

**Item No:** 5.4  
**Application No:** 16/00043/FULH Author: Julia Crebbin  
Date valid: 11 January 2016 ☎: 0191 643 6314  
Target: 7 March 2016 Ward: Monkseaton North  
decision date:

Application type: Householder Full application

**Location:** 24 Grasmere Crescent, Whitley Bay, Tyne And Wear, NE26 3TB,

**Proposal:** Single storey flat roof rear extension. Loft conversion with 2no dormer windows to the rear and 1no dormer window to the front, the existing roof to be stripped and new roof added and first floor cantilevered extension to the side of the property to provide stair access

Applicant: Mr John Fitzpatrick, 24 Grasmere Crescent Whitley Bay Tyne And Wear NE26 3TB

Agent: Building Design Associates, FAO Mr Logan Dart 18 Beech Grove Whitley Bay Tyne & Wear NE26 3PJ

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1.0 Description of the Site

1.1 The site to which the application relates is a two storey detached dwelling located within an established residential area. The host dwelling is south western facing onto Grasmere Crescent in Whitley Bay. It has a flat roofed double garage attached to its side/northern elevation, this has a small pitched roof across its frontage. The garage extends along the full length of the host dwelling and abuts the shared boundaries with the rear gardens of No's 25 and 27 Madeira Avenue. No's 25 and 27 face in a north westerly direction with their rear elevations facing towards the side elevation and rear garden of the host dwelling. The ground floor rear window of No.27 is located approximately 4m from the shared boundary/garage of the host dwelling.

#### 2.0 Description of the Proposed Development

2.1 The proposal relates to the construction of a single dormer window to the front roof slope, 2no. dormer windows to the rear roof slope, a first floor cantilevered side extension to the side of the property and a single storey rear extension.

#### 3.0 Relevant Planning History

3.1 00/00134/FUL - Extension to form double garage and utility room.- Approved 28.04.2000

#### 4.0 Development Plan

4.1 North Tyneside Council Unitary Development Plan (adopted March 2002)

4.2 Direction from Secretary of State under Paragraph 1(3) of Schedule 8 to Town and Country Planning and Compulsory Purchase Act 2004 in respect of Policies in the North Tyneside UDP (August 2007)

#### 5.0 Government Policy

5.1 National Planning Policy Framework (March 2012)

5.2 National Planning Practice Guidance (As Amended)

5.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

### **PLANNING OFFICERS REPORT**

#### 6.0 Detailed Planning Considerations

6.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

6.2 Policy H11 of the UDP seeks to ensure a high standard of design for residential development, including extensions and alterations. It seeks to resist proposals that would have an adverse impact on the amenities of the occupiers of surrounding land and property. Other matters that are taken into account are the scale and mass of the proposal and the relationship to its site and surroundings.

6.3 Development Control Policy No.9 'Residential Extensions' states that any decision has to take into account the affect upon the amenity of neighbouring occupiers, eg. Loss of sunlight, daylight, outlook or privacy, or the effect of the proposal on the street scene and the character of the area and the extent to which works have a high quality of design that respects the character and materials of the existing building.

6.4 Local Development Document 11 'Design Quality' (LDD11) states that All extension proposals must offer a high quality of accommodation and design that will sustain, enhance and preserve the quality of the built and natural environment. By definition, extensions are additional components and should consequently remain ancillary or subservient to the original building. Every extension site is different, and will have a different level of impact depending on whether it is at the front, side or rear of a property, or involves work to the roof. An analysis of the immediate surroundings should form the foundation of any design.

## 7.0 Single Storey Extension

7.1 Ground floor extensions on the boundary of a property will normally be restricted to a maximum of 2.4m projection. Other extensions will be considered on their merits and should not occupy more than half of the rear garden area which should be retained for usual domestic needs e.g. hanging out washing, general recreation etc. The use of flat roofs should be avoided where possible for design and maintenance reasons.

7.2 The proposed single storey rear extension will provide a new garden room. It will project a maximum of approximately 2.9m from the main rear elevation of the host dwelling. Whilst it is acknowledged that the proposed extension is slightly in excess of the maximum length for such extensions, this is considered to be acceptable in this particular case.

7.3 The extension will be positioned at least 1m from the shared boundary with No.27 and approximately 2.1m from the shared boundary with the adjacent property to the south east, No.22 Grasmere Crescent. The rear elevation of No.22 projects for a several metres beyond the main rear building line of the host dwelling. Due to these distances, the further distances to the nearest habitable windows in the rear elevations of these properties and orientation of the dwellings, the proposed extension will not have any significant harmful impact on existing levels of outlook, daylight and sunlight currently enjoyed by the occupants of these properties. Privacy will not be compromised due to the difference in building line between the host dwelling and No.22, and the absence of any windows in the side elevation facing towards No.27.

