

Item No: 5.6
Application No: 15/02002/FULH Author: Will Laing
Date valid: 14 December 2015 ☎: 0191 643 6320
Target 8 February 2016 Ward: Chirton
decision date:

Application type: Householder Full application

Location: 2 Roxby Gardens, North Shields, Tyne And Wear, NE29 7BW,

Proposal: Single storey rear extension and porch extension to the front. (Resubmission)

Applicant: Mr Ron Burgess, 22 Wallsend Road North Shields Tyne And Wear NE29 7BP

Agent: Ian M Cook Architect, 7 Lovaine Place North Shields Tyne And Wear NE29 0BW

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1 Main Issues

1.1 The main issues with this application are as follows:

- Impact on Residential Amenity
- Impact on Character and Appearance
- Contaminated Land

2 Description of the Site

2.1 This application refers to a west facing, semi-detached bungalow in a well-established residential area of the Chirton Ward.

2.2 The application site is adjoined by no.4 Roxby Gardens to the north, with the rear gardens of properties fronting onto Wallsend Road to the south, a parking area to the southwest and The Quadrant to the east.

2.3 The application site has a front garden with pedestrian access enclosed by 1.2m high timber fences with a 0.6m high brick wall fronting the highway and a rear garden enclosed by a 1.2m high timber fence.

2.4 The host dwelling has an existing front annex providing a lobby and a bay window and the rear elevation has an attached shed.

3 Description of the Proposal

3.1 This application seeks full planning permission for the erection of a single

storey front extension to the existing lobby, and a single storey rear extension.

3.2 The proposed front extension would project forward 0.4m from the existing front annex and would be 2.05m wide and 2.9m high with a mono-pitched roof. The proposed front extension would have a window in the north elevation and a door in the principle elevation.

3.3 The proposed rear extension would be set off the boundary with no.4 Roxby Gardens by 1m and would be 7.5m wide. The extension would have a 2.4m wide bay window projecting 1m forward out of the rear elevation of the proposed rear extension.

The proposed rear extension would project out 4.05m (5.05m including the bay window) from the rear elevation of the host bungalow.

3.4 The proposed extension would have a lesser projection of 2.5m for a width of 0.7m at the southern end of the extension to follow the tapered southern boundary.

The rear extension would be 2.85m high with a flat roof.

3.5 The south elevation would contain 3No windows (removing an existing window in the south elevation). The rear elevation would contain a fully glazed door, a bay window and 2No roof lights.

3.6 There are no openings proposed in the north elevation.

4 Relevant Planning History

15/01384/FULH - Proposed front extension to provide new lobby and single storey rear extension to bungalow – Refused 20.10.2015

1) Impact on Residential Amenity

The proposed rear extension, by virtue of its siting along the boundary with adjoining property, projection and proximity to a habitable room window, would have an unacceptable impact on the light, outlook and residential amenity of no.4 Roxby Gardens. As such the proposal would be contrary to policy H11 and DCPS no.9 of the North Tyneside Unitary Development Plan (March 2002).

5 Government Policy

National Planning Policy Framework (March 2012)

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.

6 Development Plan

North Tyneside Unitary Development Plan (adopted March 2002).

Direction from Secretary of State under paragraph 1(3) of Schedule 8 of Town and Country Planning and Compulsory Purchase Act 2004 in respect of policies

in the North Tyneside UDP (August 2007).

PLANNING OFFICERS REPORT

7 Main Issues

7.1 The main issues with this application are as follows:

- Impact on Residential Amenity
- Impact on Character and Appearance
- Contaminated Land

8 Impact on Residential Amenity

8.1 Policy H11 of the UDP states that the impact of the proposal on its site, local amenity, the environment and adjoining land uses must be taken into account when considering proposals.

8.2 DCPS No.9 states that the impact on the amenity of neighbouring occupiers in terms of loss of light, outlook and privacy are material planning considerations to be taken into account when determining applications for residential extensions. 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.

8.3 It is officer opinion that as the proposed front extension would be sited to the centre of the front elevation it would not impact on the light or outlook of the neighbouring properties.

8.4 The adjoining semi-detached property, no.4 Roxby gardens, lies directly to the north of the site. The neighbouring dwelling has an existing rear extension set 1.6m off the boundary with the application site, with a bedroom window between the existing extension and the site boundary. The proposed extension would be set 1m from the boundary with no.4 Roxby Gardens and project 4.05m (5.05m including the proposed bay window).

