

**Committee Report**

<b>Application No:</b>	<b>DC/20/00889/GPDE</b>
<b>Case Officer</b>	<b>Rebecca Norman</b>
<b>Date Application Valid</b>	<b>2 October 2020</b>
<b>Applicant</b>	<b>Mr Ryan Powell</b>
<b>Site:</b>	<b>10 Marlboro Avenue Whickham Newcastle Upon Tyne NE16 3ER</b>
<b>Ward:</b>	<b>Whickham North</b>
<b>Proposal:</b>	<b>Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, with a maximum height of 4m, and a maximum eaves height of 2.65m (amended 21.10.2020 and 02.12.2020)</b>
<b>Recommendation:</b>	<b>PRIOR APPROVAL IS REQUIRED AND APPROVED</b>
<b>Application Type</b>	<b>GPD - Extensions</b>

**1.0 The Application:****1.1 DESCRIPTION OF SITE**

The application site is a semi-detached single storey property located to the eastern side of Marlboro Avenue, Swalwell.

1.2 The site is within a residential area that contains a mix of detached and semi-detached single and two storey dwellings.

1.3 The property adjoins 12 Marlboro Avenue to the southern side and is bordered to the north by 8 Marlboro Avenue. To the rear (east) are the properties 1 and 3 Heathwell Gardens and to the north east is 1 Oaklands and its adjoining neighbour (3 Oaklands).

1.4 Land levels within the area fall steeply to the north; this results in the property being positioned approximately 0.8m below its adjoining neighbour (12 Marlboro Avenue) and the adjacent property (8 Marlboro Avenue) being at a lower level than the application site.

**1.5 DESCRIPTION OF APPLICATION**

From 30th May 2013, homeowners have been afforded the right to construct larger single storey extensions to their properties, subject to certain criteria being met.

1.6 Under Schedule 2, Part 1 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), homeowners of attached dwellinghouses can construct a larger rear extension of up to 6m in depth. This is however subject to the proposed extension meeting

criteria set out in legislation and an adjoining neighbour notification procedure being undertaken.

- 1.7 If no representations are received from adjoining owners or occupiers, the homeowner can proceed to construct their extension under permitted development. If any adjoining owner or occupier objects, the prior approval of the Local Planning Authority (LPA) is required and the impact of the development upon the amenity of any adjoining premises is required to be assessed. The GPDO is worded so that only the impact on amenity is permitted to be assessed, and no other matters may be taken into consideration.
- 1.8 This application has been submitted to determine whether the prior approval of the LPA is required and should be granted for the erection of a single storey rear extension.
- 1.9 The proposed extension would extend beyond the rear wall of the property by 6m and when measured from the highest ground surface adjacent to the building has a ridge height of approx. 3.66m and an eaves height of 2.3m (4m and 2.65m when measured from lowest ground surface). Plans accompanying the application illustrate that the extension would contain a window and a French door within the north elevation and 2no. rooflight windows to the southern roof slope.
- 1.10 A total of nine letters of objection have been received from five neighbouring householders; the impact of the proposed development upon the residential amenity of any adjoining premises is therefore required to be assessed.
- 1.11 The scheme as originally submitted did not represent permitted development under the GPDO as the proposed extension exceeded 4m in height when measured from ground level (as at Part 1 Class A A.1 (f)(ii) and (g)(ii) and has therefore been subsequently amended. The design of the windows and doors within the northern elevation of the extension have also been amended from the original submission.

#### 1.12 RELEVANT PLANNING HISTORY

- 1.13 There is no relevant planning history associated with the site.

### **2.0 Consultation Responses:**

None undertaken

### **3.0 Representations:**

- 3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.
- 3.2 A total of nine letters of objection have been received from five separate households raising the following matters:

- Loss of light
- Loss of privacy/overlooking
- Overbearing impact
- Loss of outlook
- Additional noise
- Loss of sun to garden at rear of site
- Overdevelopment of site
- Design and scale of extension are out of character with street
- Car parking issues/additional traffic resulting from extension
- Loss of view
- The conversion of a bungalow into a family home is contrary to its original purpose
- Potential for vandalism

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS14 Wellbeing and Health

MSGP17 Residential Amenity

HAESPD Householder Alterations- Extensions SPD

#### **5.0 Assessment of the Proposal:**

5.1 The sole planning issue that can be considered within the scope of this application is the effect of the proposed rear extension on the neighbouring occupiers' amenity.

5.2 **RESIDENTIAL AMENITY**  
NPPF Paragraph 127 requires that planning policies and decisions should ensure that development will achieve a high standard of amenity for existing and future users. Core Strategy policy CS14 requires that the wellbeing and health of communities will be maintained and improved by preventing negative impacts on residential amenity.

5.3 The Gateshead Council Householder Alterations and Extensions Supplementary Planning Document (HAESPD) states that any rear extension should not dominate neighbouring properties or significantly alter their existing level of sunlight, daylight or privacy, and that 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

