

Committee Report

Application No:	DC/18/01061/OUT
Case Officer	Joanne Munton
Date Application Valid	12 October 2018
Applicant	Mr Gary Ashurst
Site:	Grove House Glossop Street High Spen Rowlands Gill NE39 2EE
Ward:	Winlaton And High Spen
Proposal:	Demolition of existing buildings and erection of 6no. dwellings, associated site work and new highways access (revised)
Recommendation:	GRANT
Application Type	Outline Application

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

A large detached bungalow and associated land including garden to the rear (west) hardstanding to the front (east) and side (south) and a detached garage to the side/rear (south west) currently occupies the site.

1.2 The property faces east and there are two accesses from Glossop Street.

1.3 Land levels increase from south to north. There is a low wall on the front (eastern) boundary, 1.8m high close boarded timber fencing on the northern and southern boundaries and close boarded timber fencing of varying heights on the western boundary.

1.4 DESCRIPTION OF APPLICATION

This application is for outline planning permission and proposes the demolition of the existing building on site and the erection of six new dwellings. Five of the proposed dwellings would be two storey, in a terrace facing north east, fronting onto Glossop Street. The sixth dwelling would be a bungalow in the north western part of the site.

1.5 The proposed layout shows courtyard parking in the western/south western part of the site and the creation of a new access at the southern boundary onto the highway currently serving dwellings at The Granaries. The existing access points on the eastern boundary would be removed.

1.6 The application does not confirm how many bedrooms each dwelling would have.

1.7 With this outline application, the applicant has chosen to apply for Access and Layout. The remaining matters of Appearance, Landscaping and Scale are to be reserved for subsequent reserved matters approval.

1.8 Therefore, this application is to be considered against:

- the general principles of how the site can be developed;
- the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; and
- the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

1.9 RELEVANT PLANNING HISTORY

222/02 - Erection of extension at side of dwellinghouse to provide replacement workshop facilities - Granted 28.03.2002

DC/04/02041/OUT - Erection of dwellinghouses - Granted 02.02.2005

DC/18/00260/OUT - Demolition of existing buildings and erection of six dwellings, associated site work and new highways access, with access and layout to be considered and all other detailed matters reserved (description amended 28.03.2018) - Refused 11.05.2018

2.0 Consultation Responses:

Coal Authority	Conditions recommended
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Tyne And Wear Archaeology Officer	No objection
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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 Five objections have been received from neighbouring residents, raising concerns regarding:

- Increase in traffic and parking demand, and impact on highway safety;
- Potential for more rapid deterioration of the road;
- Inappropriate location of proposed new access opposite front doors and driveways at The Granaries;
- Impact of construction vehicles gaining access to the site via the Granaries;

- Increase in noise and disruption to neighbours and impact on quietness of cul-de-sac The Granaries;
- Loss of security;
- Loss of privacy/increased overlooking at neighbouring dwellings;
- Loss of light;
- Increased overbearing impact;
- Overdevelopment of the site;
- Other developments/applications in the area would provide sufficient housing for the area and would cause disruption to the area

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

H4 Windfall and Small Housing Sites

H5 Housing Choice

ENV3 The Built Environment - Character/Design

ENV46 The Durham Biodiversity Action Plan

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

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 development and the impact the proposal will have on visual amenity, residential amenity, ecology, highway safety and parking, ground conditions and flood risk.

5.2 PRINCIPLE

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.'

5.3 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.

5.4 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.

5.5 Saved policy H5 of the UDP requires a range of housing choice and policy CS11(1) of the CSUCP requires that 60% of new private housing across the plan area being suitable for and attractive to families, with a minimum target of 16,000 new homes to have three or more bedrooms. The scheme proposes six dwellings but the application does not confirm how many bedrooms each would have. The policy requirement is a plan wide target and the proposed layout provides reasonable evidence that the proposal would contribute to this objective.

5.6 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." The internal arrangement of the houses is not known, however sufficient comfort is provided in the proposal that this aspect can be met. Layout

is to be considered at this stage, and it is considered that the proposal would provide adequate external space.

