

Committee Report

Application No:	DC/21/01459/HHA
Case Officer	Gergo Gered
Date Application Valid	19 December 2021
Applicant	Mr Rob Lawson
Site:	2 John Street Pelaw Felling NE10 0XR
Ward:	Pelaw And Heworth
Proposal:	Erection of single-storey flat roof rear extension (as amended 05/02/22 and 05.04.22).
Recommendation:	GRANT
Application Type	Householder Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The host property is a two-storey semi-detached dwelling facing south-west on a corner plot neighbouring No.4 John Street and facing the rear elevations of properties at Durham Street.

1.2 DESCRIPTION OF THE PROPOSAL

Permission is sought for the erection of a single-storey flat roof rear extension. The extension would create a new living and dining area for the property. It would have a depth from the existing offshoot of 3.08 metres and would have a flat roof with a height of 3 metres at the point where the extension attaches the offshoot. The extension would have a width of 6.05 metres. Part of the rear and side boundary wall of the property would be demolished and replaced with matching stone and the submission confirms that stone from the existing wall will be used to finish the outer walls facing the lane.

1.3 RELEVANT PLANNING HISTORY

None

2.0 Consultation Responses:

None

3.0 Representations:

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

3.2 15 neighbouring properties have been notified of the application. Seven letters of objection have been received.

3.3 Seven letters of objection were received, and these comments raised the following concerns:

- 3.4
- Additional noise
 - Disturbance early mornings/late evenings
 - Inadequate car parking
 - Increase of traffic
 - Traffic or Highways
 - Out of character with streetscene
 - Overbearing
 - Overdevelopment
 - Proposal will attract potential vandals
 - Negative impacts on residential amenity - The proposed extension to the rear of the property will be too high at 3m. This will considerably affect and reduce the amount of natural light into the adjoining property.
 - The density of the proposed dwelling is inappropriate to the area.
 - Placement of bins outside of the boundary treatment as a result of the rear extension
 - The proposed extension will impact the line of site and cast a shadow onto the back yard of number 4 John Street.

3.5 Of these seven objections, six of the objections received refer to the proposed change of use of the property to an HMO, which was mistakenly included in the original description of the proposal. These concerns can be summarised as follows:

- 3.6
- An HMO could create extra noise, conflict, possible anti-social behaviour, increase in visitors, increase in car parking and people movement at all hours of the day.
 - This is a residential area with family homes, whereas this multiple occupancy house is going to be a rental business, which is not in keeping within the street.
 - An increased number of people living in the house of this size will increase the demand for parking when the residents and their visitors need to park their cars here.
 - The majority of people living in this street are older people and one younger family. Having a large number of strangers who may be changing constantly, will create a feeling of insecurity.
 - An increase in occupancy of this magnitude is going to make the street noisier.
 - HMOs with absentee landlords are a recipe for disturbances in neighbourhoods with excess noise, litter and general anti-social behaviour and as the tenants are not responsible for the appearance of the property, they care little about the state of the building and surrounding area.
 - People living in the street formed a tight community. People living in a shared house will not have the same level of care and attention, to the needs of other long-standing residents of the street.

- 3.7 Other comments were received that raised concerns that are non-material considerations, such as that the proposal would devalue properties.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

MSGP15 Transport Aspects of Design of Development

MSGP17 Residential Amenity

MSGP18 Noise

MSGP24 Design Quality

HAESPD Householder Alterations and Extensions SPD

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when assessing this planning application are set out below:

5.2 IMPACT ON VISUAL AMENITY

The Council's Householder Alterations and Extensions SPD outlines that "alterations to a property should be in character with the style of your house and the neighbourhood in general." Furthermore, the supplementary document states that "any extension to the rear should not dominate neighbouring properties or significantly alter a neighbour's existing level of sunlight, daylight or privacy. Applications for rear extensions will be considered on their individual merit having regard to their mass and height, distance from the boundary, windows of neighbouring properties, its position in relation to the main house and neighbouring properties, the size of the remaining garden and any other previous extensions to neighbouring dwellings."

- 5.3 The proposal has been designed to reflect the host dwelling with matching details, materials, and colour. The building materials of the proposal includes stone taken from the current yard wall, which would be used to finish the walls of the extension facing the rear lane. Red brick will be used on the external wall facing the backyard.

