

South Tyneside Local development framework

Final ADOPTED
Version

SPD 9: Householder Developments

December 2010 (revised January 2014)



South Tyneside Council

The New Development Plan
for your Borough

**Final ADOPTED
Version**

SPD 9: Householder Developments

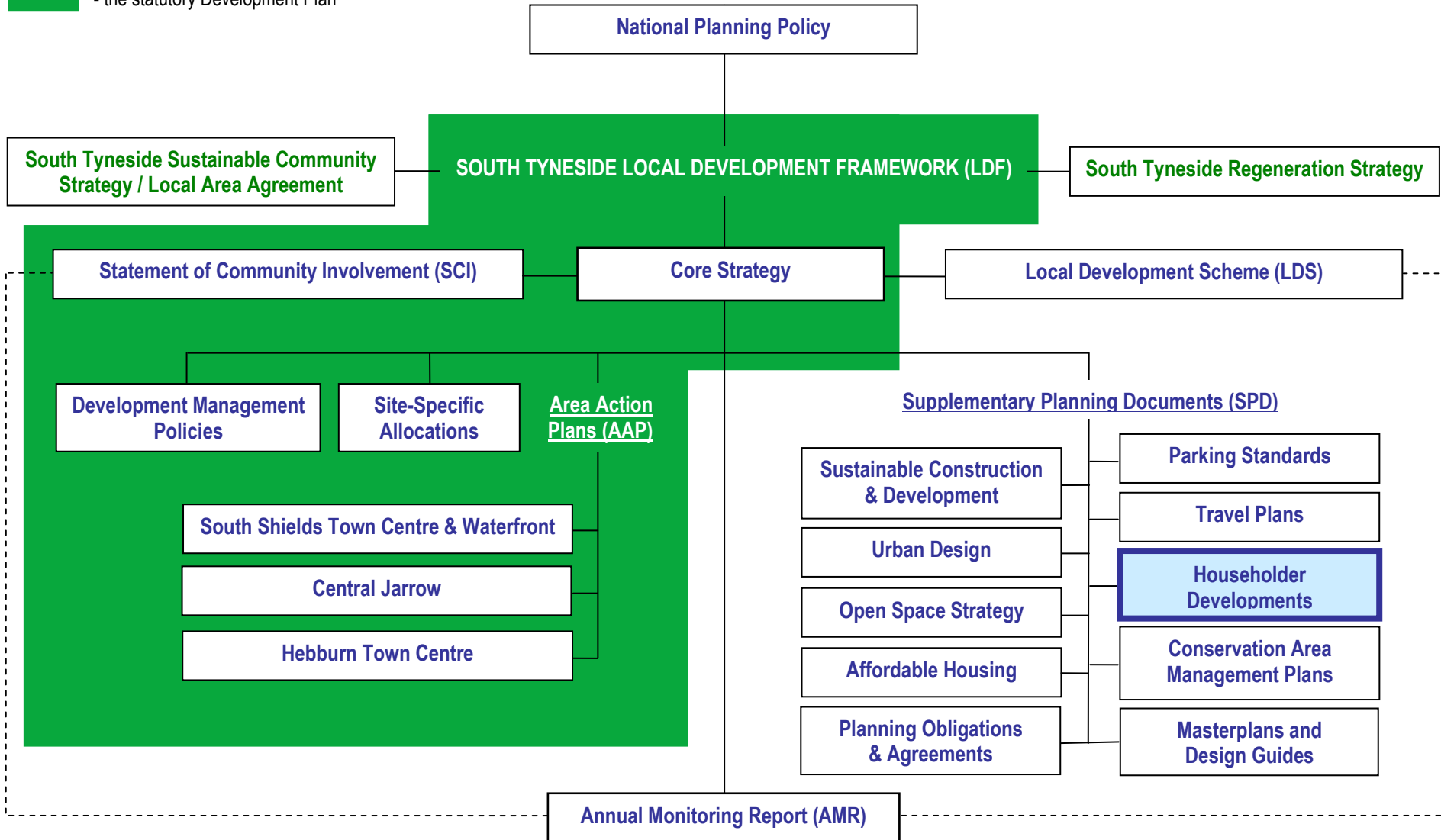
December 2010 (revised January 2014)

Supplementary Planning Document

Approved by Cabinet on 1 December 2010

South Tyneside Local Development Framework – Family Tree

- the statutory Development Plan



Contents

| | Page |
|--|-------------|
| 1. Householder Developments | 1 |
| 2. Getting Started | 3 |
| 3. General Design Guidance and Objectives | 6 |
| Visual Impact of the Proposal and Design Quality | 7 |
| Impact on the Amenity of Neighbours | 17 |
| Highway Safety and Off-road Parking | 19 |
| Impact on Trees | 19 |
| 4. Sustainability | 20 |
| 5. Front Extension and Porches | 21 |
| 6. Single-Storey Side Extensions | 22 |
| 7. Two-Storey and First Floor Side Extensions | 23 |
| 8. Rear Extensions | 26 |
| 9. Conservatories | 28 |
| 10. Balconies and Decking | 30 |

| | |
|--|-----------|
| 11. Roof and Dormer Extensions | 31 |
| 12. Roof Alterations | 35 |
| 13. Householder Renewable Energy | 37 |
| 14. Replacement Windows in Conservation Areas | 38 |
| 15. Garden Developments and Hardstanding | 39 |
| 16. Boundary Treatment | 41 |
| 17. Plot Subdivision | 47 |

1. Householder Developments

National Guidance

| | |
|------|--|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPS5 | Planning for the Historic Environment |
| PPS9 | Biodiversity and Geological Conservation |

Local Development Documents (LDF)

| | |
|--------------------------------|------------------------------------|
| Local Development Scheme (LDS) | |
| LDD1 | Statement of Community Involvement |
| LDD2 | Core Strategy |
| LDD4 | Development Management Policies * |

LDF Core Strategy Policies

| | |
|-----|-------------------------------------|
| ST2 | Sustainable Urban Living |
| EA1 | Local Character and Distinctiveness |

LDF Development Management Policies*

| | |
|-----|--------------------------------|
| DM1 | Management of Development |
| DM6 | Built Heritage and Archaeology |

(* denotes document or policies in draft or yet to be prepared)

South Tyneside Unitary Development Plan 'Saved' UDP Policies

| | |
|------|--------------------------------------|
| ENV5 | Principles of Good Design and Access |
| ENV6 | Historic Environments |
| ENV7 | Conservation Areas |
| H5/2 | Backland Development |

Supplementary Planning Guidance (SPG)

| | |
|-------|------------------------------|
| SPG 2 | Policy for Dormer Extensions |
| SPG 3 | Policy for Conservatories |
| SPG 4 | Householder Extensions |

Supplementary Planning Documents

| | |
|--------|--|
| SPD 1 | Sustainable Construction and Development |
| SPD 2 | South Tyneside Urban Design Framework |
| SPD 21 | Locally Significant Heritage Assets* |

Introduction

- 1.1 Everything we do is about achieving “**a better future for South Tyneside’s people**”. That is our vision for the Borough. To deliver a better future, one of our big challenges is to make South Tyneside a place where people choose to live, work and visit. This means developing new and exciting buildings whilst conserving our cultural heritage, beautiful coastline and countryside. It also means ensuring a quality range of homes, shops and businesses, parks and public spaces, all linked by an excellent transport system. All of these things need to be delivered through the planning system, and in particular the **South Tyneside Local Development Framework (LDF)**. This will guide the future development and use of land and buildings in the Borough over the next 10-15 years, and replace the existing Unitary Development Plan (UDP).
- 1.2 This document provides guidance for anyone intending to extend or alter their house or proposing to develop land within the boundaries of their property. Guidance is provided on how to best design extensions and alterations, and other domestic developments including plot sub-division and householder renewable energy. Other important issues that should be considered when planning an extension or alteration are also highlighted; these include street scene, local character, materials and sustainability. In addition, this document will help to guide you through the process of obtaining planning permission and other potential consents and permissions.
- 1.3 This Supplementary Planning Document (SPD) has been produced in support of the adopted Core Strategy (Policy ST2) which seeks to ensure that the ‘highest standards of urban design are promoted so that buildings and their settings make a positive contribution to the local area’ and also supports ‘the use of environmentally sound and energy efficient construction materials and operational techniques’. The Saved UDP Policy ENV5 ‘Principles of Good Design and Access’ and Supplementary Planning Guidance documents (SPG); 2, 3 and 4 have informed the production of this document. This document also supports Development Management Policy 1 ‘Management of Development’, which sets out general criteria against which all applications for development within the borough will be assessed.
- 1.4 The guidance provided in this document, will be given significant weight when making decisions on householder planning applications. Along with the Development Management Policies DPD this document supersedes the SPG’s and relevant Saved UDP Policies.

