

Committee Report

Application No:	DC/18/00846/OUT
Case Officer	Joanne Munton
Date Application Valid	15 August 2018
Applicant	Mr & Mrs Patterson
Site:	Sentinal Sheds St Cuthberts Way Blaydon NE21 5QD
Ward:	Blaydon
Proposal:	The demolition of existing buildings and erection of an apartment building up to three storeys comprising up to twelve residential dwellings (description amended 18.10.2018)
Recommendation:	GRANT
Application Type	Outline Application

1.0 The Application:**1.1 DESCRIPTION OF SITE**

The site is located north of Shibdon Road, to the rear (north) of St Cuthbert's Community Hall, and is accessed via St Cuthberts Way, which joins with Shibdon Road. The land slopes down from south to north, in such a way that the Community Hall has a lower ground floor. The application site itself is for the most part level.

1.2 A shed and garden building manufacturers currently occupies the site and there are various existing buildings associated with this use. Access to the site is currently via the northern boundary, where St Cuthberts Way turns east.

1.3 DESCRIPTION OF APPLICATION

The application proposes the demolition of the existing buildings on site and the erection of an apartment block of up to three storeys and comprising up to twelve residential dwellings.

1.4 With this outline application, the applicant has chosen to reserve all matters (access, appearance, landscaping, layout and scale). These matters would need to be considered under a subsequent reserved matters application. Therefore, this application is to be considered against the general principles of how the site can be developed for the purpose described. A proposed layout plan has been submitted, but this is marked as indicative, and is therefore only an illustration of the potential layout on site.

1.5 The following documents have been submitted in support of the planning application:

- Drainage Strategy;
- Contaminated Land Preliminary Risk Assessment (PRA)

- Ecological Assessment

1.6 RELEVANT PLANNING HISTORY

There is no relevant planning history.

2.0 Consultation Responses:

Northumbrian Water	Condition recommended
Tyne And Wear Archaeology Officer	No objection

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 No representations have been received.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

RCL5 District and Local Centres

H4 Windfall and Small Housing Sites

H5 Housing Choice

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV9 Setting of Conservation Areas

ENV18 Locally Listed Buildings

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

CS7 Retail and Centres

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

5.0 Assessment of the Proposal:

5.1 The key considerations to be taken into account when assessing this planning application are the principle of the proposal, visual amenity/heritage assets, residential amenity, highway safety and parking, ecology, flood risk and ground conditions.

5.2 PRINCIPLE

5.3 Retail Policy

The site is within Blaydon district retail centre as defined by saved policy RCL5 of the UDP and policy CS7 of the CSUCP. The site is not currently in retail use and therefore the proposal would not result in the loss of retail space. Residential accommodation on the site would bring about increased activity and help to support the existing centre. Therefore, the proposal would comply with the aims and requirements of these policies.

5.4 Housing Policy

Paragraph 11 of the NPPF states that:

'At the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

- 5.5 Policy CS10 of the CSUCP states that 11,000 new homes (excluding purpose built student accommodation) will be built in Gateshead over the period April 2010 to March 2030.
- 5.6 The site would be considered as a housing windfall site under policy H4 of the UDP. It is considered that the location of the proposal is sustainable. The additional requirements of policy H4 are addressed below where relevant at this stage.
- 5.7 Saved policy H5 of the UDP requires a range of housing choice and policy CS11(1) of the CSUCP requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). At this stage, the proposal does not confirm the proposed size of each dwelling; however it would contribute to the provision of housing in the Borough on a smaller site. Further, it is considered that the location and nature of the proposal is such that it is more likely to attract smaller households rather than families.
- 5.8 Policy CS11(4) of the CSUCP requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents." As details of dwelling sizes and floor areas are not confirmed in this application, proposed floor plans/areas would be considered at the reserved matters stage.
- 5.9 It is considered that the proposal does not conflict with saved policies H4 and H5 of the UDP, policy CS10 of the CSUCP and the NPPF. Additionally, the proposal would contribute to housing stock in the borough.
- 5.10 VISUAL AMENITY/HERTIAGE ASSETS
Details of appearance, landscaping, layout and scale will be required at the reserved matters stage where further consideration can be given to design and the impact the development will have on visual amenity.
- 5.11 The application site is located outside of Blaydon conservation area and north west of locally listed Blaydon Cemetery across Shibdon Road. The LPA is satisfied that a scheme sensitive to these constraints could be developed and this is sufficient at this outline stage. Final details will be considered at reserved matters stage.
- 5.12 Generally, it is considered that the proposed development would be appropriate on this site and, subject to further details at reserved matters stage, would comply with the aims and requirements of saved policies ENV3, ENV9 and ENV18 of the UDP, policy CS15 of the CSUCP and the NPPF.
- 5.13 RESIDENTIAL AMENITY

To the north of the site is Blaydon Job Centre, 38m away across the road, which is a single storey building. 12m away to the east is a telephone exchange building, to the north west is landscaping and a pedestrian entrance to the Blaydon town centre car park, and to the west is a turning point, part of St Cuthberts Way.

