South Tyneside Council

Reference:	260543
Location:	9 Burdon Road, Cleadon, SR6 7RU
Ward:	Cleadon Village and East Boldon
Description:	Erection of two story side extension, single storey side / rear extension and installation of render walling and new roof to existing single storey rear extension
Recommendation:	Grant Permission Householder with Conditions
Case Officer:	Nick Graham
Case Officer Contact No.:	0191 4247427 or 07741108995

Summary of Consultation Responses

N/A

Summary of Representations

One letter of representation received from the adjoining property (no.7 Burdon Road) raising the following points:

SPD9: Householder Developments section 7.2 states

To achieve the desired subordinate appearance and to minimise any terracing effect, two-storey side extensions on semi-detached and high-density detached properties should:

- provide a minimum 1 metre set-back between the front wall of the upper storey extension and the main front wall of the house.

For this application, the proposed first floor plan (260543 Proposed First Floor Plan Drg No 05 030826.pdf) appears to show a 500mm (0.5 metre) set-back between the front wall of the proposed upper storey extension and the main front wall of the house.

The acceptability of this proposed set-back of less than 1 metre is of interest given the set-back distance guidance in SDP9 7.2 (in conjunction with 7.5) was advised as a specific planning consideration when making our own planning application under ST/0554/21/HFUL, and as such the set-back distance of our approved planning application is greater than we would have hoped for.

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

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 is sustainable, accessible to all users, safeguards residential amenity and contributes positively to the character and visual amenity of the borough's townscapes, landscapes and seascapes.

Comments have been received from the adjoining neighbour at no.7 Burdon Road and in relation to the planning application at that property (ref. ST/0554/21/HFUL) and where a substantial setback was incorporated as part of that application in line with SPD9 guidance. The neighbour notes the 0.5 metre set back frontage proposed within this application is of interest as this is less than the one metre distance as set out within SPD9 guidance.

The proposed two storey side extension element would maintain a one metre gap to the side boundary of the site, and would be set down from the ridgeline of the dwelling with the same profile. Although this would be set back 0.5 metres from the main frontage instead of the typical 1 metre as set out in SPD9, it is noted the neighbouring property (no.11 Burdon Road) is of substantially different design and height, and could not be extended in a similar fashion, and where in line with paragraph 7.5 of SPD9 where such guidance may be relaxed. It is also noted the arrangement for no.7 Burdon Road is different and where the two storey side extension at that property extends to the side boundary. This proposal would maintain a one metre minimum gap to the side boundary.

It is also noted SPD9 is guidance only and uses terms like "should" not "must" and where an assessment of the proposal must be made in visual amenity terms giving priority to relevant planning policy. In this context, an additional 0.5 metre setback is not considered to be necessary to make the development acceptable in design or visual amenity terms in this instance, given all of the above. Furthermore, the proposed single storey side / rear element given its position and height relative to this neighbour in also acceptable in terms of design and or visual amenity.

In terms of impacts to the amenity of 11 Burdon Road, this neighbour, planning permission was granted (ref. ST/1000/21/HFUL) and which appears to have been implemented. This includes windows at ground and first floor level facing the application site, however these appear to be either for a non-habitable room (bathroom) or are secondary windows for habitable rooms and where a larger window is located to the front or rear elevation. To the ground floor windows are proposed within the two storey side and single storey side elements facing this neighbour, however a 1.8 metre high fence is located between the properties which would retain privacy between the neighbours.

In terms of overshadowing, no.11 Burdon Road is located immediately north, and the additional overshadowing caused by the extensions is not considered to be significantly harmful to this neighbour relative to the existing dwelling.

The proposed render walling and new roof to the rear extension is considered acceptable in visual amenity terms and would not significantly impact on the amenity or privacy of the adjoining property (no.7 Burdon Road).

No other properties are considered to be adversely affected by the proposals.

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.

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. 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

Existing and Proposed Site Plans Drg. No. 01 received 03/08/2026
Proposed Ground Floor Plan Drg. No. 04 received 03/08/2026
Proposed First Floor Plan Drg. No. 05 received 03/08/2026
Proposed Elevations Drg. No. 07 received 03/08/2026

To define this permission and for purposes relating to Section 73 of the Town and Country Planning Act 1990.

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, asides from the single storey rear extension elements which shall be render walling and a GRP roof.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with Local Plan Policy 47.

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

Case officer: Nick Graham
Signed: N. Graham
Date: 14/09/2026

Authorised Signatory: *G. Simmonette*
Date: 15/092026