Sustainable Community Strategy, Regeneration and Transformation
Spirit of South Tyneside: Sustainable Community Regeneration Strategy and Local Area Agreement (May 2008)

Sustainability Appraisal and Habitats Regulations Assessment

- 1.5 This SPD has been assessed to see how well it meets a number of social, economic and environmental objectives. This is a process known as Sustainability Appraisal, which is intended to help to improve the document. The content of this SPD has also been formally considered in relation to the requirement to undertake a Habitats Regulations Assessment of land use plans. This requirement is set out under Articles 6(3) and 6(4) of Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive), and translated into English law through Schedule 1 of the Conservation (Natural Habitats &c) (Amendment) (England and Wales) Regulations 2007 (Habitats Regulations).
- 1.6 The SPD does not introduce new policies or proposals for specific sites within the borough, but provides additional information and guidance on adopted policies of the LDF Core Strategy. It seeks to advise on householder development and alterations through design guidance and principles, and it is also a material consideration in the assessment of planning applications. The design guidance and principles contained within the SPD are in support of, and are fully compliant with, the policies and vision set out in the Core Strategy, which was subject to Habitats Regulations Assessment and Sustainability Appraisal during its preparation.
- 1.7 The council considers that the impact of this document would not affect the integrity of designated European Sites. Therefore, in accordance with the Regulations, no further Habitats Regulations Assessment is required for the purpose of the SPD.

2. Getting Started

Curtilage – the area of land surrounding a dwelling house. This is usually understood as the garden and attached parking areas within the property boundaries.

Permitted Development – work that can be undertaken without the need of planning permission from the Local Planning Authority. The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, sets out permitted development rights for dwelling houses. More information can be found at: www.planningportal.gov.uk

Article 4 Direction – imposed by Local Planning Authorities to control alterations to properties, which may otherwise not need planning permission.

Listed Building - a building of 'Special Architectural or Historic Interest'. Once listed, a building (exterior and interior) has protection under the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that it retains its special importance.

Certificate of Lawfulness - A Lawful Development certificate (LDC) is a statutory document which enables Local Planning Authorities to grant a certificate saying:

(1) an *existing* use of land, or some development, or some activity in breach of a planning condition, is lawful;

or

(2) a *proposed* use of buildings or other land, or some operations *proposed* to be carried out in, on, over or under land, would be lawful as it benefits from planning permission or permission is not required.

- 2.1 Altering or extending your home and knowing what needs to be considered can be a confusing process. By following the four steps below, you can address the important issues and be aware of what needs to be submitted should you be required to submit a full planning application.

Step 1: Contact the Planning Group about the need for planning permission

- 2.2 The Planning Group at South Tyneside Council is responsible for administering the development management (including planning permission) functions of the council in its role as Local Planning Authority. Some minor householder extensions and alterations do not need planning permission and can be carried out as 'permitted development'. However, if your proposed development does not fall within the 'scope' of permitted development or the right to make alterations under 'permitted development' has been removed from your property you **will** require planning permission. Some estates or individual properties in the Borough have had their permitted development rights withdrawn, either by planning condition when the development was originally granted planning permission or by the imposition of an Article 4 Direction. If you think your home might fall into either of these categories, please contact us. We may be able to tell you straight away if this is the case. To find out more about what alterations could be carried out as permitted development, if they satisfy certain limits and conditions, please use the central government's online resources, The Planning Portal (www.planningportal.gov.uk).
- 2.3 Whilst we recommend that you use the Planning Portal in the first instance, for a fee you can use our Householder Enquiry Service to check if your proposal can be carried out as a permitted development (and if you need to follow the neighbour consultation scheme for larger single storey rear extensions) or if you would need to apply for planning permission. By using this service you will receive written confirmation about whether or not your proposal needs planning permission. This reply is particularly useful for future transactions relating to the sale or purchase of your property. More information about the pre-application enquiry service can be found at: <http://www.southtyneside.info/article/9014/Planning>
- 2.4 In addition to planning permission, you should also be aware of the following special consents or permissions which may affect your property and the development you wish to undertake:
- **Listed Building Consent (LBC)** – you will need LBC if you want to extend or alter a listed building in a manner that would affect its character as a building of special architectural or historic interest, or to demolish

Conservation Area - an area of special architectural or historic interest, the character or appearance of which should be preserved or enhanced. There are 11 designated conservation areas in South Tyneside. They are:

- Cleadon
- Cleadon Hills
- East Boldon
- Hebburn Hall
- Mariners' Cottages, South Shields
- Mill Dam, South Shields
- Monkton
- St Paul's, Jarrow
- West Boldon
- Westoe, South Shields
- Whitburn

Tree Preservation Orders – prohibit the cutting down, uprooting, topping, lopping, wilful damage or destruction of trees without the consent of the Local Planning Authority.

Unstable Land – South Tyneside has a legacy of former mineral workings and also landfill sites. It is important for any developments on or in close proximity to these sites to consider whether there are any public safety hazards that need to be addressed such as land instability. In South Tyneside, the mining legacy issues include the potential presence of former mine entries, shallow coal workings, rising mine water and mine gases. Our Local Development Framework's Development Management Policies document should also be read alongside this document – Policy DM1 'Management of Development' and Annex D 'Minerals Safeguarding Area, Workings and Legacy Map' address mining issues within the borough and should be taken into consideration when planning your proposed development. If during the construction phase of your development any mining shafts, coal deposits or related hazards are discovered, then immediate contact should be made with the Surface Hazards Department of the Coal Authority by the 24 hour telephone number 01633 - 643 333.

a listed building. Special rules also apply to buildings and structures within the grounds or curtilage of a listed building and to gates, fences, walls and other enclosing structures surrounding a listed building.

- **Conservation Areas** – special rules apply to the alteration or demolition of certain buildings and other structures in Conservation Areas. If your property is within a Conservation Area your permitted development rights may be restricted. All trees in Conservation Areas are also protected.
- **Tree Preservation Orders (TPO)** – some trees are important to the character of the local area and are protected by Tree Preservation Orders. If your works affect a TPO you may need permission to cut them down or carry out works to trees. You should always check to confirm if a tree is protected by a TPO before carrying out any works.
- **Building Regulations** – The Planning Portal also provides advice about Building Regulations. Where consent is needed all work must comply with building regulations and should be approved by the council's Building Control section. This is separate from planning approval and the Building Control section should be contacted separately if building regulations approval is needed for your proposal. In some cases, building regulation approval may be needed even if the proposed works do not require planning permission. More information can be found on the Building Control pages of the Council's website: <http://www.southtyneside.info/article/8931/Building-control>
- **Protected Species** – Some animals and the places they use for shelter or protection are protected by law. For householder developments, the most common species to consider are bats and their roosts and nesting birds. Where there is a reasonable risk of a protected species being present, you may need to submit a survey and report to accompany your planning application. Development which falls within 'permitted development' is still subject to wildlife laws and if you are likely to affect protected species, then you must seek official advice and may need to apply for a license to avoid committing an offence. Further information on protected species can be found at: www.naturalengland.org or you can contact the council's Countryside Team: countryside@southtyneside.gov.uk.

Step 2: Consider obtaining professional design advice

Party Wall - a party structure can be a wall or floor that divides two properties in different ownerships. The Party Wall Act provides a framework for preventing and resolving disputes in relation to party structures. Party Wall issues are a civil matter and are not addressed in the planning process. Further information on this issue can be found at the Communities and Local Government website: www.communities.gov.uk

- 2.5 The advice in this document will provide you with guidance to consider when preparing your extension or alteration. However, you should consider getting early advice from a suitably qualified professional such as an architect, architectural technologist or surveyor. In general, the more complex the proposal is, the more likely it will be that you will require such advice. Whilst it is not necessary to employ someone to prepare plans for your proposed extension or alteration for the purpose of an enquiry, you will have to submit accurately drawn plans as part of a planning application should your proposals require this. Such detailed plans may also be required when seeking building regulation approval.

Step 3: Be a good neighbour

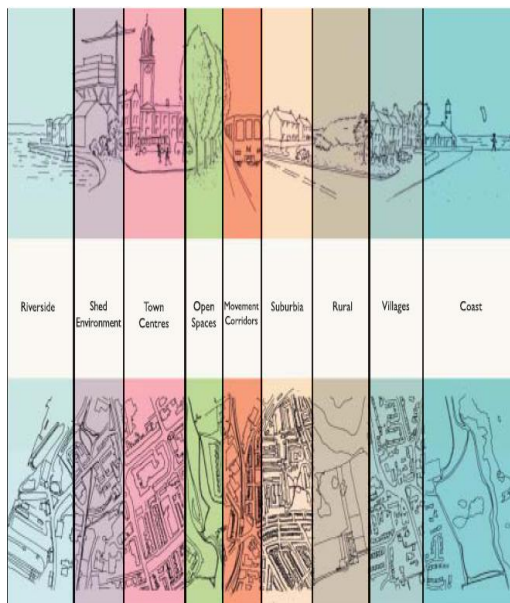
- 2.6 While planning policies include the need to consider the amenity of your neighbours, it is not the role of the planning system to protect the private interests of one person against the activities of another. It is advisable to discuss a proposed extension or alteration with your neighbours. You may also require your neighbour's permission if you intend to alter a shared or party wall, or if any of the building works would encroach on or overhang your neighbours' property.