- 5.14 To the south is St Cuthbert's Community Hall, which has four storeys including the lower ground floor. This building serves as a community hall with various weekly groups and classes, and the MP's office. The main part of the building is set back 5.5m from the boundary with the application site, although there is a small offshoot on the western side that extends to the northern boundary.
- 5.15 Given that the application site is at a lower level to the Community Hall, the orientation of the sites and the nature of the use of the Community Hall, the LPA is satisfied at this stage that a scheme could be developed that would not result in an unacceptable loss of light, loss of privacy, loss of outlook, overbearing impact or increase in noise at this existing property. Final details will be considered at reserved matters stage.
- 5.16 To the south west 15m across St Cuthberts Way are residential flats at Shibdon Grange. Shibdon Grange is three storeys high with accommodation in the roof space and at a higher level to the application site. It is recommended that a condition be imposed restricting hours of construction to preserve the amenity of these residential neighbours. Given this condition, the orientation of the sites and the change in levels, the LPA is satisfied at this stage that a scheme could be developed that would not result in an unacceptable loss of light, loss of privacy, loss of outlook, overbearing impact or increase in noise at these existing dwellings. As above, final details will be considered at reserved matters stage.
- 5.17 In terms of future occupiers of the dwellings, it is considered that the layout and building could be designed to ensure appropriate levels of privacy, light and outlook for residents. Additionally, whilst the site is within the retail centre, it is considered that the immediate surrounding area would not give rise to concerns regarding unacceptable levels of noise or disturbance for future occupiers. Further, despite the change in levels, at this stage the LPA is satisfied that the development could be sufficiently accommodated on site without the Community Hall having an unacceptable overbearing effect on future residents.
- 5.18 Therefore, the development at this outline stage would comply with the aims and requirements of saved policy DC2 of the UDP, policy CS14 of the CSUCP and the NPPF.
- 5.19 **HIGHWAY SAFETY AND PARKING**
The site is in a sustainable location within the Blaydon local centre, which offers a wide range of shops and services. There are also bus stops in close proximity on Shibdon Road and both Blaydon bus station and railway station are within walking distance.

5.20 It is considered that the site could accommodate an appropriate level of parking provision and details of access (including accessibility within the site) will be required at reserved matters stage. Generally it is considered that the proposal is appropriate on this site and, subject to further details at reserved matters stage, would comply with the aims and requirements of policy CS13 of the CSUCP and the NPPF.

5.21 ECOLOGY

The application is supported by an ecological report and it is considered that the proposed development would not result in a significant adverse impact on biodiversity or ecological connectivity. Given that the proposal is for the demolition of existing buildings, it is recommended that informatives regarding bats and breeding birds are attached to the permission, to reduce any residual risk of harm to protected/priority species.

5.22 The proposal would comply with the aims and requirements of saved policy DC1(d) of the UDP and policy CS18 of the CSUCP.

5.23 FLOOD RISK

Paragraph 165 of the NPPF states that:

'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.'

5.24 In accordance with the above and policy CS17 of the CSUCP, it is recommended that conditions be imposed requiring submission of final details of drainage features and management/maintenance measures, and the management of foul and surface water from the development to the LPA, and implementation of the approved schemes.

5.25 The development at this outline stage would comply with the aims and requirements of policy CS17 of the CSUCP and the NPPF.

5.26 GROUND CONDITIONS

The site has been assessed and inspected as part of the Council's Contaminated Land Strategy and is situated on potentially contaminated land based on previous historic use. It is likely that the development area may be affected by ground contamination, which may exist in any historic made ground deposits present, from imported fill materials and material used to construct a development platform for the site and buildings, or from materials (eg asbestos) used in former buildings that have subsequently been demolished.

- 5.27 A preliminary risk assessment has been submitted with the application, officers agree with the recommendations and it is recommended that conditions are imposed requiring a report of further site investigations and Phase II Risk Assessment to be submitted to the LPA for consideration and, where required, the implementation of approved remediation measures and the submission of a verification report(s) demonstrating their effectiveness.
- 5.28 The proposal would comply with the aims and requirements of saved policies DC1(p) and ENV54 of the UDP and policy CS14 of the CSUCP.
- 5.29 **COMMUNITY INFRASTRUCTURE LEVY**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is for qualifying housing related. The site is within Residential CIL Zone C, which has a charge of £0 per sqm.

