

Item No: 5
Application No: 21/01595/FULH Author: Maxine Ingram
Date valid: 5 July 2021 ☎: 0191 643 6322
Target decision date: 30 August 2021 Ward: Camperdown

Application type: Householder Full application

Location: 19 Havanna, Killingworth, NEWCASTLE UPON TYNE, NE12 5BL,

Proposal: Proposed single storey rear extension. Proposed garage conversion. Internal alterations

Applicant: Mrs Erin Parker Leonard, 19 Havanna Killingworth NEWCASTLE UPON TYNE NE12 5BL

Agent: Marsfen Architecture, Ian Henderson 2 Ferndale Avenue Gosforth Newcastle Upon Tyne NE3 5QE

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The impact upon neighbours living conditions with particular regard to the impact upon light, outlook and privacy; and,
- The impact of the proposal upon the character and appearance of the surrounding area.

1.1 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.

2.0 Description of the Site

2.1 The site to which the application relates is a west facing, detached property located in a residential area of Killingworth. The property has an integral garage with associated hardstand to front. The remainder of the front garden is open plan. The rear garden is enclosed by approximately 1.8m high timber fencing. To the rear of the property is an existing conservatory.

2.2 Access to the property is gained via a shared access serving the host property and No. 20 Havanna.

2.3 To the north of the site is a public right of way (PRoW) beyond which lies an area of designated Green Belt. The land to the north is also designated as open space, a Local Wildlife Site (LWS) and a wildlife corridor.

2.4 No. 18 Havanna to the south has a door sited in its rear elevation closest to the shared boundary with the application site.

3.0 Description of the Proposed Development

3.1 The development proposed is to demolish the existing conservatory and construct a single storey rear extension. The existing garage will be partly converted to a habitable room (bedroom).

4.0 Relevant Planning History

4.1 None

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (July 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

7.0 Detailed Planning Considerations

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

- The impact upon neighbours living conditions with particular regard to the impact upon light, outlook and privacy;
- The impact of the proposal upon 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 notification period will be addressed as an addendum to this report.

8.0 Relevant Planning Policy

8.1 NPPF

8.2 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

8.3 Local Plan (2017) - Policies

8.4 Policy S1.4 sets out general development principles. Amongst other matters, this states that development should be acceptable in terms of its impacts on local amenity for existing residents and adjoining premises.

8.5 Policy DM6.1 sets out guidance on the design of development. This policy states that:

“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.”

8.6 Policy DM6.1 states, amongst other matters, that proposals are expected to demonstrate:

- b. A positive relationship to neighbouring buildings and spaces;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces.

8.7 Policy DM6.2 sets out guidance on extending existing buildings. It states that:

“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.”

8.8 Policy DM6.2 states that, amongst other matters, when assessing applications for extending buildings the Council will consider:

- b. The location of the extension in relation to the street scene;
- c. Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy;
- e. The effect that the extension will have on the existing property and whether it enhances the overall design; and
- f. The form, scale and layout of existing built structures near the site.

8.9 Policy DM5.18 sets out guidance and policies requirements relating to contaminated and unstable land.

8.10 Supplementary Planning Documents (SPD's)

8.11 The Council's 'Design Quality' SPD (May 2018) applies to all planning applications that involve building works. It states that extensions must offer a high quality of design that will sustain, enhance and preserve the quality of the built and natural environment. It further states that extensions should complement the form and character of the original building.

8.12 The Design Quality SPD 'Single Storey Rear Extensions' states:

“The depth of the extension should be carefully considered, especially when adjacent to a shared boundary. When positioned along the boundary, the impacts on 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.”

9.0 The impact upon neighbours living conditions with particular regard to the impact upon light, outlook and privacy

9.1 The proposed single storey rear extension will replace an existing conservatory. Based on the plans provided, this extension will be built on the footprint of the existing conservatory before stepping in and extending the full width of the property.

9.2 The proposed single storey rear extension will be sited adjacent to the shared boundary with No. 18 Havanna. As it will be located to the north of this neighbouring property, it is the view of officers that the amount of light entering this neighbouring property will not be significantly affected.

