

## ADDENDUM 05.07.2018

### Item No: 5.2

<b>Application No:</b>	<b>18/00663/FUL</b>	Author	James Blythe
Date valid:	18 May 2018	:	
Target decision date:	13 July 2018	☎:	0191 643 7756
		Ward:	Collingwood

Application type: full planning application

**Location: Land At Former 25 St Anselm Crescent North Shields Tyne And Wear**

**Proposal: Variation of condition 1 of application 16/00886/FUL (2no new 'one and a half' storey 3 bed bungalows) regarding alterations to external finishing (render), alteration to the location, height and roof style of the proposed garages, additional rear patio and two additional windows to the front elevation. (Additional information submitted - In relation to the change of description and the elevations to indicate the two additional windows to the front elevation). (Part retrospective)**

Applicant: G Leisure, Mark Garry Land At 25 St Anselm Crescent Moor Park North Shields NE29 8BL

Agent: DLD, David Lawson 15 Shannon Close Fulford Grange Castletown Sunderland SR5 3DJ

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

#### 1.0 Additional Representations

1.1 2 no. further letters of objection have been received from members of the public and the points of objection are summarised below:

- I feel you have incorrectly called this application a variation when in fact due to the builder's abuse of the planning approvals and continuation of work of the items included. I believe it should be classed as a retrospective instead of a variation of application.
- If somehow the approval is granted it could be classed as a precedent.
- So we could see render replacing brick and like this development change make the estate look cheap and unsightly. Not just my opinion but 96% of the adjacent residents.
- Garages: these built against the borders of adjacent properties will make maintenance of the site almost impossible.
- The garage to be built just over one metre of the rear border and being larger than existing garages in the area.
- The garage rear wall size being 5,6 mtrs by 2,6 mtrs high. As the precedent would exist the 12 houses in the row could use this precedent and could

perhaps, as in this case without permission, built similar garages in a similar position. It would create a block wall on one side of 67 metres by 3, 6 metres high running along the rear boundaries. You will have turned this quiet residential area into an industrial estate.

- It also looks as if there has been an attempt to remove the conditions no. 5, 7, 8, 9, 10 and 11. We also object to this point. We feel that there should be no way that the builder's abuse of planning permission should be covered up by this application. The planning committee has included these and other conditions to protect the public; this is why they are there. We can see what can happen if the conditions imposed are unheeded to and overlooked by the planning department. In fact it appears that you are asking the planning committee to vote against themselves, which would then ask the question: why have a planning committee.

- The finish cannot be as posted, there is no possibility of a brick skin on this development and can only be rendered (as it has been built) which does not comply with the posted plans or blend with its neighbours and was never built to make a brick skin even a possibility and an application to change the finish (after the building was built) has been submitted.

- The garage walls were built after they were told to cease building, in fact the base of the garage was poured within minutes of the building inspector leaving and you can see that the whole site was built in contravention of the posted design for a traditional brick built building and its construction from day one could only be rendered.

- The garage is now so close to the neighbours property I'm baffled how this or the fence can be maintained or the outer wall of the garage even rendered or maintained.

- This rendered finish they are now proposing will be totally out of place with the look of the neighbouring buildings.

- The issue of the garages, and patio however are of the greatest safety concern, the problem being increased by the additional rear patio.

- To level the site they have put rubble and in some cases chopped vegetation (the trees cleared from the site, which by the way the plans showed as remaining) and topping it with soil. This has meant that the original decorative boundary fences separating the development from its neighbours is now having to act as a structural soil retaining barrier to depth of, up to, 2 feet to stop the soil from the development collapsing in to their gardens. This area has a flooding issue and is also on unstable ground due to landfill on this site.

- The revised position of the garages (built without planning consent) has increased this danger having been moved closer to the boundary and without the extensive foundations that the main house required. With the patios increasing the runoff of water in to the unstable ground with no suitable retainers, structural failure of the fences and potentially the garages is I believe inevitable.

## 2.0 Amendments to recommended conditions:

2.1 Discharge of condition application 18/00304/COND in relation to the discharge of conditions 5, 7 and 8 of application 16/00886/FUL, was approved on the 3 July 2018. Therefore it is recommended that conditions 5, 7, 8 in

relation to the officer report should now read as follows:

#### 2.2 Condition 4

2.3 Notwithstanding Condition 1, all screen and boundary walls, fences and any other means of enclosure within that development shall be constructed in accordance with the information within approval reference 18/00304/COND. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. These agreed boundary treatments shall be retained hereafter.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to Policy DM6.1 of the North Tyneside Local Plan 2017.

#### 2.4 Condition 6

2.5 Notwithstanding Condition 1, the Construction Method Statement for the duration of the construction period shall be in accordance with the information within approval reference 18/00304/COND. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: To ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policy DM7.4 of the North Tyneside Local Plan 2017.

#### 2.5 Condition 7

2.6 Prior to the occupation of the dwellings, the facilities provided for the storage of refuse at the premises shall be provided in accordance with the information within approval reference 18/00304/COND prior to the occupation of either dwelling and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policy DM7.4 of the North Tyneside Local Plan 2017.