

**Item No:** 2  
**Application No:** 21/01244/FULH Author: Kimberley Harwood  
Date valid: 11 May 2021 ☎: 0191 643 6331  
Target 6 July 2021 Ward: Cullercoats  
decision date:

Application type: Householder Full application

**Location: 14 Fairfield Drive, Cullercoats, Tyne And Wear, NE30 3AF,**

**Proposal: Rear flat roof extension (revised 13.07.2021)**

Applicant: Mrs Jackie Scott, 14 Fairfield Drive Cullercoats Tyne And Wear NE30 3AF

**RECOMMENDATION:** Minded to grant on expiry consultation

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1. Main Issues

1.1 The main issues for Members to consider in this case are:  
-The impact on visual amenity; and,  
-Impact on character and appearance.

1.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

#### 2. Description of the Site

2.1 The site to which the application relates is a south west facing bungalow in the ward of Cullercoats. No.16 Fairfield Drive is located to the north west of the host property and No.12 Fairfield Drive is to the south of the site. To the front (south west) are Nos.17 and 19 Fairfield Drive and to the rear (north east) are Nos.14-20 Silloth Place.

#### 3. Description of the Proposed Development

3.1 Full planning permission is sought for a rear flat roof extension. Revised plans were submitted on 13.07.2021.

3.2 A neighbour has requested speaking rights and that is the reason that this application has been brought to Planning Committee.

#### 4. Relevant Planning History

14/00516/FULH Proposed roof extension to form new two storey dutch bungalow with dormer windows to the front roof slope, side extension and single storey flat roof orangery extension to the rear and front canopy.

Permitted 27.05.2014

18/00876/FULH Pitched roof dormer to match and adjoin existing to the front roof slope.

Permitted 24.08.2018

## 5. Development Plan

5.1 North Tyneside Local Plan (2017)

## 6. Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2021)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 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.

## **PLANNING OFFICERS REPORT**

### 7. Main Issues

7.1 The main issues for Members to consider in this case are;

- The impact on neighbouring amenity; and
- The impact on the character and appearance of the surrounding area.

7.2 Consultations responses and representations received as a result of the publicity given to this application are set out in the appendix to this report. Any representations received during the neighbour re-consultation period will be addressed as an addendum to this report.

### 7.3 Impact on Residential Amenity

7.4 Policy S1.4 of the Local Plan states that proposed developments will be considered favourably where the application is in line with strategic, development management or area specific policies of this Plan. In addition, the development should be acceptable in terms of its impact on local amenity for existing residents and adjoining properties and making the most effective and efficient use of available land.

7.5 Policy DM6.1 states: "Applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis of the characteristics of the site, its wider context and the surrounding area." This includes a positive relation to neighbouring buildings and spaces and a good standard of amenity for existing and future residents and users of buildings and spaces

7.6 Policy DM6.2 provides guidance on extending buildings, clearly stating that they should complement the form and character of the original building. This can be achieved from the continuation of the existing design form or through appropriate contrasting, high quality design. “The scale, height and mass of an extension and its position should emphasise a subservience to the main building. This will involve a lower roof and eaves height, significantly smaller footprint, span and length of elevations.

7.7 Policy DM6.2 goes on to state that for extending buildings the council will take into account: “The location of the extension in relation to the street scene”, “Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy”, “the cumulative impact if the building has been previously extended”, whether the extension will enhance the overall design of the existing property and its general impact on the property and “the form, scale and layout of existing built structures near the site.”

7.8 To the rear (north east) of the site Nos.14-20 Silloth Place will not experience an adverse impact from the proposed development. The extension will be located approximately 1.7m away from the shared boundary line, of which has an approximate 1.8m high fence located along it, obstructing views of the development and lessening any potential loss of privacy from the proposed windows on the elevation adjacent to Nos.14-20 Silloth Place. The extension will be of only one storey and will have a flat roof, while there are levelling differences they will not mean there is an increase in the impact caused due to the height of the extension being the same as the existing flat roof extension and it being set off the boundary line by a considerable amount. The rooflight will be located set in front the side elevation, causing minimal impact. These factors along with the orientations of the properties and the sun travelling east to west therefore means there will be little loss of light, outlook and privacy to the properties to the north east.