- 5.4 The proposed structure would have a height of 3 metres adjacent to the common boundary treatment between the host property and No.4 John Street and a maximum height of 3.5 metres on the southeast elevation due to the sloping nature of the rear garden. The overall height would extend above the existing common boundary treatment with No.4 by 0.6m. The flat roof rear extension would also include a rooflight set away from the boundary with No.4 by 1.1 metres. The rear extension would not be a dominant addition to the property and would be constructed in matching materials to the host dwelling. It is considered that the development would complement the character of the dwelling and would not detract from the established character of the street.
- 5.5 Rear extensions should not occupy more than 50% of the rear garden as suggested by the HAESPD, however, it is noted that a private garden would be retained to provide adequate space to storage of bins, bicycles and for private amenity purposes. The property also benefits from additional amenity space to the front of the dwelling. A new gate opening would allow access to the rear garden from the street on the southeast elevation. The proposed new door would not require planning permission and would not detract from the character of the property or the street scene.
- 5.6 It is considered that the scale and design of the development is appropriate to the host property and surrounding area. It is considered that the development is in accordance with the NPPF and Policies CS15 and MSGP24 of the Local Plan for Gateshead, as well as the advice contained within the HAESPD.
- 5.7 **IMPACT ON RESIDENTIAL AMENITY**
The extension would have a height of 3 metres at the common boundary between the host property and No.4. This is 0.6 metres greater than the height of the existing boundary wall. It is noted as part of the assessment of the impacts of the development on the neighbours at No.4, that an extension of up to 3 metres in depth and 3 metres in height to the eaves could be constructed to the rear of the existing off shoot at the boundary with that neighbour without the requirement for planning permission. This is because an extension of this scale would comply with the limitations and conditions set out at Schedule 2, Part 1, Class A of the General Permitted Development Order 2015 (as amended, revoked, or re-enacted). Taking this into account, whilst the proposed development would have a depth of 3.08 metres, 0.08 metres beyond the limitations of Class A, an extension of a similar massing and design could be sited adjacent to the common boundary with the neighbour at No.4 without planning permission. There are other examples of rear extensions to the rear of offshoots in the street scene. Notably at the neighbouring dwellings at No.4 and No.6 John Street. Overall, it is considered that the proposed extension would not result in harm to the light, outlook or privacy of the neighbours at No.4.

- 5.8 The host property is located at a corner plot and is set away from the rear boundary treatments of properties at Greenfield Terrace to the south by 5 metres and 4.5 metres from the rear boundary treatments of properties at Durham Street. Taking this distance into account, it is considered that the proposed development would have an acceptable impact on the light, outlook and privacy of neighbours at these properties.
- 5.10 It is considered that the proposed development would provide an acceptable standard of amenity for neighbouring and proposed occupiers, having regard to light, outlook and privacy. Therefore, it is considered that the proposal is in accordance with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead, and guidance set out within the HAESPD.
- 5.11 **IMPACT ON THE HIGHWAY**
Concerns have been raised in relation to the impact that the development would have on the highway. Space would be provided for bin storage and cycle storage at the private amenity space in the rear yard. A new access door would be added to the side wall to provide access to this space. It is not considered that the proposed extension would result in an adverse impact to the local highway and parking.
- 5.12 It is considered that the proposed development would have an acceptable impact on the parking and the highway. Therefore, it is considered that the proposal is in accordance with the NPPF and Policies CS13 and MSGP17 of the Local Plan for Gateshead.
- 5.13 **IMPACT ON NOISE**
Concerns have been raised in relation to the impact that the development would have on noise and disturbance to residents. Whilst noted, it is not considered that the proposed single storey rear extension would result in additional noise or disturbance to neighbouring dwellings.
- 5.14 It is considered that the proposed extension would not result in additional noise or disturbance to neighbouring occupiers, to comply with Policy CS14 and MSGP 18 of the Local Plan for Gateshead.
- 5.15 **OTHER MATTERS**
Six of objections received which raised concern with the proposal to convert the host property to a house in multiple occupation (HMO). The change of use of the property to an HMO was included in the original description of the application by mistake. New neighbour letters with the amended description removing reference to the change of use of the property were sent out on 07.02.22.
- 5.16 Whilst the comments raised in relation to the potential use of the property as a HMO are noted, this application solely seeks permission

for the proposed single storey rear extension. As such, representations setting out concerns in relation to a change of use of the property are not material to the consideration of the application.

- 5.17 Notwithstanding this, it is noted that Part 3, Class L of the General Permitted Development Order 2015 (as amended, revoked, or re-enacted) sets out that it is permitted development to convert a C3 single family dwelling house to C4 house of multiple occupation (HMO) of between 3 and 6 unrelated persons. As the dwelling benefits from full permitted development rights, subject to not more than 6 unrelated persons occupying the property, planning permission for a change of use from C3 family dwelling house to a C4 house of multiple occupation (HMO) would not require planning permission.

6.0 CONCLUSION

- 6.1 Taking all the relevant planning policies into account along with all other material planning considerations, it is recommended that planning permission be granted, subject to conditions as set out below.

7.0 Recommendation:

That planning permission be GRANTED subject to the following conditions and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Site Location Plan (1:1250)

Proposed Ground Floor Plan (1:100) @ A4 DRG. 951/01A

Proposed First Floor Plan (1:100 @ A4 DRG. 951/02A

Existing and Proposed North East Elevations (1:100) @ A4 DRG. 951/05A

Proposed South East Elevation (1:100) @ A4 DRG. 951/07A

Proposed Roof Plan & Site Layout (1:100) @ A4 DRG. 951/10

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in

writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3

All external surfaces shall be completed in materials to match those of the existing building.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead



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