- 5.4 MSGP policy MSGP17 requires that development provides a good standard of amenity for existing and future occupants and states that planning permission will be granted for development which does not have an unacceptable impact upon amenity or cause undue disturbance and safeguards the enjoyment of light, outlook and privacy.
- 5.5 The adjoining property (12 Marlboro Avenue) contains a rear-facing French door/window adjacent to the shared boundary with the site. The submitted plans show that the proposed extension would be situated approximately 0.7m away from the shared boundary with this property, in addition to the existing level difference of approx. 0.8m between the sites.
- 5.6 Officers acknowledge the 6m projection of the proposed extension and that this would be visible from the adjoining property. However, having regard for the above factors together with the relative N-S orientation of the properties and the proposed roof design which would slope away from the shared boundary Officers consider that the proposed extension would not result in any such significant harm to the residential amenity of the adjoining occupier so as to warrant refusal of the application.
- 5.7 The adjacent property to the north (8 Marlboro Avenue) is situated at a lower level than the application and consequently appears as having its first floor level with the ground floor of the application site.
- 5.8 The proposed extension would be inset approximately 5m from the shared boundary with this property and would contain a window and French door opening within the north elevation. Having regard for this inset Officers consider that the proposed window and door openings would not result in any unacceptable overlooking or loss of privacy to these neighbouring occupiers given the angle at which they would face this property, and whilst noting the difference in levels that the proposed extension would result in any unacceptable overbearing impact or loss of light/overshadowing.
- 5.9 The properties to the rear (east) of the site (1 and 3 Heathwell Gardens) are separated from the site by a combination of hedging and fencing and their rear gardens. The proposed extension would be visible from both properties above the existing boundary treatment and would be positioned in excess of 8m from the rear elevations of their rear conservatory additions, around 12m from their original rear elevations; notwithstanding this Officers consider that the proposed extension would not have an unacceptable impact upon the amenity of these properties.
- 5.10 To the north east of the property is 1 Oaklands. The rear elevation of this property would be visible from the proposed extension, however given their slightly offset relationship and minimum separation distance of around 17m Officers consider that this would not give rise to an unacceptable impact upon the amenity of its occupiers.
- 5.11 Having regard for the objection received it is therefore considered that, on balance, the proposed extension would not have an unacceptable impact upon

the amenity of any adjoining neighbours and that this is therefore in accordance with the NPPF, policy CS14 of the CSUCP, and policy MSGP17 of the MSGP.

#### 5.12 OTHER MATTERS

The sole matter that can be taken into consideration in the assessment of this prior approval application is that of the impact of the proposed extension upon the amenity of adjoining properties. Matters raised in objections relating to overdevelopment of the site, the design and scale of the extension, the absence of extensions of a similar size within the locality and highways/parking impacts therefore cannot be taken into consideration.

5.13 Whilst there may be impacts upon amenity during the construction period of the proposed extension this would not be unacceptable in respect of long-term noise impacts. Furthermore, the loss of views, the principle of an extension to a bungalow and potential vandalism issues are not material planning considerations and therefore cannot be afforded any weight in the assessment of this application.

### 6.0 CONCLUSION

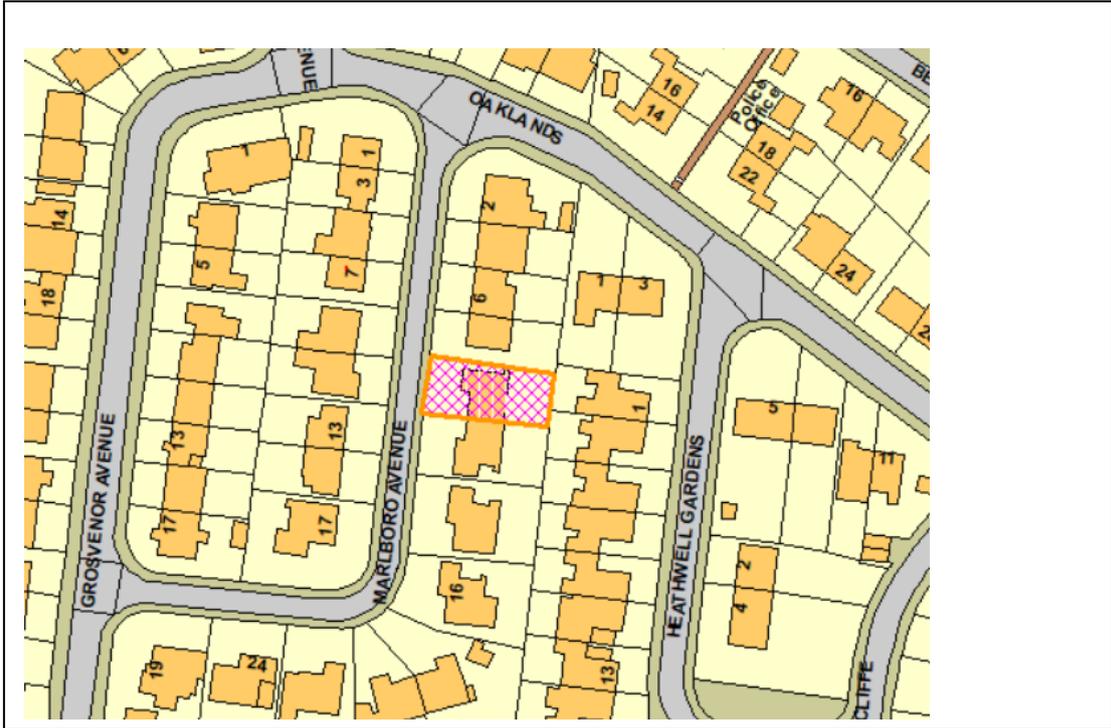
6.1 The proposal does not exceed the limitations of Part 1, Class A of the GPDO and the application complies with the relevant conditions of that Class.

6.2 It is considered that, on balance, the development would not result in an unacceptable impact on the residential amenity of any adjoining neighbours.

6.3 The proposal is therefore compliant with the NPPF, policy CS14 of the CSUCP and policy MSGP17 of the MSGP. It is therefore recommended that prior approval is required and granted.

### 7.0 Recommendation:

That Prior Approval is Required and APPROVED



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