7.9 No.16 Fairfield Drive located to the north west of the host property will experience little adverse impact from the proposed rear extension to the host property. The extension will project approximately 3m from the existing rear elevation and will be of only one storey, situated approximately 1.8m away from the shared boundary line with No.16. There is an approximately 1.5m high fence located along the shared boundary line, obstructing views of the proposed extension and the proposed extension will be no taller than the existing single storey rear extension. The rooflight will be set in from the external side elevation and will be no taller than the existing rooflight on the property. Thus, there will be minimal loss of light, outlook, and privacy to No.16.

7.10 No.12 Fairfield Drive to the south of the site will experience minimal impact from the proposed extension. It will be located approximately 9.7m away from the shared boundary line, of which has an approximate 1.8m high fence obstructing views on the development. The extension will have no new windows on the side flank elevation adjacent to No.12 and it will be of only one storey. These factors along with the orientation of the properties and the direction in which the sun travels means there will be little loss of light, outlook and privacy to the neighbouring property.

7.11 To the front (south west) of the site Nos.17 and 19 Fairfield Drive will experience no detrimental impact from the proposed extension due to it being located on the opposite side of the property as to which the extension is situated. The extension will not project beyond the external elevations, thus it will be out of sight and will cause no loss of light, outlook or privacy to the properties to the south west.

7.12 In conclusion and on balance, it is officer advice that the proposal would not have such an adverse impact upon neighbouring occupiers to warrant refusal of the application. It would accord with the with policies S1.4, DM6.1, DM6.2 and the advice in the NPPF. Members need to decide whether they agree?

### 7.13 Impact on Character and Appearance

7.14 The National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development and that development that is not well designed should be refused.

7.15 The Council's Design Quality SPD (May 2018) is a material planning consideration that applies to all planning applications involving building works. It states that extensions should offer a high-quality design that will sustain, enhance and preserve the quality of the built and natural environment This can be achieved through continuation of existing form or appropriate contrasting and high-quality design.

7.16 The SPD goes onto state, "The depth of the extension should be carefully considered, especially when adjacent to a shared boundary. When positioned along the boundary, the impact on the neighbours' habitable windows and gardens will be taken into account... Windows facing boundaries are not normally acceptable, but consideration will be given to existing boundary treatments and the use of obscure glazing".

7.17 The proposal for a rear flat roof extension will have minimal impact on the character and appearance of the host property and the surrounding area. The materials used including the rendered walls and the windows will match the existing property, creating a uniform appearance with the host property and those in the local area. The flat roof will be consistent with the existing flat roof on the existing rear extension, in keeping with the character and appearance of the property and other rear extensions in the area. The extension will be of a reasonable size, proportionate to the property and will be of only one storey, it will project no further than the existing side elevations and will be located to the rear of the site, therefore causing little impact to character and appearance of the streetscene. It is considered that the proposal would be acceptable in terms of its character and appearance and officers consider it would accord with policies DM6.1 and DM6.2 of the Local Plan and the advice in the SPD and NPPF. Members need to decide whether they agree? This proposal will not set precedent for any further applications, as each application must be determined on its own merits.