5.7 The proposal would contribute to housing stock in the Borough. It is considered that the proposal accords with saved policies H4 and H5 of the UDP, policy CS10 of the CSUCP and the NPPF.

5.8 VISUAL AMENITY

Saved policy ENV3 of the UDP requires that new development should make a positive contribution to the established character and identity of its locality; policy CS15 of the CSUCP requires that development should contribute to good place-making through the delivery of high quality and sustainable design by responding positively to local distinctiveness and character.

5.9 In terms of access and layout, it is considered that the site would be capable of accommodating six dwellings and that the proposal would not result in the overdevelopment of the site.

5.10 The existing building faces east onto Glossop Street and in the wider street scene there is a strong built frontage onto the main road. The proposed layout would maintain the character of strong built frontage on the main road and would provide a parking area away from the main road, so the development design would not appear car-dominant.

5.11 The impact of the appearance, landscaping and scale of the proposed development on the character of the area would be considered at reserved matters stage.

5.12 It is considered that the proposed layout would make a positive contribution to the established character of the street scene and would respond positively to local distinctiveness and character.

5.13 The proposal at outline stage would comply with the aims and requirements of the Gateshead Placemaking SPD, saved policy ENV3 of the UDP, policy CS15 of the CSUCP and the NPPF.

5.14 RESIDENTIAL AMENITY

Saved policy DC2 of the UDP states that planning permission will be granted for new development where it does not have an adverse impact on amenity; policy CS14 of the CSUCP aims to maintain and improve the wellbeing and health of communities.

5.15 This outline application is to be considered with matters of access and layout. Appearance, landscaping and scale would be considered in a subsequent reserved matters application.

5.16 Neighbouring property 7 The Granaries to the west is single storey and at a lower level to the application site. The proposed layout shows that the bungalow in the north west of the site would be located such that it would face south east (onto the proposed parking area) and would be adjacent the northern end (rear)

of no.7. The proposed bungalow would be 4m from the side (eastern) elevation of no.7 at the southern end and 2.8m from the side at the northern end.

- 5.17 Given the layout of the buildings, 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 at no.7. Scale (including height of proposed buildings) would be considered at reserved matters stage. However, at this stage, it is recommended that conditions be imposed requiring the bungalow to be single storey and for final details of levels on site to be submitted to the LPA for consideration.
- 5.18 Nos.1-3 The Granaries are detached dwellings located on the southern side of the road, with nos. 1 and 3 facing north towards the application site, and no.2 facing east. Nos.1 and 2 are two storey dwellings and no.3 is a bungalow with dormers and rooms in the roofspace.
- 5.19 The proposed terraced dwellings would face north east, and the side elevation of the proposed southernmost dwelling would be approximately 20metres away from the principal elevation of no.1.
- 5.20 The side elevation at no.2 would be located opposite the proposed car parking area, as would the eastern part of the front elevation of no.3. These elevations would both be approximately 13m from the boundary of the application site.
- 5.21 Given the location of the application site relative to nos.1-3 The Granaries, the orientation and location of the proposed dwellings, that the terraced properties are proposed to be limited to two storey, and the distances across the road, 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 at these neighbours. Scale (including height of proposed buildings) would be considered at reserved matters stage. However, at this stage, it is recommended that a condition be imposed requiring the five terraced dwellings to be no more than two storeys high.
- 5.22 Appearance has not been proposed to be considered in this application, so whilst the layout indicatively shows no windows on the side elevations of proposed dwellings, this would be assessed at reserved matters stage.
- 5.23 Nos.1 and 2 Ash Cottages are located at a higher level to the north of the site these are bungalows with dormers and rooms in the roof. The proposed terraced dwellings would be located further east than no.1, and the side (north) elevation of the northernmost terraced dwelling would be approximately 12m from the south elevation of this neighbour. The proposed bungalow would be located approximately 14m from the south elevation of no.2. Given these distances and the above recommended conditions 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 at these neighbours.

