

Committee Report

Application No:	DC/20/00438/HHA
Case Officer	Josh Woollard
Date Application Valid	4 June 2020
Applicant	Mr P Churnside
Site:	6 Coalway Lane Whickham NE16 4BX
Ward:	Dunston Hill And Whickham East
Proposal:	First floor side extension and canopy to create covered car port (description amended 06.07.20)
Recommendation:	REFUSE
Application Type	Householder Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The application site is a link-detached bungalow of brick and tile construction. The host property has previously been extended by dormer windows to the rear roof plane to provide a second floor of living space and a single storey front extension. Land levels on the site are relatively flat, however, the topography of the area slopes steeply down towards the north, therefore each property is slightly set down from the neighbouring property to the south.

1.2 The streetscene comprises of linked detached bungalows with a staggered building line on the east side of Coalway Lane; two-storey semis and blocks of garages line the west side of the road. The bungalows all have an attached garage to the side (south) elevation which are set back from the front elevation. The bungalows have their main entrance door within their side elevation.

1.3 DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the erection of a first-floor side extension and the creation of a covered car-port.

1.4 The proposed extension would fill much of the void at first floor level between the side elevation of the host property and the gable wall of number 4 Coalway Lane. With the exception of 0.45m high section, a 0.5m gap would be retained between the gable elevation of the first-floor side extension and the side elevation of number 4.

1.5 The extension would be 7.1m in length. The existing garage is set back 5.9m from the front wall of the dwelling, and the proposed extension would project 3.1m beyond the front elevation of the garage at first floor level. This section would be cantilevered, supported by steel beams.

1.6 Materials used in the construction of the extension would match the existing dwelling.

1.7 RELEVANT PLANNING HISTORY

DC/04/00345/FUL - Installation of dormer windows on east side of dwellinghouse to provide additional living accommodation in roofspace. – Granted 15.04.2004

DC/10/00464/HHA - Erection of single-storey extension at front of dwellinghouse. – Granted 07.07.2010

DC/18/00542/HHA - First floor side extension and canopy to create covered car port, and Juliet balcony to rear (description amended 27.06.18, amended plans received 08.09.18) – Refused 17.10.2018 & Appeal Dismissed 18.02.2019

DC/19/01070/HHA - First floor side extension and canopy to create covered car port – Decline to Determine 16.12.2019

2.0 Consultation Responses:

None received.

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 Representations have been received from 8 households which object to the proposal. The objections are summarized as follows:

- Out of character
- Overbearing
- Overdevelopment
- Infilling of space will make residents feel shut in
- Building regulations approval on previous development at the site
- Right to light
- Loss of view
- Quality of drawings
- Covenants
- Located in a Coal Mining High Risk Area
- Loss of property value
- Discrepancies and inconsistencies on plan

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

HAESPD Householder Alterations- Extensions SPD

5.0 Assessment of the Proposal:

5.1 The main planning issues in this case are considered to be the impact on the street scene/design, residential amenity, and highway safety.

5.2 IMPACT ON STREET SCENE/DESIGN

In considering the appeal for application DC/18/00542/HHA, the Inspector found that whilst there had been some alterations to the bungalows along Coalway Lane, the eastern side exhibits a relatively uniform character, reinforced by the regular gaps between the buildings. The steeply sloping nature of the street further emphasises the gaps between the properties and these play an important contribution in the creating the character of the street.

5.3 In considering the impact of the appeal scheme, the Inspector found that the combination of infilling the gap between the properties (number 4 and 6) and the overhanging first-floor element of the extension would be inconsistent with the existing street scene and would be harmful to its otherwise uniform appearance.

5.4 Whilst slightly different, the scheme proposed as part of this application exhibits some of the same features which have previously been considered harmful.

5.5 The proposed extension would still infill much of the gap, at first floor level, between number 4 and number 6 Coalway Lane for example. Whilst the applicant has made an attempt to overcome this refusal reason by providing a 0.5m gap between the two gable elevations, it is not considered that this distance would be sufficient to ensure that a terraced/linked effect would not occur as a result of the extension. When travelling north or south along Coalway Lane, the extension would be a prominent and alien feature given the regular gaps between the other bungalows. Further, when looking directly towards the principal elevation of number 6, it is considered that the 0.5m gap between the elevations would be an unusual feature that would not contribute positively to the street scene.

5.6 The proposed extension, much like application DC/18/00542/HHA, would also feature an overhanging first-floor element, 3.1m in length. This element has

been found to be inconsistent with the existing street scene, and therefore out of character and harmful.