7.4 The design of the proposal, incorporating a flat roof, is not in accordance with advice provided in DCPS No.9. However, such design has become increasingly common place and is contemporary in nature. It will also ensure that the height of the extension is kept to a minimum further reducing the impact on surrounding occupiers and will not appear incongruous as it is to the rear and therefore not visible from the front.

## 8.0 Cantilevered First Floor Side Extension

8.1 With regard to two storey side extensions, or the addition of a first floor above a side garage DCPS No.9 considers that these are generally acceptable. However flat roofed extensions to dwellings with existing pitched roofs will not normally be acceptable. Windows will not normally be allowed on the side boundary for privacy reasons [obscure glazing should normally be installed in any window directly looking over neighbouring property].

8.2 The proposed extension will project approximately 1.1m from the first floor side/north western facing elevation above the existing garage, and it will have a width of approximately 2.7m. The occupier of No.27 has objected to this element of the proposed works as she is concerned that it will result in a loss of privacy and on the basis that the window is not necessary. These concerns are noted. However, the window will serve a landing area, and given that this is not a main habitable room the purpose of the window is mainly to provide light. As such, a condition requiring the window to be obscure glazed at all future times would

address this concern.

8.3 The design of the proposed extension is of an acceptable standard. It is relatively small at just 1.1m in depth. This will not result in such harm to the outlook from any neighbouring properties, or the wider visual amenity of the host property or streetscene, that refusal of the application is warranted on these grounds.

#### 9.0 Dormer Window Extensions

9.1 DCPS No.9 provides that dormer extensions on those parts of a dwelling which front a highway are generally discouraged. In all cases large flat roofed dormers should be avoided and traditionally designed modest dormer windows will be encouraged when considered necessary.

9.2 LDD11 states that extensions should always complement the form and character of the original building rather than seek to transform it into something else. The scale of an extension and its position will normally emphasise a subservience to the main building. This will usually involve a lower roof and eaves height, and significantly smaller footprint, spans and lengths of elevations.

9.3 An analysis of the immediate surroundings should form the foundation of any design. Amongst criteria this must consider the effect that the extension will have on adjacent properties and land; the effect that the extension will have on the existing property; and the forms and scale of existing built structures near the site.

9.4 The objections to the proposed dormers are noted. The concerns mainly relate to the impact of the proposals on the outlook, daylight, and sunlight currently enjoyed by the occupants of No's 25 and 27 Madeira Avenue. The host dwelling is located to the south of these properties at a distance of approximately 10.3m (from the main ground floor elevations of these properties). Development Control Policy Statement No.14 recommends a separation distance of at least 12m for rear to gable relationships in order to ensure acceptable levels of outlook and privacy. In this case, the introduction of full height dormer windows to both the front and rear elevations will effectively introduce a third storey full width gable end to this property when viewed from No's 25 and 27 at a distance of approximately just 10.3m.

9.5 Due to this significant increase in height across the majority of the roof this will result in an overbearing and oppressive impact when viewed from the rear windows of No.25, and to a slightly lesser extent No.27, which will be exacerbated by a loss of sunlight and daylight as a result of the large dormer windows being located directly to the south/south west of these properties. These concerns are reinforced by the objections received from the occupants.

9.6 The design of all of the dormer windows is not ideal in that their size does not demonstrate any subservience to the host dwelling. Rather than following advice contained in LDD11, which advises that extensions should involve lower roof and eaves height, and significantly smaller spans and lengths of elevation, the



policies H11 and DCPS No.9 of the North Tyneside Unitary Development Plan 2002.

4. No Further Windows In Flank Elevations      WIN02      \*H11 and DCPS  
No.9

**Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

**Informatives**

Building Regulations Required (I03)

Do Not Obstruct Highway Build Materials (I13)





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Not to scale

Date: 25.02.2016

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## Item 5.4

### Appendix 1 – 16/00043/FULH

#### Consultations/representations

##### Representations

2no. objections have been received, these are summarised as follows:

(No.25 Maderia Avenue)

- Development at roof level of the rear dormer windows at 3 storey height will have a serious negative impact on my living area and cause a loss of amenity and natural light. Front dormer will have an impact too, but lesser.
- My outlook will be a huge brick wall and this will take away the pleasure of sitting, reading and relaxing because of the oppressive outlook.
- There is no other similar development on this date, which is used as a dwelling. This will harm the character of the area.
- Plenty of dormer windows in street, but these are much smaller in size than those proposed.
- Proposal will in effect increase the property to twice the size of the original dwelling.
- Dormer windows should be removed in favour of velux type roof lights.

(No.27 Madeira Avenue)

- Loss of daylight and amenity due to the large size of the proposed roof dormer windows.
- Introduction of substantial overshadowing as a result of the dormers.
- Overbearing dormers in close proximity to rear elevation of No.27.
- Loss of privacy due to the large landing window which will directly overlook the bedroom and living area.
- Landing window is excessive in size.

##### Cllr Les Miller Ward Councillor (Monkseaton North)

Request for the application to be determined by planning committee due to the height of the windows causing a potential loss of light, and a loss of amenity.