Step 4: Submit a planning application

- 2.7 The council's website provides detailed information about what is needed to support your planning application, including an application form, drawings, and the fees which may be payable. Any planning application will also be required to meet national and Tyne & Wear validation requirements before it can be considered by the Area Planning team. Applications for works to a listed building, buildings within a Conservation Area will require the submission of more detailed information. It should be noted that planning applications can also be submitted online. This information can be found on the council website: <http://www.southtyneside.info/article/9014/Planning>

3. General Design Guidance and Objectives

- 3.1 In assessing planning applications for all extensions and alterations to dwellings it is important that the following objectives are met:
 - A) **that the visual impact of the proposal on the dwelling and its immediate neighbourhood is acceptable and that high standards of urban design are achieved;**
 - B) **that there is no unacceptable impact on the amenity of neighbours in relation to:**
 - i) **Privacy**
 - ii) **Outlook and Over Dominance**
 - iii) **Overshadowing**
 - C) **that there is no unacceptable impact on highway safety and off-road vehicle parking;**
 - D) **the impact on any trees and their root systems within or adjacent to the property is given appropriate consideration.**
- 3.2 These objectives are explained in paragraphs 3.4–3.29. Sections 5 to 17 set out more detailed guidance in relation to the most common kinds of extension or alterations.
- 3.3 Site-specific circumstances of the property will always be taken into account and may restrict the scope for development, or alternatively may allow for development opportunities beyond the guidelines set out in this document. The main matter for assessment in all cases will be that the proposals achieve the objectives set out above.



Urban Design Framework Character Areas
 South Tyneside Urban Design Framework (2005)

A) Visual Impact of the Proposal and Design Quality




3.4 National Planning Policy Statement 1 (PPS1) ‘Delivering Sustainable Development’ sets out the importance of good design within communities. Well-designed buildings, extensions and alterations can improve the quality and character of the property and the area. The council places importance on good design when considering planning applications. However, even where planning permission is not required, the guidance below is useful in setting out the important factors to consider in the design of your alteration or extension.

Residential Context

3.5 South Tyneside has a diverse range of housing styles, types and ages, which create distinct areas of housing character. Housing types within the borough range from historic buildings, Victorian and Edwardian terraces, early 20th century residential estates, to modern housing developments. Each housing type creates locally distinctive and unique areas within the borough. A well designed extension or alteration should maintain or enhance the character of each area and sense of place, by considering the materials, style, scale and detailing of the original house.

3.6 When designing your extension or alterations it is important to consider the building character, architectural style and building materials of the properties within the immediate vicinity of your property. Where a neighbourhood has been much altered in the past, it is important to focus on the underlying character of the area and not inappropriate additions to the buildings.

3.7 The table below identifies five general housing styles found within South Tyneside. For each housing type, areas where these types of property are found and common design features are identified. However, it should be noted that the table is not exclusive and local areas can have many different types of housing style.

| | Typical House Type | Typical Street Layout | Typical Areas | Common Design Features |
|--|---|--|---|--|
| <p>Victorian / Edwardian Terraces</p> |  |  | <ul style="list-style-type: none"> • The Lawe • Westoe • Rekendyke • Chichester • Boldon Colliery | <ul style="list-style-type: none"> • terraced housing • dense urban areas • small or no front gardens • back yards • traditional features, i.e. bay windows, dormer windows |
| <p>Early 20th Century (1919 –1945)</p> |  |  | <ul style="list-style-type: none"> • Monkton • East Boldon • Cleadon | <ul style="list-style-type: none"> • medium density residential areas • front and back gardens • semi-detached or detached properties |
| <p>1950s – 1970s Housing Estates</p> |  |  | <ul style="list-style-type: none"> • Biddick Hall • Whiteleas • Fellgate • Brockley Whins • Whitburn | <ul style="list-style-type: none"> • small areas of amenity open space • mixture of construction materials • detached garage blocks • open plan front gardens |

| | | | | |
|---|---|--|---|--|
| <p>1980s – 1990s Housing Developments</p> |  |  | <ul style="list-style-type: none"> • Shearwater, Whitburn • Mill Dene View, Jarrow • The Cotswold, Boldon Colliery | <ul style="list-style-type: none"> • open plan estates • cul-de-sacs • pre-dominantly semi-detached /detached properties |
| <p>2000+ Recent Housing Developments</p> |  |  | <ul style="list-style-type: none"> • Cleadon Park • Westoe Crown Village • Hedgeley Court | <ul style="list-style-type: none"> • mixture of housing styles and materials • open plan front gardens • driveways / off-street parking to front of property • high density detached and semi-detached housing • structured street patterns |

Buildings in Context - is a publication produced by English Heritage to encourage high design standards in sensitive historical areas. More information can be found at: www.building-in-context.org

Conservation Area Management Plans (CAMP)

- SPD10 Westoe
- SPD11 West Boldon
- SPD12 Whitburn
- SPD13 St. Paul's, Jarrow
- SPD14 Cleadon
- SPD15 East Boldon
- SPD16 Hebburn Hall
- SPD17 Monkton
- SPD18 Cleadon Hills
- SPD19 Mill Dam, South Shields
- SPD20 Mariner's Cottages, South Shields

Conservation Area Character Appraisals (CACA)

- Cleadon
- Cleadon Hills
- East Boldon
- Hebburn Hall
- Mariners' Cottages
- Mill Dam
- Monkton
- St. Paul's
- West Boldon
- Westoe
- Whitburn

Street scene – the visual features within streets, which contribute to the character of the street and the wider area.

Conservation Areas

- 3.8 The council has a duty to only allow developments in designated conservation areas, which will preserve and where possible, enhance the character of the area. New buildings or alterations and extensions to existing buildings within conservation areas must be of a high quality design. Proposals that alter listed buildings or existing buildings in conservation areas must acknowledge the special characteristics of the building and the wider conservation area. Design and materials must be carefully considered in relation to their impact on the building and neighbouring properties since the introduction of modern materials, such as uPVC windows, can result in a mixture of styles and materials which can lead to a decline in the character of both the property and the area.
- 3.9 Each conservation area is supported by a Conservation Area Management Plan (CAMP), which offers detailed guidance for the protection and enhancement of each conservation area. Our Conservation Area Management Plans have been adopted as Supplementary Planning Documents and are each supported by corresponding Conservation Area Character Appraisals. It is advised that these documents are consulted during the preparation of any proposal within a conservation area. Properties within a conservation area may be subject to additional controls, such as an Article 4 Direction, so it is important to check with the council's Planning Group before undertaking any works to your property.

Your Street

- 3.10 Each individual property on a street contributes to the 'street scene', which, in itself contributes to the character of the neighbourhood and to the sense of place. Poorly designed extensions or alterations and boundary treatments can have an adverse impact upon the street scene and the character of the area. Extending or altering the property to a high standard and in keeping with the original design will enhance the quality of the local area and may add value to the property.

Impact on your House

- 3.11 An extension should complement the shape, scale and proportions of the original dwelling to maintain the character of the original dwelling.
- 3.12 Extensions should ideally reflect the design and symmetry of the existing property. The choice of detailing, in terms of cill courses, eaves, windows and doors should match those on the original house wherever possible,

and the choice of materials should again match or complement those on the existing dwelling in terms of their colour, tone, texture and size.

Fig 3.1 Impact on the Street scene and Your House: Bad Examples



Fig 3.2



These images show a front and side extension, which is not in keeping with the character of the existing dwelling house or the street scene.

Fig 3.3 Impact on the Street scene and Your House: Good Examples



These images show a two-storey side extension, which is subordinate to the original dwelling and in character with the property and the street scene.

Fig 3.4



- 3.13 Poorly designed extensions can result in a range of undesirable features that can be detrimental to the original property and the street scene. The creation of ‘terracing’ within a street of detached or semi-detached houses, lack of subordination to the host property and detrimental impacts upon any building line present within the street are common reasons for poor design.
- 3.14 **Terracing / Subordination** – a key objective in the case of side extensions is to achieve subordination and to avoid a visual ‘terracing effect’. A terracing effect occurs when the spaces between semi-detached or closely spaced detached properties are lost. This can often be avoided through the use of setbacks and a lowered ridgeline. A set-back is where the extension is constructed behind the main front building line of the dwelling; setbacks can also help to disguise brick bonding difficulties and problems of achieving colour / texture match. The width of a side extension should also be subordinate and in scale to the width of the original dwelling.
- 3.15 With regard to dormer extensions to the front and side of a property, the extension should be appropriately scaled and designed to be visually subordinate and in keeping with existing roof materials. Further information on achieving subordination is detailed in the individual development sections in this document.

Fig 3.5 Example of Terracing within a Street Scene



This image shows how extensions that are not subordinate to the host property can lead to a loss of the visual gap between properties and result in terracing.



- 3.16 **Building Line** – extensions to the front of a dwelling house, or to the side of a return street frontage, can have a particularly significant impact on street scene. Extensions should not interrupt the consistent building lines present in the street.

Fig 3.6 Extensions forward of an existing building line



This image shows two extensions that extend beyond the established building line of the street.



