
Items Delegated to the Deputy Chief
Executive

**Items Delegated to the Deputy Chief Executive
Development Control (Hetton, Houghton and Washington) Sub Committee**

1. **Hybrid planning application comprising: Full application for the erection of 25 residential units with associated landscaping, access and parking. Outline application for 75 residential units with all matters reserved. Stopping up of highway and change of use from highway to residential.**

**09/03990/FUL Land Adjacent To Windsor Crescent, The Close And Kingsway
Houghton-Le-Spring**

26/10/09 Gentoo Homes

Decision: Approved

Date of Decision: 22 Jan 2010

Appeals Received Hetton Houghton and Washington

Between 01/01/2010 and 31/01/2010

Team	Ref No	Address	Description	Date Appeal Lodged
HE	10/00003/REF	Land Adjacent To □Avondale□Houghton Road□Hetton le Hole□Houghton-Le- Spring□DH5 9PH□	Erection of one dwelling house.	25/01/2010
HO	10/00005/REF	22 The Green□Houghton-Le- Spring□DH5 8AL□	Erection of dormer window to front (RETROSPECTIVE).	29/01/2010
W	10/00001/REF	22 Woodland Terrace□Concord□Wash ington□NE37 3AD□	Change of use from garage to dog grooming parlour	13/01/2010
	10/00002/COND	Smithers Oasis Uk Ltd□Crowther Road□Crowther□Washin gton□NE38 0AQ□	Variation of condition 5 of planning permission 07/01286/FUL to allow operating of warehousing and logistics Monday to Friday to operate 0600-2200 with vehicle loading restricted to 0745- 2000 Monday to Friday with no change required for Saturday, Sunday, and Bank Holidays as per the original planning permission (Amended Description)	15/01/2010

Appeals Determined Hetton Houghton and Washington
Between 01/01/2010 and 31/01/2010

Team	Ref No	Address	Description	Appeal Decision	Date of Decision
HO	09/00029/REF	Blue Cedars Drive Houghton-Le-Spring DH5 8JR	Erection of first floor bedroom extension to the rear.	DISMIS	05/01/2010
W	09/00018/ENF	9 Mentieth Close Lambton Washington NE38 0PJ	<p>THE BREACH OF PLANNING CONTROL</p> <p>Without planning permission the change of use from amenity open space to private garden and enclosure with a 1.6 metre high approx brick boundary wall with brick pillars and timber infill panels.</p> <p>REASONS FOR THIS NOTICE</p> <p>It appears to the Council that the breach of planning control has occurred within the last ten years.</p> <p>The land is an integral part of an area of amenity open space running parallel with the south-east boundaries of Mentieth Close. The enclosure and change of use of the land to private garden has resulted in the loss of amenity open space to the detriment of the visual amenities of the area. The enclosing wall juts out obtrusively into the open space, and contrasts starkly with the otherwise open layout of this part of Mentieth Close. The development is contrary to policies B2 and B3 of the Council's adopted Unitary Development Plan, section 2.4(e) of the Supplementary Guidance (Development Control Guidelines) and section 9.2 of the Supplementary Planning Document Household Alterations and Extensions.</p> <p>The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.</p>	APPWIT	08/01/2010

Team Ref No	Address	Description	Appeal Decision	Date of Decision
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09/00021/ENF	9 Mentieth Close Lambton Washington NE38 0PJ	Without planning permission the erection of a conservatory (in the approximate location hatched in black on the attached plan) including the change of use of amenity open space to conservatory / residential curtilage (shown cross hatched on the attached plan). REASONS FOR THIS NOTICE It appears to the Council that the development was substantially completed within the last four years. The conservatory dominates the relatively open south east elevations of Mentieth Close introducing an incongruous and overbearing feature, to the detriment of the amenities of neighbouring properties and the wider street scene. This is inconsistent with policy B2 of the council's Unitary Development Plan, section 3 of Supplementary Guidance (Development Control Guidelines) and section 7.2 of the Supplementary Planning Document Household Alterations and Extensions. The conservatory additionally extends outside of the residential curtilage and is sited partly on an area of amenity open space running parallel with the south-east boundaries of Mentieth Close. The construction of the conservatory on this land has resulted in the loss of amenity open space to the detriment of the visual amenities of the area. It juts out obtrusively into the open space, and contrasts starkly with the otherwise open layout of this part of Mentieth Close. The development is contrary to policies B2 and B3 of the Council's adopted Unitary Development Plan, and section 3 of the Supplementary Guidance (Development Control Guidelines). The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.	APPWIT	08/01/2010
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09/00029/REF.
Appeal Decision PMC

Site visit made on 8 December 2009

by **Christopher Checkley**
BA(Hons) MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
5 January 2010

Appeal Ref: APP/J4525/A/09/2109369

Blue Cedars, Warwick Drive, Houghton-le-Spring, Tyne and Wear, DH5 8JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Jayson Moss against the decision of Sunderland City Council.
- The application Ref 09/00745/FUL, dated 26 February 2009, was refused by notice dated 23 April 2009.
- The development proposed is a bedroom extension.