- 5.24 Furthermore, it is considered that the proposal for six dwellings, on the site of an existing residential use, would not lead to an unacceptable increased level of noise/disturbance at neighbouring dwellings. It is recommended that a condition be imposed restricting hours of construction to preserve the amenity of these residential neighbours.
- 5.25 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.
- 5.26 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.
- 5.27 **ECOLOGY**
Saved policy DC1 of the UDP states that development should not have an adverse impact on statutorily protected species; saved policy ENV46 of the UDP requires consideration of the Durham Biodiversity Action Plan; policy CS18 of the CSUCP requires protection, enhancement and management of biodiversity and priority habitats and species. Additionally, paragraph 118 of the NPPF requires that local planning authorities should aim to conserve and enhance biodiversity.
- 5.28 The proposal includes the demolition of the existing building on site, and a Bat Risk Assessment and Bat Survey have been submitted with the application and it is recommended that conditions be imposed requiring final details of bat roost provision within the new development to be submitted to the LPA for consideration, and implementation of the approved scheme.
- 5.29 An informative is also recommended to be attached advising of the protection of bats.
- 5.30 The proposal would comply with the aims and requirements of saved policies DC1(d) and ENV46 of the UDP, policy CS18 of the CSUCP and the NPPF.
- 5.31 **HIGHWAY SAFETY AND PARKING**
The existing vehicle accesses at Glossop Street are proposed to be removed. This is considered to be acceptable and it is recommended that conditions be imposed requiring final details of works to the highway, to reinstate the footpath, to be submitted to the LPA for consideration, and implementation of the approved scheme.
- 5.32 It is considered that the proposed car and cycle parking is appropriate and it is recommended that a condition be imposed requiring the maximum gradient of the access and car park forecourt to be 1 in 12.5, for save movements within and accessing the public highway (The Granaries).
- 5.33 Additionally, it is considered that the proposed new access on the southern boundary to The Granaries would be appropriate. It is considered that appropriate visibility could be achieved. It is recommended that conditions be imposed requiring final details of works to the highway, to create the new

access, to be submitted to the LPA for consideration, and implementation of the approved scheme.

5.34 In terms of the location of the proposed new access, this would be between the two existing driveways at nos. 2 and 3 The Granaries on the opposite side of the road, and this is considered to be appropriate.

5.35 Further, whilst the proposal would result in increased trips to/from the site (and therefore increased usage of the highway at The Granaries), it is considered that the movements generated from the proposal would not have an unacceptable impact on highway safety in the area to warrant refusal of the application.

5.36 Subject to conditions, the proposal would comply with the aims and requirements of policy CS13 of the CSUCP and the NPPF.

5.37 GROUND CONDITIONS

The site has been assessed as being potentially contaminated. A preliminary risk assessment has been submitted with the application and officers agree with the recommendations of the report as to the requirement for a Phase II site investigation to investigate potential contamination issues at the site. It is recommended that conditions be imposed requiring details of further site investigations, phase II risk assessment and remediation measures where required, to be submitted to the LPA for consideration, and implementation of the approved remediation.

5.38 The site also falls within the Coal Authority defined Development High Risk Area. The submitted report includes an assessment of the risk posed by coal mining legacy. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment and conditions are recommended to be imposed requiring details of further site investigations and remediation measures where required, to be submitted for consideration.

5.39 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.

5.40 FLOOD RISK

To prevent the increased risk of flooding from the development, conditions are recommended requiring final details of foul and surface water from the site.

5.41 The proposal would comply with the aims and requirements of policy CS17 of the CSUCP.

5.42 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 housing related. The development is located within Charging Zone C, with a levy of £0 per square metre for this type of development. Therefore, this proposal would not be charged.

5.43 OTHER MATTERS

Each application is considered on its own merits and applications for housing in other locations in High Spen do not have a bearing on the assessment of this case.

