

## REPORT NO 2

### Committee Report

<b>Application No:</b>	<b>DC/18/00526/LBC</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>6 June 2018</b>
<b>Applicant</b>	<b>Trafalgar Leisure Ltd</b>
<b>Site:</b>	<b>L G Coffee Bar The Gallery Church Chare Whickham Newcastle Upon Tyne NE16 4SH</b>
<b>Ward:</b>	<b>Dunston Hill And Whickham East</b>
<b>Proposal:</b>	<b>Proposed variation of Condition 1 (Approved Plans) of permission DC/16/01138/LBC to enable internal works, alterations to roof, windows and parking (amended 11/07/18).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Listed Building Consent</b>

### 1.0 The Application:

#### 1.1 DESCRIPTION OF THE SITE

The application relates to the The Hall located on Church Chare, Whickham. The application site lies within Whickham Conservation Area and within Whickham District Centre. The building is Grade II Listed.

1.2 The building consists of two distinct components; the western block (former stables), and which most recently housed a gym, a dwelling and a café. The eastern block formerly housed a gym.

1.3 The property formerly provided stabling for Whickham Hall. The property dates from the late 18<sup>th</sup> century and has sandstone ashlar wall with plinths and quoins and a Welsh slate roof.

#### 1.4 DESCRIPTION OF THE APPLICATION

The application seeks consent for the conversion of the premises to create four dwellings, while retaining the existing residential unit.

1.5 The application proposes the variation of an extant Listed Building Consent (DC/16/01138/LBC), the previous application allowed for the '*Proposed conversion of commercial premises to create four dwellings*', permission was granted under delegated powers in December 2016. Planning permission was also approved for the works (DC/16/01137/FUL).

1.6 The current application proposes several amendments to the previously approved scheme including;

- South elevation - alterations to fenestration details including additional rooflight and alteration to porthole window to become vent;
- North elevation - replacement of existing lean-to extension (which was previously proposed to be demolished);
- West elevation - A rooflight into the bathroom in Unit 3 has also been included but this is hidden from view behind the roof of Unit 4
- East elevation - amendment to the existing large openings, alteration to treatment of carriageway entrances and alteration to proposed number of rooflights.
- Parking arrangements have been amended to include parking on Coalway Lane and omit parking to the rear of the application site.

## 1.7 PLANNING HISTORY

The planning history associated with the application site is summarised as follows;

- 00467/83; Planning application refused for 'Change of use from bingo club to wine bar.' Date; 18 August 1983.
- DC/13/00821/LBC; Listed building consent approved for 'Conversion of commercial premises to create four dwellings with associated car parking (amended 09/08/13).' Date; 10 September 2013.
- DC/13/00820/FUL; Planning permission granted for 'Conversion of commercial premises to create four dwellings with associated car parking (amended 09/08/13).' Date; 18 October 2013.
- DC/16/01137/FUL; Planning permission granted for 'Conversion of commercial premises to create four dwellings.' Date; 21 December 2016.
- DC/16/01138/LBC; Listed building consent granted for 'Proposed conversion of commercial premises to create four dwellings.' Date; 21 December 2016.

## 2.0 Consultation Responses:

None

## 3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. A single individual objection and a petition with six signatories has been received, the issues raised are summarised as follows;

- Church Chare is extremely busy owing to the number of activities which take place at St Mary's Centre and Rectory Hall owing to parking issues;
- The access to the proposed parking (off Church Chare) would lead to conflicts between vehicles using the access and pedestrians and other vehicles;

- The proposed bin stores would lead to a lack of visibility for vehicles leaving the access lane onto Church Chare;
- The proposed gravel access would lead to issues with wheeling bins;
- The windows outlined on the eastern elevation are not in keeping with the existing building and;
- There are discrepancies within some of the information submitted by the applicant.
- The planning application fails to take account of a right of access to properties located on Church Chare.
- Vehicles using the access to the rear of the application site could cause damage to the Church Hall.
- The density of the development is out of character with Church Chare.
- The application does not provide information on construction methodology.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

ENV11 Listed Buildings

CS15 Place Making

#### **5.0 Assessment:**

- 5.1 The issues that can be considered when determining a Listed Building Consent application are the impact of the proposed works upon the character, integrity and fabric of the Listed Building.
- 5.2 IMPACT UPON THE HALL  
Policy ENV11 of the Council's Unitary Development Plan and The National Planning Policy Framework (NPPF) are most relevant to this proposal.
- 5.3 Heritage specific policies are contained within the NPPF at paragraphs 126 and 141. The objective of the policies is to maintain and manage change to heritage assets in a way that sustains and, where appropriate, enhances its significance. That significance is the value of a heritage asset to this and future generation because of its heritage interest, which may be archaeological, architectural, artistic or historic. This significance may derive not only from its physical presence but also from its setting.
- 5.4 The application site is Listed and is therefore a Heritage Site of National significance.
- 5.5 When determining applications, the authority should take into account the Government objectives as expressed in the overarching definition of sustainable development and particularly NPPF (paragraph 131):