- 5.7 Taking into account the above assessment, it is considered that the proposed development would be unacceptable and contrary to the NPPF, policy CS15 of the CSUCP, Saved policy ENV3 of the UDP, and Gateshead Council's HAESPD.
- 5.8 **RESIDENTIAL AMENITY**
The scheme which was the subject of application DC/18/00542/HHA and subsequently dismissed at appeal featured a dormer window within the rear roof slope of the extension.
- 5.9 In considering the impact of the dormer window on the residential amenity of number 4 Coalway Lane, the Inspector found that due to the change in levels between the two houses, with number 4 sitting higher than the appeal building, the new dormer would be set just slightly above the level of the rear garden of number 4 and only offset from the boundary by a very short distance. It was found that it would appear as an overly dominant feature when viewed from the garden of the neighbouring house.
- 5.10 The Inspector also found that, when considering the French windows within the rear elevation of the dormer, they would be unacceptably oppressive to the occupiers of number 4 and restrict the enjoyment and privacy of the rear garden area. With regard to the impact on numbers 13 and 15 Church Rise to the east, the Inspector found that the dormer would have a neutral effect on their living conditions.
- 5.11 In considering the current application, the dormer window feature has been entirely removed and replaced with a simple slate roof slope which is set quite significantly down from the roofline of number 4. Further, the extension would not project beyond the rear elevation of number 4. In removing the dormer, the bulk of the extension has been reduced considerably to help ensure the extension would be a less dominant feature and would not therefore result in an unacceptable loss of sunlight or outlook. Further, the lack of any windows within the rear roof slope will ensure the extension is less oppressive and would not therefore have an unacceptable impact on the privacy of the occupants of number 4, or properties along Church Rise to the east.
- 5.12 Taking into account the above assessment, it is considered that the proposed extension would not have an unacceptable impact on residential amenity and would comply with the NPPF, policy CS14 of the CSUCP, Saved policy DC2 of the UDP, and Gateshead Council's HAESPD.
- 5.13 **HIGHWAY SAFETY & PARKING**
Existing parking and highway access arrangements would be unaltered by the proposal and therefore the proposed development would not have an impact on highway capacity, highway safety or parking provision. It is therefore considered that the proposal complies with policy CS13 of the CSUCP.

5.14 OTHER MATTERS

In regard to this application setting a precedent within the area, each application will be judged on its own individual merits.

5.15 In regard to land stability, while material, The Coal Authority have indicated they do not wish to be consulted on applications of a householder scale. As such, any stability issues will be addressed/considered through the building regulation approval process.

5.16 With regard to inaccuracies and discrepancies within the submitted plans, the merits of the proposal have been considered in detail above and the proposed development has been found to be unacceptable. It is not therefore considered necessary or reasonable to require further amendments to the plans given these amendments would not alter the recommendation.

5.17 Issues of devaluation of properties, loss of view, property maintenance, The Party Wall Act, the quality of workmanship and building regulations approval on previous development on site, property deeds, the proposed internal layout, noise and dust arising from construction, potential future development at neighbouring properties, and building against another person's property are not material planning considerations and as such are not afforded any weight.

6.0 CONCLUSION

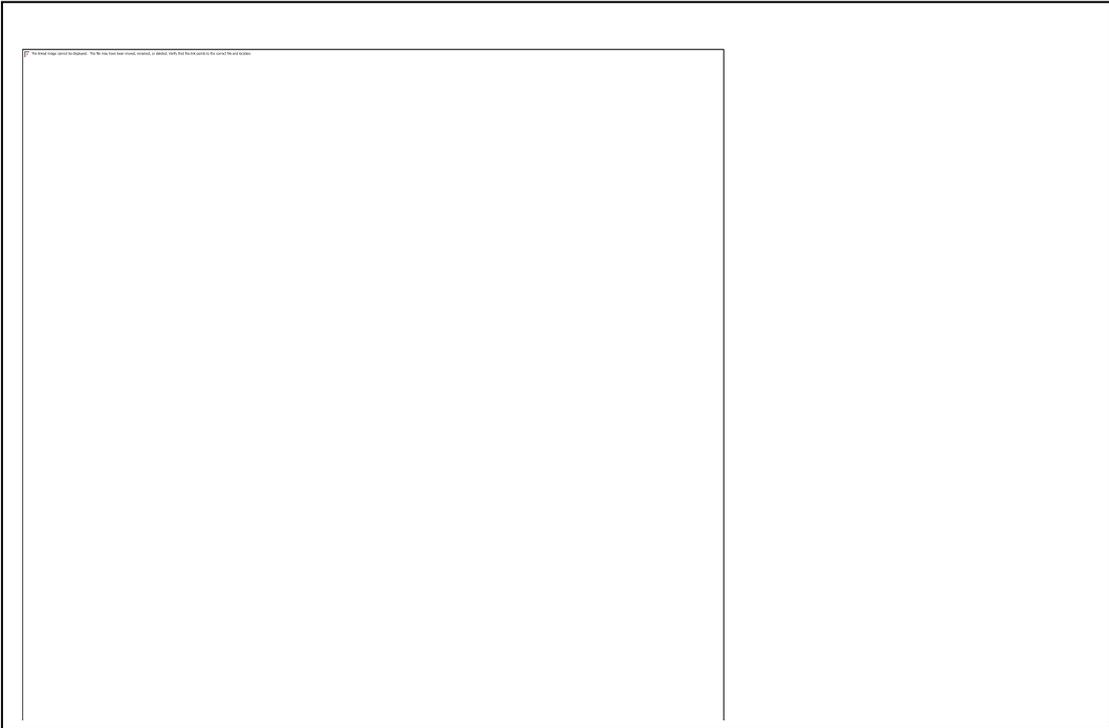
6.1 Taking all the relevant issues into account, it is recommended that planning permission be refused. It is considered that the proposal does not accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

7.0 Recommendation:

It is recommended that planning permission be REFUSED for the following reason

1

The proposed infilling between the side elevations of number 4 and 6 Coalway Lane and the overhanging first-floor element would be inconsistent and harmful to the uniformity of the street scene. The development would therefore be harmful to the character and appearance of the street scene, contrary to the NPPF and policies CS15 of the CSUCP, ENV3 of the UDP, and Gateshead Council's HAESPD.



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