Fig 3.7 Extension on a Corner Plot



The extension in this image is considered to be a good example of an extension on a corner plot. The extension does not break any of the existing building lines present in the main street and the return street.



Listed Buildings

- 3.17 Listed buildings have special legal protection due to their historic or architectural character. Alterations (including internal alterations) that affect the aspects which contribute to the buildings significance, (i.e. historic fabric, character or appearance) will require Listed Building Consent and may also need planning permission. It is recommended that pre-application advice is sought in all cases as specialist advice is usually necessary to assess what permissions are needed and in relation to design and materials. The guidance contained in this document applies to proposals for domestic listed buildings; there are also additional policies within the Local Development Framework documents that apply to all listed buildings.

Saved UDP Policies
ENV6 Historic Environment

LDF Development Management Policies
DM6* Built Heritage and Archaeology

- 3.18 South Tyneside Council also retains a list of significant buildings within the borough – this is known as the ‘Local List’. The Local List is a list of buildings, structures and open spaces that do not meet the criteria for national listing by the Secretary of State but are nevertheless contribute to the historical assets and character of South Tyneside. The Local List will be detailed in the forthcoming SPD 21: Locally Significant Historic Assets.

Habitable Rooms – living, dining, kitchen, bedroom, study, games room etc. Non-habitable rooms would consist of bathroom, hall, cloakroom, landing and toilet.

B) Impact on the Amenity of Neighbours

Privacy

- 3.19 Extensions should avoid compromising the level of privacy within the habitable rooms of neighbouring properties. In assessing such impacts, position of windows as well as separation distances are considered.
- 3.20 **Balconies** – balconies to the rear of properties can give rise to additional impact on the privacy of neighbouring properties. In considering applications for new balconies, in addition to any impact on windows of neighbouring properties, the council will have regard to the extent to which the proposal will cause overlooking of neighbouring gardens and yards when compared with the current situation.
- 3.21 **Windows** – windows of extensions should be positioned so that they do not directly look into the habitable room windows of neighbouring properties. Where necessary, measures to maintain reasonable levels of privacy should be considered as part of the design of the extension; such as obscure glazing in windows, use of rooflights instead of windows on exterior walls, or providing adequate ground floor screening (e.g. fences). Impact on privacy can arise with proposals for two storey extensions, particularly at the rear of properties. This issue is addressed in paragraph 8.4.

Outlook and Over Dominance

- 3.22 A reasonable outlook should be maintained from the habitable room windows of neighbouring properties. This generally means that an extension should not be so large and/or so close that it forms a very dominant feature when looking out from habitable rooms of a neighbouring property. Should an extension result in an oppressive or overbearing visual impact upon a neighbouring property it is possible that permission may be refused. It would normally be expected that a proposed two storey or upper floor extension would not face the front or rear elevation of an adjacent property at a distance of less than 14 metres. It is not possible for the planning system to protect particular views from a property, for example a view of a distant landmark.
- 3.23 The extent to which an extension impacts on a neighbour's outdoor space is a material consideration but is given less weight than impacts from within the dwelling.

Overshadowing

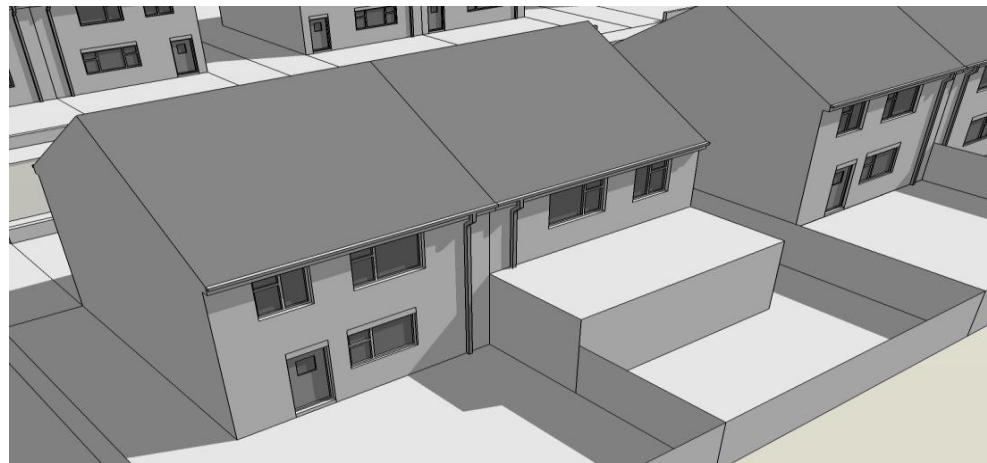
- 3.24 Any proposed extension should not result in the significant overshadowing of habitable windows of neighbouring properties over and above that of the existing situation. In designing an extension it is important to consider the position of windows in neighbouring properties to minimise any impact. If the proposed extension is likely to result in significant overshadowing of a neighbouring habitable room window, planning permission may be refused.
- 3.25 The overshadowing of outdoor spaces is given less weight than impact within the dwelling. Where the affected space is part of a small plot land/or the overshadowing removes the only area of sunlight a space receives, this may be given increased weight.

Fig 3.8 Overshadowing: Impacts on the Neighbouring Property.



The two-storey rear extension in Fig 3.8 shows how the extension can lead to the over shadowing a neighbouring window. Fig 3.9 does not result in the same level of over shadowing.

Fig 3.9



C) Highway Safety and Off-Road Parking

- 3.26 Any alterations or extensions to a property should not obstruct the views of motorists or pedestrians. The style, height and positioning of new boundary treatments should also consider this.
- 3.27 **Off-road parking** – Where an off-street parking space exists, this should be retained with a minimum driveway length of 5.5 metres (or 5.0 metres if there is a garage with a roller shutter door).
- 3.28 **Bin storage** – Ideally wheelie bins and other refuse containers should be stored away from public view within the grounds of the property. Your development should not remove such a facility if it already exists, and where possible you should try to incorporate suitable accommodation.

D) Impact on Trees

- 3.29 Extensions and alterations to dwellings should avoid the removal of or result in a negative impact on existing trees within the property boundaries or on adjoining land. Impacts can include construction activity / storage of materials within the root spread of trees. Where trees are present, a specialist report on impact may be required and, where applicable, any application granted is likely to require tree protection measures for the construction period to avoid damage.

4. Sustainability



An extension to the south facing rear of a Victorian terraced dwelling has been designed to maximise passive solar gain and day lighting to habitable rooms. It is sympathetic to the character of the original building and minimises heat loss by reducing the overall area of external walls.

Code for Sustainable Homes: sets out the national standard for sustainable design. It aims to reduce carbon emissions and create new homes that are more sustainable.

<http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>

Lifetime Homes Standard: a set of design criteria that provides a model for building accessible and adaptable homes.

<http://www.lifetimehomes.org.uk/>

- 4.1 The design of a building or extension affects the visual appearance of the structure and also its functionality and efficiency. In the UK, homes are responsible for approximately 28 % of carbon emissions, a major contributor to climate change. It is increasingly important to consider the sustainability and energy efficiency of domestic extensions and alterations.
- 4.2 The sustainability of an extension or alteration is **not** assessed during the planning process; however, to meet our international commitments to tackle climate change, extensions or alterations to a dwelling should aim to minimise carbon emissions. In addition, extensions or alterations can offer opportunities to create a dwelling that can adapt to changing household needs and improve the well being of residents.
- 4.3 It is important that any alterations or extensions respect the character of the individual house and it's setting in the street or landscape. Equally, the design should be influenced by measures to minimise the use of energy. Unless the site circumstances dictates otherwise, it is a good idea to make the extension as compact as possible. A two-storey extension is inherently more efficient than a single-storey extension. An extension with some south-facing pitched roof will offer opportunities for the use of renewable energy technology.
- 4.4 Further information on the use of domestic renewable energy resources can be found in Section 12 of this document. A separate Supplementary Planning Document (SPD1) on Sustainable Construction and Development is also available from the council.

5. Front Extensions and Porches

- 5.1 For detached dwellings with large front gardens, the extent of the extension will be determined by the available space and upon the character of the existing property, having regard to the general principles set out in Section 3.
- 5.2 In the case of terraced and semi-detached houses, front extensions should not normally project forward from the original dwelling by more than 1.4 metres and side windows should be avoided or fitted with obscure glazing in situations where there would otherwise be an adverse impact on the privacy of a neighbour.
- 5.3 Two-storey front extensions will only be permitted where it can be demonstrated that the proposal would not result in any detrimental impact in respect of the principles set out in Section 3.

Fig 5.1 Front Extensions



The extension in this image is considered to be a good example of a front extension. The extension is not overly dominant and is in keeping with the character of the main dwelling.