### 7.18 Other Issues



**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 Paragraph 38 of the National Planning Policy Framework.

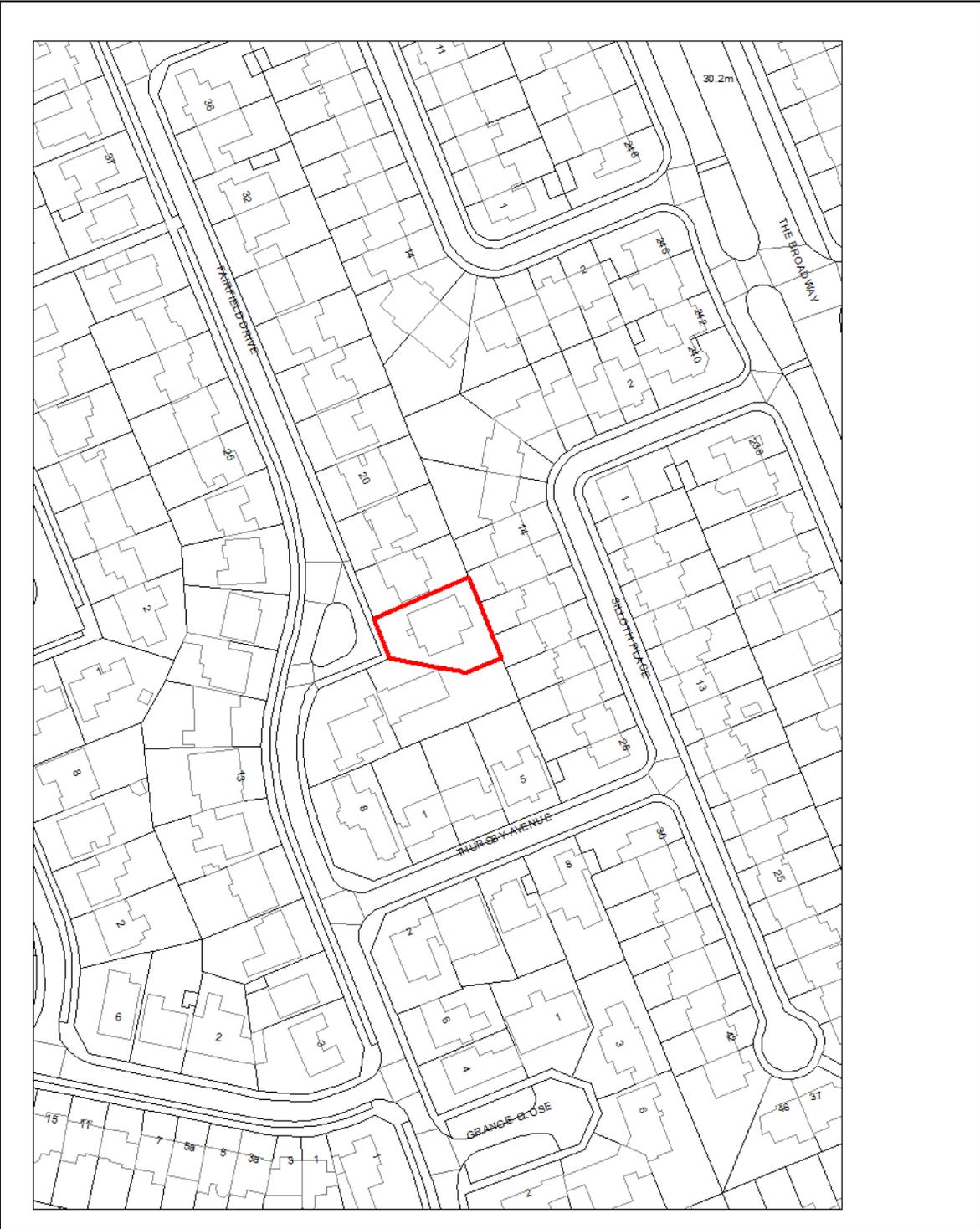
**Informatives**

Building Regulations Required (I03)

Do Not Obstruct Highway Build Materials (I13)

Coal Mining Referral Area , (FULH) (I43)

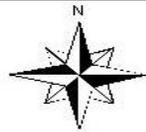
The proposed development lies within an area that falls within an area of contaminated land. You are advised that has protection measures may need to be provided. Such measures could comprise the use of a gas membrane. If a gas membrane is to be used it will need to be to the highest specification to mitigate against carbon dioxide and methane ingress, unless a site investigation is carried out which demonstrates that the highest specification is not required.



