



South Tyneside Council

Reference:	260455
Location:	44 Brockley Avenue, South Shields, NE34 0TT
Ward:	Biddick and All Saints
Description:	Ground floor extension to side and rear
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Emma Thomas
Case Officer Contact No.:	0191 4247593 or 07741105284

Description of the Site

This application relates to a semi-detached property located within the Biddick Hall area of South Shields. The site is bounded by an adjoining semi-detached property to the east (42 Brockley Avenue) and 50 Brockley Avenue to the west where the rear garden is connected to the side boundary of no. 44. There are no neighbours directly to the front and rear of the property.

Description of the Proposal

This application seeks full householder planning permission for a ground floor extension to side and rear.

Relevant Planning History

The planning history of the site is as follows:

Ref – 250646

Description – Ground and first floor extension to side with single storey extension to rear

Decision – Grant Permission Householder with Conditions

Decision Date – 09/12/2025

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 sets 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 single storey rear extension element would protrude 3m from the rear elevation of the property, in line with SPD9 guidance, and is considered to be acceptable in visual amenity terms.

The single storey side extension would measure 3m wide which is less than half the width of the existing dwelling, which measures 8m wide. The side extension would be visible from the public domain along Brockley Way, however the front elevation of the side extension would be set back 0.33m from the front elevation of the main dwelling, providing a subordinate appearance. 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 would be in keeping with the materials used in the existing dwellinghouse and as such would be considered to be acceptable.

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.

Impact on Residential Amenity

Policy 47 of the Local Plan sets out that all development safeguards residential amenity.

The proposed side extension would not be visible from any habitable room windows of the attached property (no. 42 Brockley Avenue).

The rear elevation of no. 50 Brockley Avenue faces the side elevation of no. 44. The proposed side extension at no. 44 would be set back 1m from the side boundary and would be set back a sufficient distance from the rear elevation of no. 50.

Therefore it is considered to be acceptable in residential amenity terms and would not adversely affect any neighbouring property by way of amenity, privacy or overshadowing relative to the existing property.

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.

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, the residential amenity of any neighbouring properties or the highway safety of the area.

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 Drg. No. 10-25-003 Rev B - Received 29/06/2026
- Proposed Plans Drg. No. 10-25-002 Rev C 290626 - Received 29/06/2026

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 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: Emma Thomas

Signed: *E. Thomas*

Date: 20/08/2026

Authorised Signatory: Seán Gallagher

Date: 24/08/2026