6. Single-Storey Side Extensions



- 6.1 Reasonable levels of privacy to neighbouring properties should be maintained. There will be a general presumption against windows in elevations on the boundary, except where they are obscurely glazed or of a high-level type (above 1.7 metres).
- 6.2 It should be noted that if your neighbour subsequently wishes to develop near their boundary, the planning system could not protect an outlook that you may have created by placing a window on a common boundary. You should be aware that Building Regulations have specific controls regarding the size of windows or other openings on or facing a common boundary. In most instances, there is a total limit of one square metre of glass permitted in an elevation within 1 metre of a common boundary. This limit increases in size the further an elevation is away from the boundary. For further advice on this matter contact the council's Building Control section.
- 6.3 Single storey extensions should not normally have a width greater than half the width of the existing property. Proposals beyond this will be assessed on their own merits and in accordance with the principles set out in Section 3.
- 6.4 To preserve the character of the street scene, single-storey extensions on corner plots should not extend beyond the established building line of the return street frontage (see Section 3.16). If no clear building line is easily identifiable along the side street, such extensions should seek to retain a minimum side space of 2 metres from the plot boundary.
- 6.5 Side extensions to bungalows that alter the existing roof and ridgeline can sometimes create a terracing effect. To prevent this and to ensure that any extension is subordinate, a minimum 1 metre gap to the boundary should be maintained. The extension should normally incorporate a setback of 1 metre from the main dwelling wall and a lowered roof ridgeline.

7. Two Storey-Side and First Floor Side Extensions

- 7.1 Two-storey and first floor side extensions can create a terracing effect within the street scene and give rise to inappropriate design. Therefore proposals must have regard to the general principles set out in Section 3.

Fig 7.1 Two storey-side extensions – Good and bad examples



High Density Housing Developments - are designed to make efficient use of land, housing approx 30 – 50 dwellings per hectare. This style of development is typical of modern residential developments.

- 7.2 To achieve the desired subordinate appearance and to minimise any terracing effect, two-storey side extensions on semi-detached and high-density detached properties should:
- retain a minimum 1 metre gap between the extension and the side boundary of the application site;
 - provide a minimum 1 metre set-back between the front wall of the upper storey extension and the main front wall of the house.

- provide a significantly lowered ridge line and a roof shape that corresponds to the main dwelling.

In situations where terracing would not arise, because there is no development immediately adjoining the location of the proposed extension, it may still be necessary to provide a set-back between the front wall of the upper storey extension and the main front wall of the house, and a lower ridge line, in order to achieve an appropriate design in the context of the street scene. In such situations an extension should always complement the scale, shape and proportions of the original dwelling, taking account of matters such as brick bonding, materials matching, roof design and the width of the proposed extension (specific guidance is set out in Section 7.3). Many of these design issues can be eliminated by use of a setback.

Fig 7.2 Two-storey side extension to a semi-detached dwelling – Good Example



7.3 In having regard to the general principles set out in Section 3, consideration must be given to the width of the proposed side-extension in relation to the existing property. Side extensions which are excessively wide can undermine the character of the street and of the existing property. To maintain a reasonable level of

subordination, side extensions should not be more than 3 metres in width or be more than half of the width of the original dwelling frontage, whichever is the greater.

- 7.4 The council recognises that the above guidance may not be suitable in all situations and that the design and suitability of an extension is dependent upon the site-specific circumstances, the need to protect residential and visual amenity and to achieve a design that respects the scale, character and appearance of the dwelling and its neighbourhood, having regard to the general principles set out in Section 3. In some cases the above guidance may be relaxed if two or more of the following criteria exist:
- there is a marked stagger in the building line between the dwelling and the affected neighbour;
 - the dwelling to be extended is of a substantially different type, scale and massing to the adjacent dwelling;
 - the adjacent property is incapable of being extended in the same direction; and
 - there is a significant difference in ground levels between the dwellings to be extended and the affected neighbour.
- 7.5 In those cases where the whole width of the plot is already built up by a single storey extension or garage, or where an existing single storey extension or garage has resulted in a gap along the common boundary of less than 1 metre, a first floor extension built up to the boundary may be acceptable where:
- it is set back behind the front wall of the main dwelling;
 - it does not occupy more than two-thirds of the depth of the dwelling and is located towards the rear of the main dwelling;
 - the roof ridgeline is significantly lower than the main dwelling ridgeline;
 - a pitched or hipped roof, depending upon the existing dwelling and proposed extension design, is constructed on any residual flat roof of the original single storey structure in order to reduce the visual impact of the structure upon the proposed extension and street scene;
 - a window is included to the front elevation of the proposed extension.
- 7.6 To preserve the character of the street scene two-storey side extensions and first floor side extensions on corner plots should not extend beyond the established building line of the return side street frontage (see Section 3.16). If no clear building line is easily identifiable along the side street, such extensions should seek to retain a minimum side space of 2 metres from the plot boundary.

8. Rear Extensions

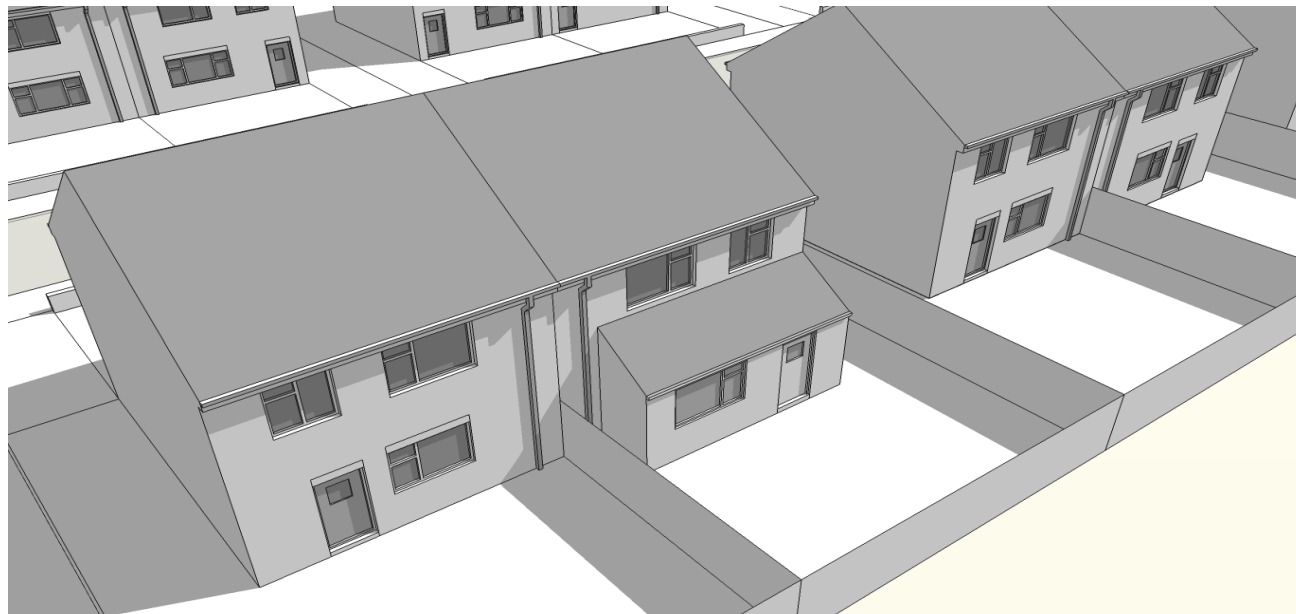
- 8.1 Single- storey rear extensions that would extend beyond the rear wall of the original dwelling house by up to 4 metres in respect of detached houses or 3 metres in respect of semi-detached or terraced houses will generally be acceptable. Where such extensions do not exceed 4 metres in height, in either case the development would be 'permitted development', unless such rights were withdrawn when the original development was granted planning permission (see Section 2.3).
- 8.2 In modern, dense developments, permitted development rights have been removed because even relatively modest extensions may have a disproportionate impact on the amenity of neighbours. In such cases, and in all cases where 'permitted development' limits would be exceeded, proposals will be considered having regards to the general principles set out in Section 3.
- 8.3 In some situations the distances that a proposed extension is set off the side boundary may help to make a proposal acceptable. Paragraph 8.1 applies to both conventional extensions and to conservatories, which are defined as structures that are substantially glazed structures on two or more elevations. Additional guidance with regards to conservatories is provided in Section 9 below.
- 8.4 Two-storey rear extensions that would project 3 metres from the rear wall of the original dwelling, and be set in 2 metres from the any side boundary and 7 metres from the rear boundary (opposite the rear wall of the dwelling) will often be 'permitted development', and will generally be acceptable in many situations unless specific impacts of privacy, over-dominance or over-shadowing arise for neighbouring properties. On widely spaced houses, there may be scope for larger rear extensions if it can be demonstrated that there will be no adverse impact on residential amenity for occupiers of neighbouring properties. Planning applications will be assessed by having regard to permitted development limits within the General Permitted Development Order (GPDO), and the principles listed in Section 3 of this document. In particular acceptable separation distances between habitable room windows on a proposed extension and those on the main rear elevation of facing dwellings should be sufficient to ensure a reasonable level of privacy for the residents opposite. This will be assessed on a case by case basis.
- 8.5 Reasonable levels of privacy to neighbouring properties should be maintained. There will be a general presumption against windows in elevations on the boundary, except where they are obscurely glazed or of a high-level type (over 1.7m above floor level).