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues are the effect of the proposed first floor bedroom extension to the rear upon first, the appearance and character of the area and, second, the living conditions of the neighbouring residents with particular regard to levels of overlooking, overshadowing and visual impact.

Reasons

Appearance and character

3. Blue Cedars is a detached two-storey dwelling standing within a series of detached houses on the south side of Warwick Drive. Although a number of detached houses in the area have single-storey rear extensions, none currently have large two-storey rear extensions. The original house has already been significantly extended in the form of both a two-storey side extension of a height subsidiary to the main dwelling and a single-storey rear extension across much of the original rear elevation. The proposed first floor extension would stand upon the existing single-storey rear extension, tying into the main pitched roof in the form of a gable end, the ridge line of which would be virtually the same height as the main roof.
4. The height, width and depth of new brickwork and roofing above ground floor level would create a new structure of considerable mass that would dominate the appearance of the house from either side and from the rear. The scale of the extension with its dominating two-storey gable with a full height pitched roof would fail to be subordinate to the existing house. The harmful visual effect of the disproportionate extension would be apparent from several surrounding residential properties and from some views from Gillas Lane West.



5. On this issue, I conclude that the proposed extension would form an over-dominating element within the rear elevation that would harm the appearance and character of the host building and the general area, contrary to the requirements of Policy B2 of the adopted City of Sunderland Unitary Development Plan (UDP).

Living conditions

6. The Council refers to guidance within both its adopted Supplementary Planning Guidance (SPG) Development Control Guidelines and its Supplementary Planning Document (SPD) Household Extensions and Alterations that single-storey rear extensions to semi-detached and terraced dwellings along the common boundary should normally be limited to a maximum projection of 2.7m. However, I find this specific advice is not directly applicable to this first floor extension to a detached dwelling. Normally, deeper projections may be permitted where the extension and the neighbouring dwelling would be positioned off the boundary, which is the case here. The SPD, however, indicates that 2-storey rear extensions (the effective result in this case) will normally be resisted, unless there would be no unacceptable effect on neighbours' living conditions or the street scene.
7. The first floor extension would project significantly to the rear of the main rear elevations of the detached houses to either side. Pine Lodge to the west has a conservatory to its rear which extends close to the common boundary. The proposed extension would be sufficiently removed from the neighbours' first floor rear bedroom windows to avoid an undue loss of daylight or outlook within the bedrooms through infringement of the 45° rule of thumb. However, despite the presence of the boundary enclosures, the conservatory would suffer a substantial and unacceptable increase in the degree of overshadowing during the mornings, the effect being particularly notable during winter months. Also, the height and depth of the extension would result in an overbearing visual impact on the neighbouring residents especially within their conservatory.
8. Although the extension would be set away from the boundary with Tree Tops to the east, the height and extent of the new ridgeline would be such as to cause significant and unacceptable overshadowing of the rear sunroom of that property during the late afternoons/evenings.
9. Although the extension would stand closer to the southern boundary with No 14 Gillas Lane West, only part of its rear garden would be directly overlooked and from solely one bedroom. Its main rear windows would stand offset, avoiding undue loss of privacy. Therefore, the effect on these particular neighbours would not be unacceptable.
10. I conclude that the proposed rear first floor extension would cause significant harm to the living conditions of the neighbouring residents at Pine Lodge and Tree Tops, contrary to objectives underlying Policy B2 of the UDP and the guidelines of the SPG and SPD.

C J Checkley
INSPECTOR

09/00018/62



The Planning Inspectorate

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Dave Evans
Sunderland City Council
The Planning Department, Sunderland
Development And Regeneration
Civic Center, Burdon Road
Sunderland
SR2 7DN

Your Ref:

Our Ref:

Date:

APP/J4525/C/09/2106115
Further appeal references at foot of letter

8 January 2010

Dear Mr Evans

**Town and Country Planning Act 1990
Appeals by Catherine Olds
Site at Land To The Rear Of 9 Mentieth Close, Washington, NE38 0PJ and
Land At 9 Mentieth Close, Washington, NE38 0PJ**

I enclose for your information a copy of a letter received on 8 January, withdrawing the above appeals.

I confirm no further action will be taken.

The local inquiry to be held at The Civic Centre, Burdon Road, Sunderland, SR2 7DN on 5 January 2010, has been cancelled. Please try to bring this cancellation to the notice of anyone who may have taken note of the inquiry arrangements.

Yours sincerely

Roger Thomas

E208D(BPR)

Further appeal references:- APP/J4525/C/09/2106116

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