- the desirability of sustaining and enhancing the significance of all heritage assets (whether designated or not) and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.6 Designated heritage assets are subject to specific policies within the NPPF that require (paragraphs 132 and 139):
- great weight to be given to their conservation in all decisions;
  - clear and convincing justification for any harm to significance however slight and whether through direct physical impact or by change to the setting;
  - substantial harm (direct or by change in the setting) to or total loss of Grade II listed buildings and registered parks and gardens is expected to be 'exceptional'; and
  - substantial harm to or total loss of Grade I or II\* listed buildings and registered parks and gardens, protected wreck sites, battlefields, World Heritage Sites, scheduled monuments and undesignated sites of equivalent importance to scheduled monuments is expected to be 'wholly exceptional'.
- 5.7 Further, the LPA have a duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.8 Saved UDP Policy ENV11 relates to listed buildings and states that alterations must preserve or enhance the buildings special architectural or historic interest.
- 5.9 A number of external alterations to the building have taken place e.g. insertion of windows and door opening. These alterations are most prevalent within the existing dwellinghouse (on the eastern elevation), further several alterations have taken place within the café area of the building.
- 5.10 The applicant sets out within their heritage statement that extensive amendments have taken place on the western elevation, therefore it is proposed to limit any further insertion of window openings to the original building to this elevation only. To reflect this, this scheme proposes a single additional rooflight on the west elevation that would not be visible from the public realm. Further to this, and where possible, the scheme continues to reuse openings to the eastern elevation, with just additional rooflights compared to the approved scheme.
- 5.11 The only other significant alteration to the eastern building block is the removal and replacement of the lean-to extension to the north and create new openings to the resulting gable.

Based on the nature of the work, it is considered that the proposal deals with the proposed conversion in a sensitive manner, the alterations where possible utilise existing openings on all elevations and would result in the removal and replacement of a lean-to extension which is of poor design. It is considered that any residual impact could be dealt with through the imposition of planning conditions (as set out below).

- 5.12 It is considered given the relatively minor nature of the proposed works, especially when compared to the extant scheme, that the proposed works would not lead to any harm to the special character and appearance of the Grade II listed building. All works have been proposed with minimal intervention into historic fabric. In addition, it is considered that the proposed conversion (if implemented) would aid in securing the long term future of the building.

The proposed alterations to the layout (in terms of the parking arrangement) and externals of the premises are minimal in the context of the host property.

- 5.13 Officers consider that further information is required (via conditions) in regard to some of the detailing of the application including;
- Final details of bin storage (Conditions 3 and 4);
  - Final details of proposed rooflights (Conditions 5 and 6) and;
  - Final details of timber cladding (Conditions 7 and 8).
- 5.14 Based on the above assessment it is considered that the overall effect of the proposal would be of long term benefit to the listed building. The development is therefore considered to comply with the requirements of the NPPF, saved UDP Policy ENV11, Policy CS15 of the CSUCP and the requirement to the desirability of preserving the building in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.15 OTHER MATTERS

It is considered that all material planning consideration have been addressed within the main body of the report.

## 6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account, it is recommended that listed building consent be approved.

The application proposes what officers consider to be relatively minor changes to extant Listed Building Consent DC/16/01138/LBC, all of which are considered to be acceptable.

- 6.3 The application would secure the long-term future of a Listed Building, while responding positively to constraints of the site. Further, the application would create four new, good quality residential units adding to the housing stock in Gateshead.

- 6.2 The application would secure the long-term future of a Listed Building, and it is considered to comply with the requirements of the NPPF, saved UDP Policy ENV11, Policy CS15 of the CSUCP and having special regard to the desirability of preserving the building in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990.

**7.0 Recommendation:**

- 7.1 That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The development to which this permission relates shall be carried out in accordance with the approved plans and information set out below;

2075-GA-PA-01 Rev 2 - Site plan

20700-1040 - As Existing Elevations and Sections

2075-ELE-E-601 - East Elevation

2075-ELE-N-601 - North Elevation

2075-ELE-S-601 Rev 2 - South Elevation

2075-ELE-W-601 Rev 2 - West Elevation

2075-SEC-AA - Sections through the site

Reason

For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and saved Policy ENV11 of the Unitary Development Plan and Policy CS15 of the Core Strategy and Urban Core Plan.

