The proposed extension would be adjoined to the northern side elevation of no.19's rear extension and would be set-back from the rear elevation of no.19's extension by 0.3m, and therefore would be of an acceptable scale and massing having regard to the surrounding area.

The proposed materials, white upvc fascias and windows, and red brick, would be in keeping with the materials used in the existing dwellinghouse. The dark grey fibreglass roof finish would vary from the existing roof tiles; however, this would be considered to be acceptable when considering that the flat roof design would vary from the existing pitched roof.

While the proposed flat roof would vary from the existing pitched roof to the host property, this would not significantly harm the character of the original dwelling or wider street scene. There are several properties within the immediate vicinity which host rear extensions with varying roof shapes, including to no.21 and no.24 Central Gardens, and the proposed extension would not be visible along Central Gardens. The proposed extension would not be visually prominent due to no.19's adjoining rear extension to the south, and the boundary fencing, which would be retained, to the north. The 1no. pitched roof lantern proposed to the extension would also therefore not have a significant 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 Policy 47 and LDF Policy DM1 (A).

Impact on Residential Amenity

Policy 47 of the Local Plan and LDF Policy DM1 (B) set out that all development safeguards residential amenity.

Having regard to privacy, the proposed single storey side/rear extension would not compromise the level of privacy within habitable rooms of neighbouring properties. There are 2no. windows proposed to the side elevation of the extension, and this elevation would be set off from the northern boundary with no.15 by 7.3m. In addition, no.15's habitable room windows would not be visible from the extension, due to no.15's attached garage and fencing situated along this boundary.

A reasonable outlook would be maintained from the habitable room windows of neighbouring properties. While the proposed extension would be set off from the eastern boundary with no.21 Central Avenue by 1.03m, the extension would be largely obscured by the boundary fence, which would be retained. Given the proposed set off from the shared boundary with no.15 by 7.3m, and the presence of no.19's rear extension, the proposed extension would not be largely visible from these neighbouring properties.

Given its proximity to adjacent neighbouring properties, the proposed side/rear extension would not result in overshadowing of habitable windows of neighbouring properties.

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 Policy 47 and 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 Plans Drg No. 0775/9383/033 – received 06/07/2026
- Proposed Side and Rear Elevation Drg No. 1 – received 06/07/2026
- Proposed Site Plan Drg No. 09 – received 10/08/2026

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, and 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 Local Plan Policy 47 and South Tyneside LDF Development Management Policy DM1.

## 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).

**Case officer: Evie Werndly**
**Signed:** E.Werndly
**Date**: 10.08.2026

**Authorised Signatory: Seán Gallagher**
**Date**: 10/08/2026