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Not to scale  
 Date: 22.07.2021

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**Appendix 1 – 21/01244/FULH  
Item 2**

**Consultations/representations**

**1. Internal Consultees**

1.1 None received.

**2. External Consultees**

2.1 None received.

**3. Representations**

3.1 There have been 9 letters of objection received from 5 separate neighbouring occupiers raising the following issues;

- Loss of privacy
- Loss of visual amenity
- Out of keeping with surroundings
- Precedent will be set
- Will result in visual intrusion
- Inappropriate design
- No similar extensions in the area
- Block light to properties to the rear
- Feeling of containment and overcrowding
- Shadowing
- Could infringe on right to light
- Impact on landscape
- Impact the openness of the gardens, obstructing views of the sky

3.3 I would also like to present the following points relating to the policy document

“North Tyneside Council Local Plan (Adopted July 2017)”:

3.4 In relation to DM6.1

*A design responsive to landscape features, topography, wildlife habitats, site orientation and existing buildings, incorporating where appropriate the provision of public art.*

The design in terms of its responsiveness to existing buildings is out of character and is in effect a large, white coloured cuboid, which is contradictory to existing buildings.

*A positive relationship to neighbouring buildings and spaces.*

The relationship to neighbouring buildings is one of an overdeveloped, over bearing, and imposing presence, especially to the neighbours with west facing gardens. The building design confines and dominates the outside space of the properties affected and reduces the space between properties, creating a negative relationship.

*A good standard of amenity for existing and future residents and users of buildings and spaces.*

The design of the development will reduce the standard of amenity for existing residents of neighbouring properties. But also, if permitted, could set a precedent for future similar designs and developments, creating a greater loss of amenity (especially outdoors) for even more residents in the future.

### 3.5 In relation paragraph 9.3

*9.3 For residential extensions the Council will consider the effect upon the amenity of neighbouring occupiers, for example, loss of sunlight, daylight, outlook or privacy.*

With direct sunlight being brighter than ambient daylight, then it follows that a lower level of light will filter into neighbouring properties, given the height of the extensions and the still extremely close proximity to the boundary wall. The outlook for at least three properties will change dramatically, dominated by a concrete cuboid. The close proximity of the extension will create an effect of loss of privacy, which is always the case when contained and dominated by a large structure, regardless of windows.

It is worth noting that the three main properties affected by this development have small rear, predominantly west facing gardens that have been a valued and sort after amenity.

### 3.6 In relation to DM6.2

*Extensions should complement the form and character of the original building. This should be achieved either by continuation of the established design form, or through appropriate contrasting, high quality design. The scale, height and mass of an extension and its position should emphasise subservience to the main building. This will involve a lower roof and eaves height, significantly smaller footprint, span and length of elevations.*

The original bungalow had a footprint of approximately 93m<sup>2</sup>. The first extension has a footprint of approximately 58m<sup>2</sup>. This proposed extension has a footprint of approximately 18m<sup>2</sup>. The total extended area would have a footprint of approximately 76m<sup>2</sup>, which is 81% of the size of the original house, which is not a significantly smaller footprint than the main building.

c. Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy;

Outlook, loss of light and privacy are all implicated – as mentioned in 9.3. There could be a valid case for the infringement of The Right To Light Act, especially for neighbouring properties.

d. The cumulative impact if the building has been previously extended; The building has already been extended by approximately 62% of its original footprint. This extra extension will impose even more to the properties with west facing gardens.

e. The effect that the extension will have on the existing property and whether it enhances the overall design. The extension does not really enhance the design. It creates a cuboid very close to the boundary, leaving little space around it, giving the appearance of an overdeveloped, overcrowded plot, completely out of character with neighbouring properties that have significant space between them.