2

The development to which this permission relates must be commenced not later than 20 December 2019.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure that the development is carried out within a reasonable time.

3

Notwithstanding the submitted plans, prior to the occupation of any dwelling hereby approved a scheme for the provision of bin storage facilities within the site, for that unit shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the location and appearance of the bin stores and surface finish.

**Reason**

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS15 of the CSUCP and saved UDP Policy ENV11.

**4**

The bin storage facilities approved under condition 3 shall be implemented in full prior to the occupation of the dwelling hereby approved, that it relates to and thereafter they shall be retained as approved for the lifetime of the development.

**Reason**

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS15 of the CSUCP and saved UDP Policy ENV11.

**5**

Notwithstanding the submitted plans, prior to the undertaking of any works pertaining to the installation of rooflights final details of all rooflights shall be submitted to and approved in writing by the Local Planning Authority.

The details shall demonstrate that they are flush fitting to the roof covering.

**Reason**

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS14 of the CSUCP and saved UDP Policy ENV11.

**6**

All rooflights shall be installed in full accordance with the details approved under Condition 5.

**Reason**

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS14 of the CSUCP and saved UDP Policy ENV11.

**7**

Notwithstanding the submitted plans, prior to the commencement of any works pertaining to the large arched openings (on the eastern elevation) details of the timber cladding to be used on the eastern elevation shall be submitted to and approved in writing by the Local Planning Authority.

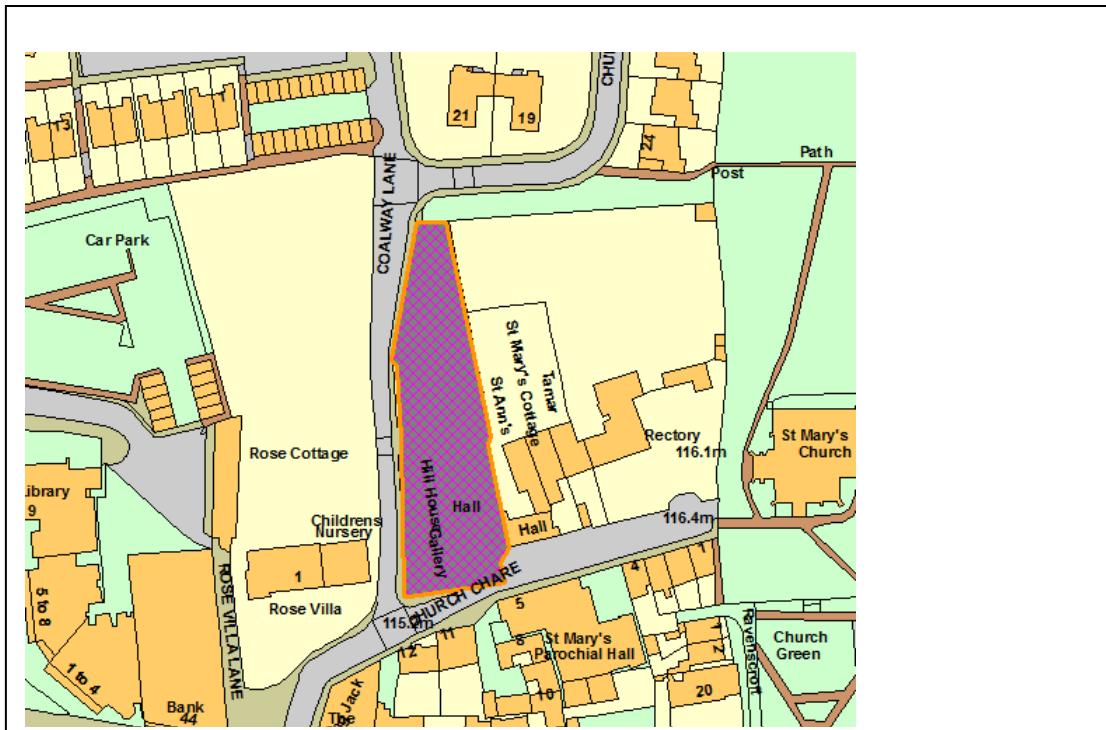
**Reason**

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS14 of the CSUCP and saved UDP Policy ENV11.

All works to the large openings on the eastern elevation shall be undertaken in full accordance with the details approved under Condition 7.

#### Reason

To ensure that the development presents a satisfactory appearance in accordance with the NPPF, Policy CS14 of the CSUCP and saved UDP Policy ENV11.



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