5.44 Vehicle movements relating to the construction phase is not a material planning consideration.

5.45 Additionally, the highway at The Granaries is adopted and would be maintained by the Local Authority.

5.46 Further, it is considered that the proposal would not lead to an unacceptable loss of security/perceived security to warrant refusal of the application.

6.0 CONCLUSION

6.1 The proposal would result in the redevelopment of previously developed land that would contribute to the borough's housing stock. Additionally, it is considered that the reasons for refusal of previous application DC/18/00260/OUT have been addressed in this revised scheme.

6.2 Taking all the relevant issues into account, it is considered that the proposal for outline permission with reserved matters of access and layout is acceptable in principle and in terms of visual and residential amenity, highway safety and parking, ecology, flood risk, and ground conditions, 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 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 Service Director, Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

Unless otherwise required by condition, the development hereby permitted in outline shall not be carried out other than in complete accordance with the plan(s) accompanying the application as listed below:

Proposed site plan 3031/C-01 rev C

and with such further details for the development that shall be submitted to prior to the commencement of development for the Council's approval in writing in relation to the following reserved matters, namely:

(1) appearance

(2) landscaping

(3) scale

Reason

This condition is imposed pursuant to article 4 (1) of the Town and Country Planning (General Development Procedure) Order 2010 (as amended) to ensure development is carried out in accordance with the approved details as submitted.

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 five dwellings in the terrace at the eastern part of the site shall be limited to a maximum of two storeys of accommodation and the bungalow at the north western part of the site shall be limited to a maximum of one storey of accommodation.

Reason

To safeguard the visual amenities of the area and in the interests of residential amenity of neighbours, 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 details of final levels on site have been submitted to and approved in writing by the Local Planning Authority.

The new access road and car parking area hereby approved shall not be steeper than 1 in 12.5.

Reason

To allow for safe movements within the site and accessing the public highway, to contribute to ensuring appropriate visibility at the proposed new vehicle access point and in the interests of residential amenity, in accordance with saved policy DC2 of the Unitary Development Plan, policies CS13 and CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

6

The dwellings hereby approved shall not be occupied until final details of works to the highway, to reinstate the footway to the east and to create the new access and provide adequate visibility to the south, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development provides safe access to/from the site and to ensure adequate reinstatement of the footway, in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

7

The details approved under condition 6 shall be implemented in full accordance with the approved scheme before any of the dwellings hereby approved are occupied.

Reason

To ensure the development provides safe access to/from the site and to ensure adequate reinstatement of the footway, in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

8

Following demolition, no further development hereby approved shall commence until a report of intrusive site investigations in relation to coal mining legacy, and where required, measures and timescales for remediation, monitoring, and verification reports has been submitted to 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.

9

The remediation and monitoring measures approved under condition 8 shall be implemented in full accordance with the approved timescales and the approved details.

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.

10

Following demolition, no further development hereby approved shall commence until a report of findings arising from further intrusive site investigations (to a depth of at least 1.15m) and a Phase II Detailed Risk Assessment (to assess potential contamination at the site) 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.

11

Where required, the remediation and monitoring measures approved under Condition 10 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.

12

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.

13

The amended remediation and monitoring measures approved under condition 12 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.

14

Where remediation is required (under conditions 8-13), 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

15

Notwithstanding the information submitted, the dwellings hereby approved shall not be occupied until final details, including the number,

specification (i.e. type) and precise location of integral potential bat roost features to be provided within the fabric of the new building(s) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To provide enhanced opportunities for roosting bats in accordance with saved policy ENV46 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

16

The details approved under condition 15 shall be implemented in full accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.

Reason

To provide enhanced opportunities for roosting bats in accordance with saved policy ENV46 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

17

Following demolition, no further development hereby approved shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority.

Reason

To prevent the increased risk of flooding from any sources in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

18

The details approved under Condition 17 shall be implemented before any of the dwellings hereby approved are occupied and retained in accordance with the approved details for the lifetime of the development.

Reason

To prevent the increased risk of flooding from any sources in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.



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