8.6 It should be noted that if your neighbour subsequently wishes to develop near their boundary, the planning system could not protect an outlook that you may have created by placing a window on a common boundary. You should be aware that Building Regulations have specific controls regarding the size of windows or other openings on or facing a common boundary. In most instances, there is a total limit of one square metre of glass permitted in an elevation within 1 metre of a common boundary. This limit increases in size the further an elevation is away from the boundary. For further advice on this matter contact the council's Building Control section.

Fig 8.1 Rear extension



The extension in this image is considered to be a good example of a rear extension. The extension is not overly dominant, set-off the boundary and is in keeping with the character of the main dwelling. The extension does not result in any overshadowing of the neighbouring property.



9. Conservatories

- 9.1 Conservatories should be set at least 0.5 metres in from any common boundary where possible. This will maintain a reasonable space for access to allow for maintenance to the side of the conservatory, the guttering and any boundary fencing.
- 9.2 As conservatories are largely glazed structures, privacy issues can arise which may affect the new conservatory as well as neighbouring properties; this is often the case where the finished floor level is raised significantly as part of the development. The following advice should be followed to maintain reasonable levels of privacy:
- Obscure glazing will be required in all windows along the elevation of the conservator that faces any common boundary if the windows are within 3 metres of that common boundary. This is the preferred means of dealing with privacy situations as it is in the direct control of the developer and can be secured by means of a planning condition.
 - In some situations, a solid boundary treatment (i.e. wall or fence) may be a suitable alternative to obscure glazing. In such cases a 1.8 metre high solid boundary treatment should be provided and retained along any common boundary with an adjoining dwelling house. The boundary treatment should extend for at least the depth of the conservatory. This will also be secured by means of a planning condition.
- 9.3 Conservatories to the front and side elevation of properties will only be considered to be acceptable where reasonable levels of amenity and privacy are afforded to the neighbouring properties and where there is minimal impact upon the street scene.
- 9.4 The council also has additional conservatory policies that are particular to Westoe Crown Village. The council believes that the estate warrants specific policies in respect to the design of conservatories because of the restricted garden size due to the high density of the development, and the unique character of the development created by a high standard of design and attention to detail, which might be compromised by an unsympathetically designed conservatory. Permitted development rights have therefore been removed from these properties to allow such development to be controlled.

- 9.5 In addition to the general guidance relating to residential amenity and protection of street scene, the following advice is considered appropriate in relation to design and size of any proposed conservatory in Westoe Crown Village:
- in addition to the requirement that the materials shall match those of the existing dwelling house, conservatories should include the dwarf wall and artstone cill that are a feature of the house design and the windows should incorporate glazing bars to match the detail and proportions of the existing house windows.
 - the roof pitch should be between 30 and 42 degrees in order to compliment the design of the existing houses.
 - the conservatory should not exceed more than 25% of the rear garden area so as not to overwhelm the space available.

10. Balconies and Decking

- 10.1 The introduction of a balcony or raised decking to a property can raise issues of overlooking, loss of privacy to garden space.
- 10.2 The design of a balcony should respect the character of the host dwelling where it forms part of the street scene. However, balconies can often cause problems of overlooking, and those features that would unreasonably affect the amenities of neighbouring residents by way of loss of privacy will not be considered favourably. As a general rule, decking is considered to be more acceptable than a balcony; however, applications for balconies and raised decking areas should take into consideration the potential impact upon neighbouring properties.

11. Roof Extensions and Dormer Extensions

Roof Extensions and Alterations

- 11.1 Loft conversions are often considered to be a relatively simple way of providing additional living space. However, adding dormers and roof windows can significantly alter the appearance of your property. Any alterations to your roof should therefore be designed to complement your home and street scene.
- 11.2 Building regulation consent is required for any loft conversion whether planning permission is required or not, whilst certain types of roof additions also require consent. You should seek further advice from the council's Building Control section.

Fig 11.1 Dormer Extensions – Good Example



These traditional dormers are sympathetic to the character of the dwellings and are not overly dominant.



Fig 11.2 Dormer Extensions – Bad Example

The dormer extension in this image is 'top heavy' and not subordinate to dwelling. The extension is also considered to be detrimental to the character of the property and the street scene.



General Principles

- 11.3 For dormer extensions which require planning permission, it is important to avoid 'top heavy' appearance and spoiling the character of the dwelling; so the majority of the original roof slope should therefore be retained. To achieve this, two smaller dormers extensions may be more appropriate than one larger feature.
- 11.4 Dormer extensions should be set in from external walls or property boundaries where near to an attached neighbour, and should not wrap around more than one roof plane. They should always be positioned below the roof ridgeline and set-up from the eaves of the main dwelling.

Dormer Type and Design

- 11.5 The appropriateness of a dormer extension is dictated by the type and character of the host dwelling. However, if an area is not characterised by dormers of any kind, introducing an undesirable precedent should be avoided. The following advice provides specific design guidance with regard to different property styles.

Victorian and Edwardian Terraced Houses

- 11.6 With older terraced properties, traditional pitched-roof dormers are generally preferred to flat-roof types in terms of design. Where appropriate, window frames should match the style and alignment of windows on the main dwelling, and dormer cheeks (sides) should be tile hung. This is of particular importance for dormer extensions to listed buildings and those in conservation areas as they must protect their special interest and significance.

1930s Bungalows

- 11.7 Large semi-detached and detached bungalows, especially in the South Shields area, have had dormer extensions added in a lot of cases. Proposed extensions to these types of property should be in keeping with the character of the host dwelling and have regard to the general principles stated in (Sections 11.3–11.5).

Semi-Detached Houses

- 11.8 Where dormers are not an original design feature, these are not considered to be an appropriate addition to this type of property as it can unbalance the appearance and character of the host dwelling. For these types of property the use of roof lights may be a more acceptable alternative.

Modern Housing Estates

- 11.9 In cases where dormer windows are an original feature of some house types on an estate, the addition of a dormer extension may be considered appropriate, where this would closely replicate the design and siting of existing features.

Hip-to-Gable Enlargement

- 11.10 A hip-to-gable enlargement can often make a house look unbalanced and can also create a terracing effect within a row of dwellings where open views between dwellings are lost. Such extensions will only be considered acceptable where it can be demonstrated that such works would not cause significant harm to the street scene. In cases where a window is proposed to the extension, favourable consideration will only be given to proposals that would not result in a loss of amenity for residents by way of unreasonable loss of privacy.

12. Roof Alterations

Roof Lights / Windows

- 12.1 Roof lights and windows can be a suitable means of allowing light into a loft space, without the construction of a dormer extension. The use of roof lights as an alternative can help to maintain the character of the existing dwelling and of the street scene. Roof lights on houses can be added under 'permitted development', unless these rights have been removed by a planning condition or an Article 4 direction, or if the building is listed. The addition of roof lights to flats that do not benefit from permitted development rights are considered to be acceptable in most cases. Roof lights and windows should preferably be of a 'low profile', to reduce their impact upon visual amenity. They should also match the alignment of windows on the main dwelling where appropriate. In conservation areas, heritage-style roof lights that sit flush with the external surface of the roof should be used in preference to a roof window, to reduce their impact on the character and appearance of the property.

Alterations to Roof Shape

- 12.2 Proposals for the installation of a pitched roof on an existing flat roofed extension are generally considered to be acceptable. It is advised that any change in roof shape should take account of the character of the existing property and the street scene.

Chimneys

- 12.3 Where possible, original chimney features should be retained in order to preserve the original character of the property and the street scene. Chimneys will be determined on their own individual merits with consideration given to their scale and design. It is advisable to first seek advice from the council's Building Control section to ensure such that the function and siting of the chimney would satisfy building regulations.

Satellite Aerials

- 12.4 Satellite aerials can be installed under 'permitted development' in most situations. When installing a satellite antenna, dish or aerial, consideration should be given to ensure that it is suitably positioned to minimise any potential adverse impact upon the exterior of the property. A poorly positioned aerial can be detrimental to the visual amenity of the property and also the street scene. Important issues to consider include:
- the colour of the satellite dish. For example, a black satellite dish may blend better against darker brick backgrounds, but may be more obvious against a lighter stone or painted building. A mesh or transparent dish may also be less intrusive.
 - the positioning of the dish/antenna. Where possible, aerials should be mounted in a way that they are not visually intrusive. Ideally, they should be positioned on a wall or roof to the rear of the property. Where this cannot be achieved, care should be taken to prevent any negative visual impact.

13. Householder Renewable Energy



Planning Portal Website -

<http://www.planningportal.gov.uk/england/public/planning/greenerhomes/>

Energy Saving Trust -

<http://www.energysavingtrust.org.uk/>

- 12.1 South Tyneside Council is committed to supporting sustainable construction and energy efficiency in new developments throughout the borough. Sustainable construction is a key aspect of future sustainable development, and these principles should be incorporated into proposed domestic extensions and alterations.
- 12.2 For domestic properties, the installation of photovoltaic cells (solar panels) or wind turbines are often an effective means of making a home more sustainable by reducing carbon dioxide emissions and reducing energy bills. In addition grants may be available to offset the cost of installing equipment in your home. Further guidance on microrenewable energy options and grants can be found on the Planning Portal and Energy Savings Trust Website.
- 12.3 Planning permission is not always required for renewable energy appliances, although we strongly recommend that you make use of our pre-application enquiry service to determine whether your specific proposal would be permitted development or would need planning permission. As with all alterations to domestic properties, you should consider the impact that the installation of such equipment would have upon the existing property, the surrounding area and neighbours.