9.3 It is noted that the host property sits at a higher level than No. 18 Havanna. It is noted that this neighbouring property has a door sited in its rear elevation closest to the shared boundary with the application site. This door appears to serve a utility room. Views of the proposed single storey rear extension will be afforded from this neighbouring property, mainly its rear garden. The visual impacts of the proposed development will be reduced by the existing boundary treatment and the pitched roof would pull away from this shared boundary. It is the view of officers that the proposed single storey rear extension will not significantly affect the outlook from this neighbouring property to such an extent that would sustain a recommendation of refusal. Consideration must also be given to the fact that this extension is replacing an existing conservatory of the same projection adjacent to this shared boundary.

9.4 There are no windows proposed to the south elevation of the rear extension. Windows are proposed to its rear elevation. It is the view of officers that the privacy of No. 18 Havanna will not be significantly impacted on over and above that experienced at present. Consideration must also be given to the fact that the existing boundary treatment will assist in protecting the privacy of this neighbouring property.

9.5 The proposed single storey rear extension, by virtue of its siting, design and the existing boundary treatment, will not significantly affect the residential amenity of No. 15 Havanna in terms of loss of light, outlook or privacy.

9.6 The existing garage door will be replaced with a window. It is not considered that this part of the proposed development will significantly affect the residential amenity of No. 20 Havanna in terms of loss of privacy and outlook.

9.7 Members need to determine whether the proposed development is acceptable in terms of its impact on the amenity of neighbouring and nearby properties. It is officer advice that it is. As such, it is officer advice that the proposed development accords with the LP policies DM6.1(a) and DM6.2(c).

10.0 The impact of the proposal upon the character and appearance of the surrounding area

10.1 The proposed works relate to a residential extension. As all of the proposed works will be contained within the residential curtilage it is the advice of officers that this development will not affect the adjacent Green Belt, open space, LWS or wildlife corridor.

10.2 Views of the proposed single storey rear extension will be afforded from the adjacent PRow and Green Belt. However, when viewed from this direction it will be seen in the context of an established residential estate that is characterised by a variety of property types and extensions. Views of the proposed garage conversion will only be visible from the immediate street scene to the front of the property. Views of this part of the proposed development will be obscured from the adjacent PRow by the existing fencing.

10.3 The proposed single storey rear extension will replace an existing conservatory. This extension will accommodate a pitched roof that is in keeping with the character and appearance of the main dwelling. It is officer advice that this part of the proposed development is considered to be of an appropriate scale and mass to the main dwelling. A condition is recommended to ensure that the proposed materials match the existing materials.

10.4 The existing garage door will be replaced with a window. The design and positioning of the window is considered to be acceptable.

10.5 Based on the plans provided, a sufficient amount of outdoor amenity space will remain upon completion of the proposed works.

10.6 Members need to determine whether the proposed development is acceptable in terms of its impact on the character and appearance of the area. It is officer advice that the proposed development is, subject to the imposition of the suggested conditions. As such, it is officer advice that the proposed development accords with the advice in LP policy DM6.1.

11.0 Other Issues

11.1 The Council's adopted parking standards are set out in LDD12.

11.2 It is noted that the proposed development would increase the number of bedrooms from four to five. This development will result in the loss of the garage which is regrettable. Therefore, the level of parking provision provided does not meet the Council's parking standards set out in LDD12. However, this estate was built pre-LDD12 and there are no parking restrictions or known parking problems in the immediate vicinity. Furthermore, the existing hardstand will be retained to the front of the garage conversion. Therefore, it is not considered that this proposal would significantly impact on parking provision within the immediate vicinity or severely affect highway safety.

11.3 Members need to determine whether the level of parking provision retained within the application is acceptable. It is officer advice that it is.

11.4 The Contaminated Land constraint for this site has been identified. An informative is recommended to advise the applicant that a gas resistant barrier across the footprint of the development to prevent the ingress of land gases may be required.

12.0 Conclusion

12.1 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity, its impact on the character and appearance of the area and whether a suitable level of parking provision will be retained within the site. It is the view of officers that the proposed development is acceptable. As such, officers consider that the proposed development does accord with national and local planning policies. Approval is recommended.