8.5 The last application was refused because the proposed extension would have a detrimental impact on No. 4 due to the siting of the extension along the boundary and its projection. The current application amends the proposed extension so that it is set 1m away from the boundary.

8.6 The proposed flat roof rear extension is sited directly to the south of the adjoining property and as such it will have some impact on loss of light and outlook to no.4. However, it would not be significant given the 1 metre separation of the extension to the boundary and the 2.85m height of the extension. It is therefore considered that the proposal would not have such a detrimental impact on No. 4 to warrant refusal of the application.

8.7 The proposal will not have a detrimental impact on the properties to the south and east due to the separation distances to the properties.

8.8 It is acknowledged that the proposed rear extension would breach the 2.4m projection limit stipulated by DCPS no.9 of the UDP (March 2002). However, while the proposal would have a limited impact on the light and outlook of the neighbouring dwelling, the impact would not be as significant as to warrant refusal of the application.

8.9 Members need to consider whether the proposal will have a detrimental impact on the neighbouring property. Having regard to the above, the proposal is deemed to comply with policy H11 of the UDP (March 2002).

9 Impact on Character and Appearance

9.1 Policy H11 of the North Tyneside Council Unitary Development Plan (adopted March 2002) seeks to ensure a high standard of design. Policy H11 stipulates that the local planning authority will take into account (amongst other things) the scale, density, massing, construction, landscaping and materials to be used in any proposal.

9.2 Development Control Policy Statement No.9 'Residential Extensions' states that material planning criteria to be taken into account when considering proposals include the effect of the proposal on the street scene and the character of the area as well as the extent to which the works have a high quality of design which reflects the character and materials of the existing building. In addition to this a high standard of design will be required for front extensions, normally incorporating a pitched roof and using materials and window styles to match that of the existing dwelling and would normally be restricted to a maximum of 1.2m.

9.3 LDD11 'Design Quality' applies to all planning applications that involve building works. It states that extensions must offer a high quality of design that will sustain, enhance and preserve the quality of the built and natural environment. It further states that extensions should complement the form and character of the original building.

9.4 The proposed front extension would project out 1.25m in total from the front elevation (0.4m from the bay window). The front extension would remain in keeping with scale of the existing building and there are several similar front annexes within the surrounding area.

9.5 It is acknowledged that there are several flat-roofed rear extensions in the surrounding area, including one at the neighbouring dwelling of no.4 Roxby Gardens. As such it is the officer's opinion that the impact of the flat-roof design to the proposed rear extension on the character and appearance would not be sufficient to warrant refusal of the application.

9.6 Members need to consider whether the proposal is acceptable in terms of its impact on the character and appearance of the area. It is officer advice that it is.

10 Contaminated Land

10.1 Policy E3 states that the Local Planning Authority will seek to minimise the impact of pollution of the environment and will support and encourage measures to reduce pollution to the lowest practicable levels.

10.2 Officers would advise members that the site falls within the contaminated land buffer zone and as such a condition for a gas protection membrane is recommended.

11 Conclusion

11.1 Having regards to the above, the proposal is deemed to comply with the relevant national planning policies, policy H11 of the North Tyneside Unitary Development Plan (March 2002) and LDD 11 'Design Quality'.

11.2 The proposal does not wholly comply with DCPS no.9 of the UDP (March 2002). On the balance of issues it is officer recommendation that planning permission be granted.

RECOMMENDATION: Application Permitted

Conditions/Reasons

- | | | | |
|----|---|-------|------|
| 1. | In accordance with approved plans | MAN01 | * |
| 2. | Standard Time Limit 3 Years FUL | MAN02 | * |
| 3. | Materials External Surfaces to Match | MAT01 | *H11 |
| 4. | No Further Windows In Flank Elevations | WIN02 | *H11 |
| 5. | Gas protection measures for householder | GAS05 | * |

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.



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Not to scale

Date: 25.02.2016

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Appendix 1 – 15/02002/FULH

Consultations/representations

1 Councillor A Percy

1.1 A letter raising concerns that the proposed extension would seriously obstruct light to the rear bedroom window, which would be detrimental to the health of the neighbouring occupier and would prevent the occupier from enjoying her home and environment and preventing the resident from living in her home peacefully.

2 Neighbour Representations

2.1 One letter of objection on the grounds that the proposal would block light to a habitable room in the rear elevation.