14. Replacement Windows in Conservation Areas



- | 14.1 When considering development proposals in a conservation area, the Local Planning Authority has a statutory duty to preserve and where possible enhance the character and appearance of such areas. This guidance specifically relates to the installation of new or replacement windows to unlisted residential buildings within a conservation area.
- 14.2 Traditional windows such as sliding sashes, are an important architectural feature of most conservation areas, and the timber detailing can reinforce the historic quality of a property as well as the wider area and sense of place. Accordingly, only those features that would respect the traditional design and materials used in the construction of the original building will be viewed favourably.
- 14.3 UPVC framed window manufacturers are unable to reproduce the historic detailing and slender proportions of traditional sash windows. Furthermore, uPVC material does not have the same surface appearance as painted wood.
- 14.4 Timber-framed windows can still be made safe and energy efficient without the need to resort to replacement uPVC. The discreet insertion of modern draught seals can greatly enhance the performance of sash windows in respect of heat retention and ease of use. To further enhance performance and resolve any problems of safety and noise, secondary glazing can also be installed where this would not compromise the pattern of the sash window.
- 14.5 It is further advised that residents consult the relevant local Conservation Area Management Plan for further design guidance specific to their area.

15. Garden Developments and Hardstandings

Detached Garden Buildings and Structures

- 15.1 Many detached garden structures do not require planning permission. However, this is dependant upon the size and positioning of the proposed development. Prior consultation with the Local Planning Authority is advised before planning any such development.
- 15.2 Like other domestic extensions, detached buildings should be of a scale, design and position that do not result in any adverse impact upon neighbouring properties or the surrounding area. Proposals to the rear of the host property are likely to have less impact upon the surrounding area than a structure to the front or side of the host property. Proposals for such structures will be assessed on their own merits and in relation to impacts on the neighbouring properties and street scene.

Detached Garages

- 15.3 Detached garages should be subordinate to and reflect the character of the existing dwelling. Poorly designed detached garages can be overly dominant and be detrimental to the character of the area. The following matters should also be considered:
- the garage should be located to minimise impact on the street scene. Where possible, detached garages should be located to the side of the dwelling and set back from the front wall of the existing dwelling;
 - the garage should be sited so as to retain a minimum driveway length of 5.5 metres between the garage door and the boundary edge of the adopted highway or shared service road verge, or 5.0 metres where a roller shutter garage door is used.

Vehicle Hardstanding

- 15.4 The 2008 amendments to householder permitted development rights introduced a requirement that the creation of some hard surfaces would require planning permission.
- 15.5 Where your property benefits from permitted development rights, you will not require planning permission if a new or replacement driveway is constructed of permeable (or porous) material that allows water to drain through, or if the rainwater is directed to a lawn or border to drain naturally.

Conventional **impermeable** surfaces stop water soaking into the soil below.

Permeable surfacing allows rainwater to pass through the open voids.

Development Management Policies DPD

Policy DM1 'Management of Development' provides criteria against which all developments in the borough will be assessed. This policy states that developments should be designed to 'minimise and mitigate localised flood risk'. The creation of an impermeable surface or a surface without satisfactory run-off would be unlikely to satisfy this policy.

- 15.6 If the proposed area was to cover more than five square metres, and be situated on land forward of the front of your property, planning permission will be required for laying traditional, impermeable hardstandings that do not allow for water to run into a permeable area.
- 15.7 Where planning permission is required for a new or replacement surface, it is unlikely to be viewed favourably where water could not be absorbed within your property, as the combined effect of this form of development can increase the risk of flooding in your local area. Please consult the Environment Agency document 'Guidance on the permeable surfacing of front gardens' for further information.

Vehicle Access

- 15.8 Many flats and houses in South Tyneside that were built prior to the 1960s were not designed to accommodate cars, although the lowering of a kerb to create a footpath crossing, can create an access for a car to park within your property.
- 15.9 Planning permission will be required in circumstances where the crossing will open on to a classified road (A, B or C class road). Where planning permission is required, there will be a general presumption against those proposals that would unreasonably impact upon the local highway network, whilst the siting of a crossing should have regard to the design layout of your estate.
- 15.10 Please note that you must seek consent from this council in its role as Highways Authority before you start work. Further information with regard to dropped kerbs and footpath crossings can be found on the council website: http://www.southtyneside.info/transportandstreets/highways/dropped_kerbs.asp.

16. Boundary Treatments

Permitted development limits for fences, gates, walls or other means of enclosure can depend on whether or not the development is to be constructed adjacent to a highway used by vehicular traffic. Boundary treatment is always considered to be 'adjacent' where this would be sited along the back of the footpath to a vehicular highway (even if there is a grass verge between the roadway and the footpath). In other situations, for example, where a fence runs along the property boundary away from the footpath, there is a general restriction on carrying out development where the work would create an obstruction to the view of persons using any highway used by vehicular traffic, so as likely to cause a danger to such persons. This will be particularly relevant where you or your neighbour has a driveway where the visibility sight lines would be restricted by a fence.

- 16.1 Walls, fences and gates, particularly to front and side boundaries can have a significant effect on the appearance of a property and streetscape. The design, height and detailing of boundary walls, fences and gates therefore play an important role in defining the character and appearance of residential areas, houses and streetscape.
- 16.2 Some walls, fences and gates may be 'permitted development' and would therefore not require planning permission. It is strongly advised that you contact the Planning Group for advice through the free enquiry service (See Section 2.3)
- 16.3 The design, height and materials of walls and fences should always complement the original character and materials of the property and neighbourhood. The use of stone, artificial stone, brick walls, good quality timber fencing, metal railings or hedges will usually be appropriate depending on the type and colour of the materials and the character of the area and individual property.
- 16.4 The use of less appropriate materials such as blockwork, concrete panels, perforated blocks and industrial fencing will often damage the appearance of a property and the street in which it is located. Expanses of high close-board fencing bordering public areas should also be avoided.
- 16.5 With regard to front gardens it is advised that boundary treatments should not exceed 1 metre in height. Any structure above this height will often require planning permission and may not be approved. This also includes infill panel railings and gateposts above this height.
- 16.6 Driveway gates should match the height of the main front garden or railings. Highway visibility should always be maintained. When erected beside driveways or on corner sites they can have an adverse impact on sightlines and traffic safety. Both the visual and road safety aspects of a wall or fence will be assessed when proposals are being considered.
- 16.7 On newer estate developments, where the design of boundary treatments is unique to the estate, it is especially important that any additional boundary treatments complement the original height and estate design approach. For this reason, permitted development rights may have been removed from such properties so that any alterations would need planning permission. Estates where this is relevant include:
 - Westoe Crown Village, South Shields
 - Cleadon Park, South Shields
 - Priory Court, Jarrow



Boundary Treatments at Riverside Park, Hebburn

- Riverside Park, Hebburn
- Hedgeley Court, Hebburn
- Copperfields, Boldon Colliery
- Mill Dene View

Further advice on the above estates is detailed in Sections 16.9 – 16.24.

- 16.8 If you live on an open plan estate, you should contact the Planning Group to check whether the erection of a wall, fence or gate to the front of your property requires planning permission.

Fellgate Estate

- 16.9 Within the Fellgate estate, the roads and pedestrian footpaths have created a distinctive form of layout, with road access to the rear of properties and pedestrian footpaths and grassed open space to the front. New walls and fences to secure an extension of private garden space can have a harmful impact upon the visual amenity of the estate and create problems for highway safety in terms of vehicle and pedestrian visibility being obstructed
- 16.10 Separate planning permission will be required for the change of use of the land and for the erection of any boundaries. If the proposed area of land to be enclosed is council-owned, you should also contact the council's Asset Management team with regard to purchasing the area of land. They will make enquiries to other council services, including the Planning Group, to seek advice about the acceptability of the proposal and any permission required.
- 16.11 To maintain the visual amenities of the street scene throughout the Fellgate estate, and to protect highway safety, there will be a general presumption against the loss of grass verges and open space from enclosure and incorporation into private gardens by walls and fences or other boundary treatments.
- 16.12 However, there may be circumstances in Fellgate where the overall character of the road or cul-de-sac would not be significantly affected by the incorporation of verges into gardens and the erection of walls or fences, where:
- a minimum 1 metre gap from the kerbline is maintained to allow for pedestrian use of the verge;
 - visibility splays should need to be maintained in line with the 'Manual for Streets' document produced by the DfT, this will ensure that there are adequate sightlines for vehicles entering and existing the cul-de-sac.
 - the wall or fence would not undermine the visual character or introduce a visually jarring feature within the streetscene.

