

**Committee Report**

<b>Application No:</b>	<b>DC/19/00275/HHA</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>10 April 2019</b>
<b>Applicant</b>	<b>Mr Chris Brass</b>
<b>Site:</b>	<b>Cobba-Da-Mana Hexham Old Road Ryton NE40 3LE</b>
<b>Ward:</b>	<b>Ryton Crookhill And Stella</b>
<b>Proposal:</b>	<b>Raised decking area to rear of the property</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Householder Application</b>

**1.0 The Application:**

- 1.1 This application was deferred at the meeting of the Planning and Development Committee on 05 June 2019 to allow the Committee to visit the site. Members visited the site on 20 June 2019.
- 1.2 **DESCRIPTION OF THE SITE**  
The application relates to Cobba-Da-Mana a residential property located on Hexham Old Road, Ryton. The property is a detached split-level bungalow, the property has a single level of accommodation with a storage area located at ground floor level to the rear.
- 1.3 The area is residential in nature, within the streetscene there is a general lack of uniformity in dwelling types, scales and materials.
- 1.4 There are residential properties located to the north west (Colingdale), south east (Rushlor) and also to the east (2 and 3 Watermill). Land levels generally slope from north to south within the area and on the application site.
- 1.5 Externally the property is finished in light coloured render and the roof is finished in roof tiles.
- 1.6 **DESCRIPTION OF THE APPLICATION**  
The application seeks partially retrospective planning permission for the erection of a raised decking area to the rear elevation of the property.
- 1.7 There is currently raised decking in situ to the rear of the dwellinghouse. The decking has been erected at a height of approximately 2.3 metres from ground level (to the floor) and approximately 3.8 metres to the top of the balustrade. The decking currently has a projection of 3 metres from the rear elevation of the house and a width of 6 metres.
- 1.8 The application proposes to retain a proportion of the raised decking, however the application proposes significant amendment. The application proposes that

the height and width of the raised deck remain unaltered, however it also proposes a reduction in the projection of the deck from 3 metres to 1.5 metres (while retaining the stairs as existing). Further, the application proposes the introduction of a screen along the south eastern boundary of the raised deck, although limited detail relating to the screening has been provided.

#### 1.9 PLANNING HISTORY

There is no planning history associated with the application site or the current application.

#### 2.0 Consultation Responses:

None

#### 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. A total of 4 letters of objection, including from a Ward Councillor (Councillor Chris Buckley) have been received in addition to two letters of support including one from a Ward Councillor (Councillor Freda Geddes).

3.2 The letter of objection are summarised as follows;

- The height of the raised decking would allow for unacceptable level of overlooking which would not be resolved by the introduction of screening;
- The overlooking could be addressed by the introduction of conifers;
- Changes in land levels and removal of existing planting has resulted in overlooking issues to the rear of the premises;
- The amended decking would still result in a significant overbearing presence on neighbouring properties; and
- The retention of the side access to the property would remove the need for the raised decking.

3.3 The letters of support are summarised as follows;

- The works undertaken in renovating the property have been completed as permitted development, the applicant mistakenly thought the raised deck also fell within the remit of permitted development;
- The applicant has amended the scheme to comply with the requirements of Officers;
- The applicant is mindful of the need to maintain privacy levels and as such has suggested measures to reduce impact i.e. screening.
- The applicant has vastly improved the property; and
- The proposed development would not lead to any impact on amenity.

#### 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:**

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

### **5.2 IMPACT ON STREETSCENE**

It is considered that the scale and design of the development as a whole is appropriate to the host property and surrounding area. To ensure that the proposed development does not have an adverse effect upon the appearance of the existing building a condition relating to the proposed materials has been attached to the application. It is considered that the development is in accordance with policy ENV3 of the Unitary Development Plan for Gateshead (UDP) and policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (CSUCP).

### **5.3 RESIDENTIAL AMENITY**

The NPPF requires the planning process to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is a key aspect of the planning system and is echoed by CSUCP policy CS14 and saved UDP policy DC2 which seek to ensure that development does not cause any undue disturbance to nearby residents, safeguards the enjoyment of light and privacy for existing residential properties, and ensures an acceptable level of amenity for existing and future residents.

5.4 The Householder Alterations and Extension Supplementary Planning Document (HAESPD) advises the following in regard to balconies, terraces and decking;

*"Applications for such additions will be considered with regard to their impact on the privacy of nearby residents. These particular types of application will not normally be approved if there is significant overlooking of a neighbouring garden/yard or a main living room window.*

*Not only may they allow direct overlooking into neighbouring properties or private gardens, they can also increase the general level of noise and disturbance."*

- 5.5 The property located to the south east (Rushlor) has patio doors and windows within the rear elevation approximately 2.5 metres from the common boundary with the application site. It is considered that the decking as existing would provide opportunity for significant overlooking into these windows. Further, it is considered that the decking provides opportunity for some level of overlooking into the garden area associated with Rushlor.
- 5.6 However, Officers are of the view that the amendments as proposed by the current application would significantly reduce the amenity impact on the occupiers of Rushlor. The application proposes that the decking be reduced to the minimum projection which would allow the rear door of the application site to be opened. It is considered this alteration will reduce the level of overlooking afforded, while also reducing the usability of the deck as an outside seating/entertaining space. The combination of these factors, alongside the intention of the applicant to install a screen (which will be secured by planning Conditions 3 and 4) is sufficient to reduce the impact of the development to an acceptable degree.
- 5.7 The raised deck is located circa 5 metres from the common boundary with the property to the north west (Colingdale). Given the separation distance, the location of Colingdale and the strength of the boundary treatment it is considered that the proposed decking would not afford any unacceptable overlooking into the rear of Colingdale. Further to this, it is considered that the strongly planted up boundary would ensure that the proposal would not lead to any unacceptable impact on the garden area associated with Colingdale.
- 5.8 It is considered that the separation distance between the development and those properties to the rear (24 and 25 metres) alongside the 'off centre' relationship is adequate to ensure no unacceptable impact on 2 and 3 Watermill would occur, even when having regard to changes in land levels.
- 5.9 It is considered that the proposed development would not have an unacceptable impact on the nearby residential properties as it would not result in a harmful increase in loss of light, overshadowing or visual intrusion. Therefore, it is considered that the proposal is in accordance with saved policy DC2 of the UDP and policy CS14 of the CSUCP.
- 5.10 **OTHER MATTERS**  
The issues raised by objectors have all been addressed within the main body of the report.
- 6.0 CONCLUSION**
- 6.1 Taking into account the above assessment, representations received, and all relevant material planning considerations, it is considered that the proposed

development would be compliant with the relevant national and local planning policies.

**Recommendation:**

That permission be GRANTED subject to the following condition(s) 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 shall be carried out in complete accordance with the approved plan(s) as detailed below -

Amended Elevation

All Amended Elevation

Cobba Site Location Plan

Cobba Amended Site Location

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.

2

The development hereby permitted shall be constructed entirely of the materials detailed and shown on plan number All Amended Elevation

**Reason**

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

3

Within one month of the grant of planning permission a fully detailed scheme for screening along the edge of the raised decking facing south east towards Rushlor (including a timescale for implementation) shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The screening along the edge of the raised decking facing south east towards Rushlor shall be installed in full accordance with the details and timescale approved under Condition 3.

#### Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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