RECOMMENDATION: Minded to grant on expiry consultation

It is recommended that members indicate they are minded to approve the application, following expiry of the consultation, and subject to the conditions set out below and the addition or omission of any other considered necessary, and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
-Application form
-Ordnance Survey Plan (1:1250)
-Existing and proposed plans and elevations Dwg No. PO-20-100
Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. Materials External Surfaces to Match MAT00 *
 1

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)

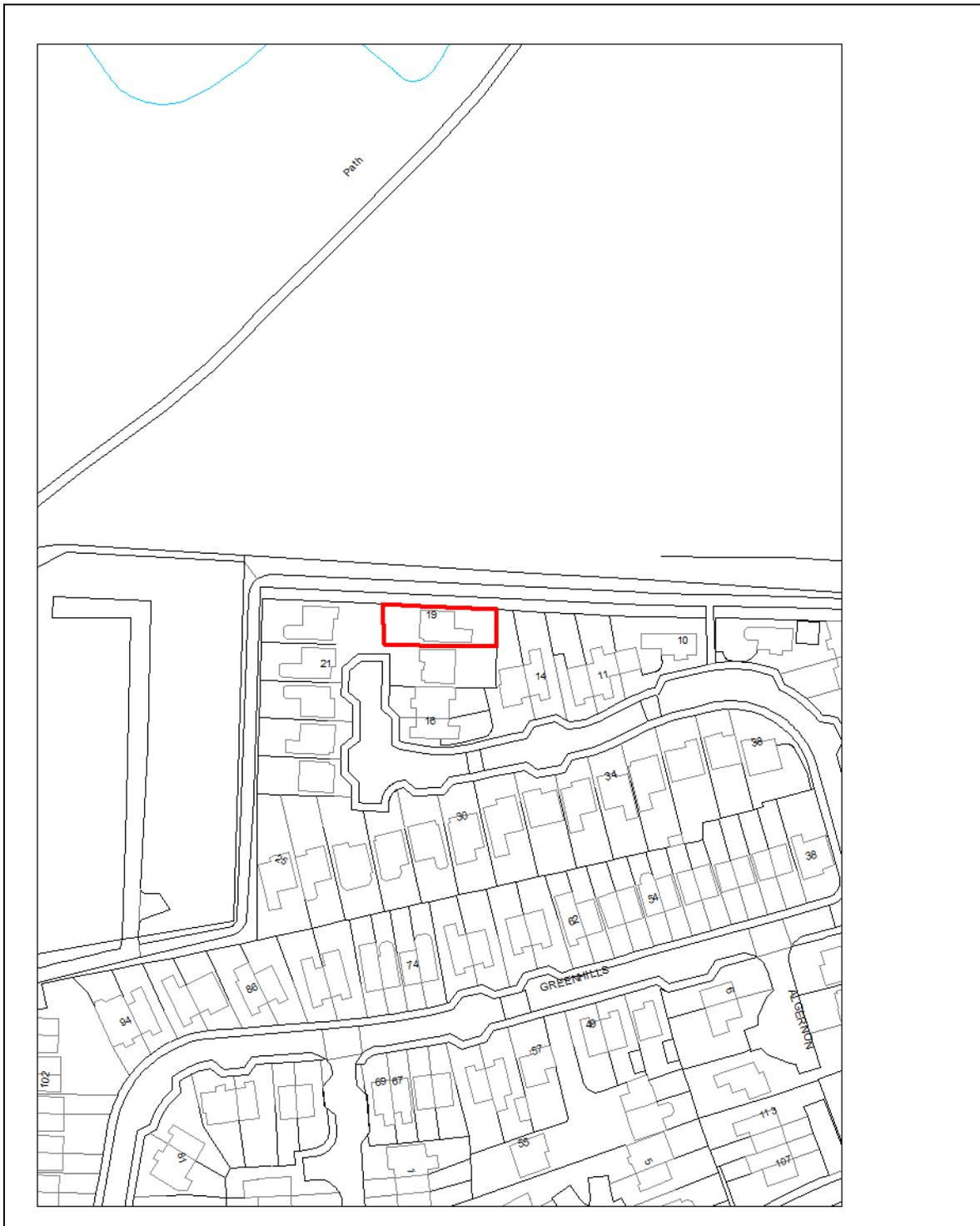
Do Not Obstruct Highway Build Materials (I13)

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

Coal Mining Standing Advice (FUL,OUT) (I44)

The proposed development lies within an area that falls within an area of contaminated land. You are advised that gas 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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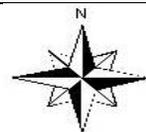
Location: 19 Havanna, Killingworth, NEWCASTLE UPON TYNE, NE12 5BL

Proposal: Proposed single storey rear extension. Proposed garage conversion. Internal alterations

Not to scale

Date: 22.07.2021

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**Appendix 1 – 21/01595/FULH
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Consultations/representations

1.0 Internal Consultees

1.1 None

2.0 Representations

2.1 None

3.0 External Consultees

3.1 None