Manual for Streets – a document produced by the Department for Transport (DfT). The document provides guidance for practitioners involved in the planning, design, and approval of new residential streets and modifications to existing ones. More information can be found at: <http://www.dft.gov.uk/pgr/sustainable/manforstreets/>

Westoe Crown Village, Priory Court, Hedgeley Court and Copperfields

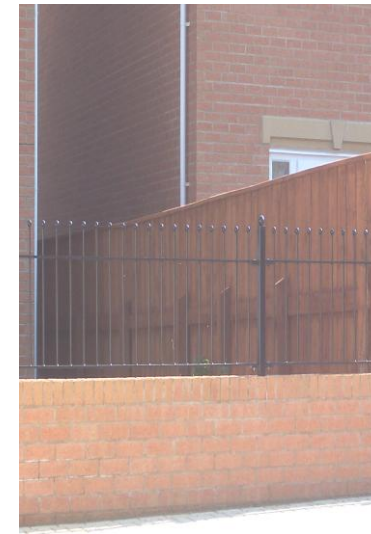
- 16.13 The predominant boundary treatment on these estates is round bar steel railings.
- 16.14 New fencing and driveway gates should therefore replicate the original approved design of wrought iron/mild steel railings with square bar posts with round bar infills, painted black, to a maximum overall height above ground level of 1 metre.
- 16.15 Throughout the Copperfields estate in West Boldon, boundary enclosures comprise of a combination of railings, railings on brickwork and screen walling. Planning permission would be required for any new walls, railings, fences or gates on this estate.
- 16.16 Within the estate, a number of houses are dual aspect, with rear gardens fronting onto roads. In these locations, boundary enclosures comprise of railings on brick walls. To protect the visual amenities of the street scene in these locations and to ensure a continuity of design, there will normally be a presumption against the removal of railings and their replacement by either timber or brick infill panels, subject to consideration of privacy issues.



Hedgeley Court



Westoe Crown Village



The Copperfields

Cleadon Park

- 16.17 The Cleadon Park redevelopment in South Shields has been designed with a hierarchy of streets from ‘avenues’, which are main routes through the development, to ‘streets’ and smaller scale ‘mews’. Each of these streets is characterised by different kinds of street planting and hard surfacing and, at the smaller scale, have been designed without front boundary treatments. This is to create a variety of environments within the larger development and to create a very localised sense of place.
- 16.18 Where front boundaries have been designed as part of the street scene, they are unique to this development and are 900mm high black finished metal railings with characteristic hoop top gateposts.
- 16.19 At the rear of some properties the rear garden boundary fences adjoin communal parking courts and the fencing is designed with ‘vision panels’ in the upper sections to allow for surveillance of these areas from adjacent properties to increase to perception of safety.
- 16.20 Planning permission will be required to erect or replace any boundary treatment. The council is unlikely to grant permissions for front enclosure for those areas designed with open frontages and replacements elsewhere should replicate the original approved design. Any planning application to remove the vision panels in rear fences described above is unlikely to be approved.



Cleadon Park



Cleadon Park – rear fencing



Mill Dene View

Mill Dene View

- 16.21 This estate in Jarrow was designed with an open plan frontage and as a condition of the planning permission permitted development rights that allow the construction of low height boundary walls and fences were removed to enable these elements to be controlled. Consequently, planning permission is required before any wall or fence can be constructed.
- 16.22 To maintain the high quality of appearance of the estate and ensure that proposals for front walls or fences have a degree of consistency and continuity throughout the estate, it is considered that front garden boundary enclosures should comprise of:
- a 3 brick course high, 'dwarf wall'. The bricks should match the colour and texture of the existing house brick;
 - black painted wrought iron railings, above the wall to provide a maximum overall height above ground level of 1 metre;
 - should driveway gates be proposed, these must be of a simple wrought iron design to match the railings and have a maximum height above ground level of 1 metre;
 - a solid brick pier may also be constructed up to a maximum height from ground level of 1 metre to which any gate or gates could be affixed.

Conservation Areas and Listed Buildings

- 16.23 Planning permission is not needed to take down a fence, wall, gate or other means of enclosure unless it is in a conservation area, within the grounds of a listed building, or forms the boundary to a listed building. If the property is in a conservation area, you will need planning permission to take down a fence, wall or gate in the following circumstances:
- if any part of the fence, wall or gate is over 1 metre high where abutting on to a highway (including a public footpath, cycleway, waterway or bridleway) or open space;
 - if any part of the fence, wall or gate is over 2 metres high elsewhere;
 - if an Article 4 (2) direction has been imposed on the property.
- 16.24 Listed building consent would be required for the demolition of an enclosure within the curtilage of a listed building if it was affixed to the listed building itself or if it was free-standing and existed prior to 1948. The erection of a new means of enclosure within the curtilage of a listed building would only need listed building consent if it would directly affect the setting of the listed building.

- 16.25 It is advised that you contact the Planning Group for more information on proposals to carry out works to a listed building or within a conservation area.

17. Plot Subdivision

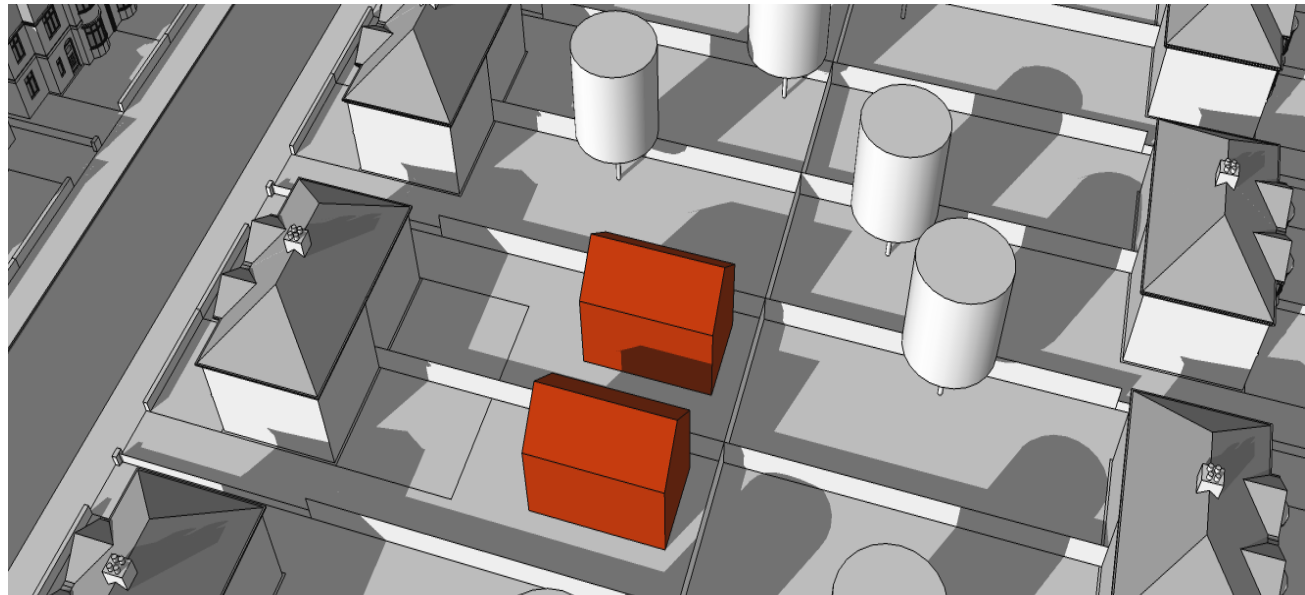
Garden Grabbing – in June 2010 Planning Policy Statement 3 (PPS3): Housing was amended to exclude private residential gardens from being identified as previously developed land (Brownfield land).

- 17.1 Plot subdivision relates to the development of one or more separate residential dwellings within the curtilage of an existing property. Proposals that involve plot subdivision will only be allowed where the following criteria can be met:
- the site has its own separate and independent vehicular access which does not infringe upon the amenities of the adjoining dwellings or prejudice the highway system;
 - the development does not result in an unacceptable loss of privacy, outlook, space or overshadowing for adjoining residents, the existing dwellings and future occupiers of the new dwelling;
 - the detailed designs are sympathetic to the character of the area, and the development of the site does not lead to a loss of amenity to the area as a whole: and
 - ensuring that the setting and character of the original dwelling is not eroded by the proposed development.
- 17.2 Additional criteria apply to plot subdivision proposals to properties within the Cleadon Plantation area. You are advised to refer to Development Principle CA-C9 Cleadon Plantation, which can be found in Supplementary Planning Document 14: Cleadon Conservation Area Management Plan.

Fig 17.1 Plot-Subdivision



This image demonstrates a poor example of plot-subdivision.



**To find out more about the new
Local Development Framework, contact:**

Spatial Planning Team, Housing Strategy and Regulatory Services,
South Tyneside Council, Town Hall and Civic Offices,
Westoe Road, South Shields, Tyne and Wear, NE33 2RL

Telephone: **(0191) 424 7688**

Email: **Idf@southtyneside.gov.uk**

Visit: **www.southtyneside.info/planning**

If you know someone who would like this information in a different format contact
the communications team on 0191 424 7385.