6.0 CONCLUSION

- 6.1 The proposal would contribute to the provision of housing in the Borough on a smaller site and would help to maintain the vitality and viability of the retail centre.
- 6.2 Taking all the relevant issues into account, it is considered that the proposed development is acceptable in terms of visual and residential amenity, highway safety and parking, and would comply with the aims and objectives of the NPPF, and the relevant policies of the UDP and the CSUCP.
- 6.3 Therefore, it is recommended that outline planning permission be granted, subject to the below conditions.

7.0 Recommendation:

That outline 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

Application for approval of the reserved matters (access, appearance, landscaping, layout and scale) shall be made to the Local Planning Authority within three years of the date of this permission.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

2

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the

reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

3

The development shall be limited to a maximum of three storeys and a maximum of 12 dwellings.

Reason

To safeguard the visual amenities of the area and in the interests of residential amenity of future occupiers, in accordance with Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with saved Policies DC1, DC2 and ENV61 of the Unitary Development Plan, Policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

5

Following demolition, no further development hereby approved shall commence until a detailed drainage scheme including details of drainage features, adoption plan, a scheme for the disposal of foul and surface water, management and maintenance plans for drainage features, and timescales for implementation have been submitted to and approved in writing by the local planning authority, in consultation with the Lead Local Flood Authority and Northumbrian Water.

Reason

To ensure appropriate management of flood risk, in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

6

The details approved under condition 5 shall be implemented in accordance with the approved details and timescales, and managed,

maintained and retained as such in accordance with the approved details for the lifetime of the development.

Reason

To ensure appropriate management of flood risk, in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

7

Following demolition, no further development hereby approved shall commence until a report of findings arising from further intrusive site investigations and a Phase II Detailed Risk Assessment (to assess potential contamination at the site and possible pollutant linkages) have been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

8

Where required, the remediation and monitoring measures approved under Condition 7 shall be implemented in accordance with the timescales approved and in full accordance with the approved details.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

9

Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

10

The amended remediation and monitoring measures approved under condition 9 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

Reason

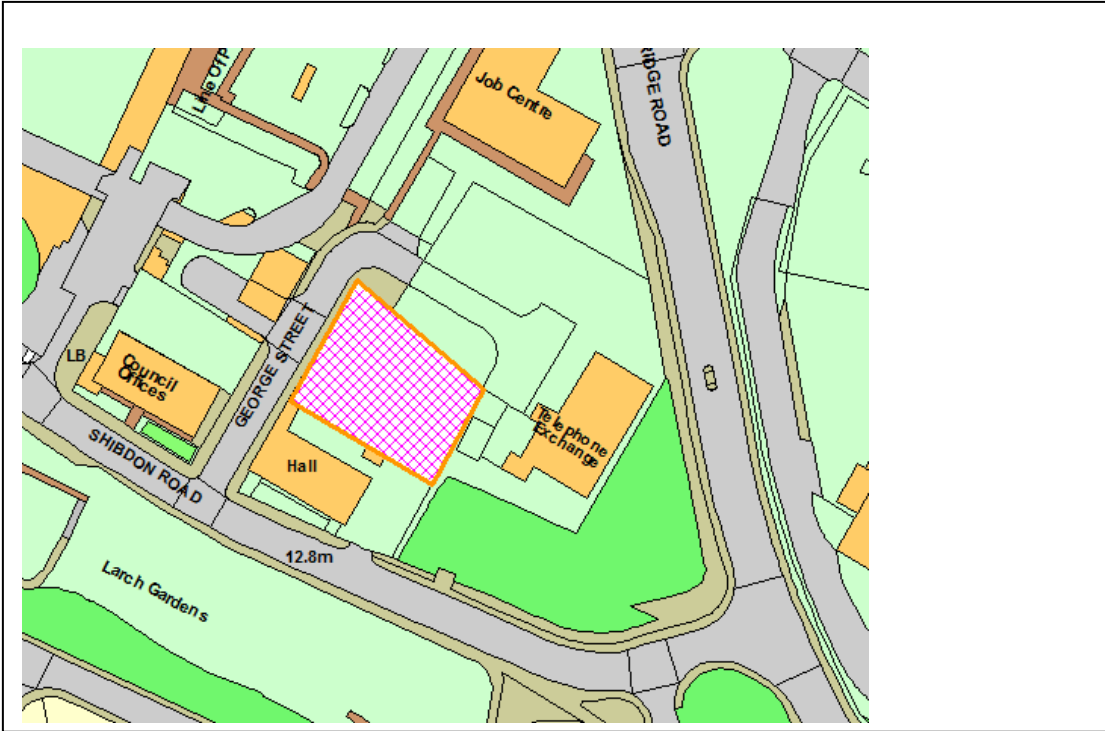
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

11

Where remediation is required (under conditions 7-10), following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure there is adequate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.



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