

Committee Report

Application No:	DC/18/01112/FUL
Case Officer	David Morton
Date Application Valid	28 November 2018
Applicant	Mr Barry Watson
Site:	Land To Side And Rear Of Field View Lead Road Greenside Ryton NE40 4JT
Ward:	Crawcrook And Greenside
Proposal:	VARIATION OF CONDITION 1 (approved plans) of DC/15/00700/FUL to allow increase in footprint, repositioning of garage, removal of turret, amendments to roof and alterations to fenestration detailing.
Recommendation:	GRANT
Application Type	Full Application

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

The application site is an area of garden land to the rear of Fair View and Field View, Greenside, Ryton. The land is bounded by mature planting, hedging and several trees of differing heights and densities. To the north are long gardens that serve the properties of Lister Avenue, to the east is Hollyholme and to the south/west are Field and Fair View. The applicant has begun clearance of the application site.

1.2 DESCRIPTION OF THE APPLICATION

The principle of developing the site for residential purposes has been established through the granting of applications DC/08/01327/FUL, DC/12/00627/FUL and DC/15/00700/FUL (the last of which remains extant). The latest approval considered the issues of principle, design, highway safety, residential amenity, ground conditions and open space and play provision. The development, subject to conditions, was considered acceptable in all regards.

1.3 The latest planning application seeks the variation of Condition 1 (Approved Plans) of planning approval DC/15/00700/FUL. The application seeks the omission of a 'turret' detail to the front elevation, proposed to 'flip' the location of the garage and increase the overall footprint of the proposed dwelling.

1.4 RELEVANT PLANNING HISTORY

The planning history relevant to the current planning application is summarised as follows;

- DC/06/01109/FUL; Planning permission refused for 'Erection of two storey extension at side of dwellinghouse.' Date; 05 September 2006.
- DC/08/01327/FUL; Planning permission granted for 'Erection of detached dwellinghouse (use class C3) with integral garage on land at rear of existing dwellinghouse (revised application).' Date; 17 March 2009.
- DC/12/00627/FUL; Planning permission granted for 'Erection of detached dwellinghouse (use class C3) with integral garage on land at rear of existing dwellinghouse.' Date; 19 July 2012.
- DC/15/00700/FUL; Planning permission granted for 'Erection of detached dwellinghouse (use class C3) with integral garage on land at rear of existing dwellinghouse (Additional Info Recd 4/11/15).' Date; 22 January 2016.

2.0 Consultation Responses:

Coal Authority No objection subject to conditions.

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. A total of five responses (four objections and one representation) have been received from local residents, the responses are summarised as follows;

- The applicant has failed to comply with any planning conditions attached to application DC/15/00700/FUL;
- The submitted tree survey is not sufficiently detailed;
- Insufficient information has been submitted in regard to ground conditions;
- No ecological survey work has been submitted in support of the application;
- The proposal would result in a severe loss of light and would reduce the usability of garden areas;
- The ridge height would appear larger from neighbouring properties;
- The proposal would result in overlooking;
- The proposal does not comply with Green Belt policy;
- The proposal does not provide for wheelchair or lifetime homes;
- A query is submitted as the location of the proposed garage and;
- There are discrepancies between the submitted information and proposed plans.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

H4 Windfall and Small Housing Sites

H5 Housing Choice

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

CS11 Providing a range and choice of housing

CS14 Wellbeing and Health

CS15 Place Making

GPGSPD Gateshead Placemaking Guide SPG

MSGP Making Spaces for Growing Places

5.0 Assessment:

5.1 It is considered necessary to consider the application in regard to changes in site circumstance, planning policy and any implication with regard to the amendment of the planning condition.

5.2 POLICY BACKGROUND

The principle of the proposed development has already been considered to be acceptable through the approvals of DC/08/01327/FUL, DC/12/00627/FUL and DC/15/00700/FUL. The principle of residential development on the site has been established and there is still currently an extant planning permission on the site.

5.3 The two latest applications were considered under the NPPF (2012) and were considered to be acceptable. Following these approvals an updated NPPF (2018) has come into force and replaces the previous version of the document. Following a review of this document, it is considered that the principle of residential development remains acceptable in principle on the application site.

- 5.4 Further, local planning policy has not changed significantly following the grant of the previous approval. The Unitary Development Plan for Gateshead was adopted in 2007 and the remaining saved policies together with the CSUCP (adopted in 2015) represent a current up-to-date development plan.
- 5.5 **CONDITION 1 (APPROVED PLANS)**
The key issues to be assessed in relation to this application are the impacts the amendment to Condition 1 would have visually on the appearance of the area and in regard to residential amenity.
- 5.6 **Visual Impact**
The proposed development would not lead to any significant increase in the scale and/or bulk of the proposed development, as such it is considered that the proposal alterations would have a minimal impact when considered against the original approval. It is considered that the view of Officers in assessing application DC/15/00700/FUL remain valid; it is considered that the screening effect of the existing house would reduce any visual impacts caused by the proposed development.
- 5.7 It is considered that the proposed development accords with the design aims and objectives of the NPPF, saved policy ENV3 of the Council's UDP and policy CS15 of the Council's CSUCP.
- 5.8 **Residential Amenity**
In regard to residential amenity, it is considered that the proposed amendments would not result in a significant impact on the amenities of neighbouring occupiers. The application proposes the 'flipping' of the garage location, this amendment results in the addition of additional windows within the front elevation of the premises (serving a living room and a bedroom respectively). It is proposed for these front facing (secondary) windows are proposed to be obscurely glazed; subject to this detail (which could be secured via planning condition) it is considered that the alterations would not give rise to any increased amenity impact.
- 5.9 Further, it is considered that the proposed omission of the 'turret' detailing would not lead to any significant impact on amenity. This view is formed based on the fact the proposal would not significantly impact on window details and therefore overlooking.
- 5.10 Given the minor nature of the footprint increase and increase in bulk, it is considered that this element of the proposal would not lead to any significant impact on the amenities of neighbouring occupiers.
- 5.11 Officers are therefore of the opinion that subject to the above conditions, the proposed development would not harm the living conditions of adjacent residential properties. It is therefore considered that the development is acceptable from a residential amenity point of view and accords with the aims and objectives of the NPPF, saved policy DC2 of the Council's UDP and policy CS14 of the Council's CSUCP.

5.12 CONDITIONS

The current application, given it would grant a new planning consent, allows an opportunity to re-consider the conditions attached to permission DC/15/00700/FUL.

5.13 The applicant has provided additional information in regard to materials, site access and land stability. Based on the information provided it is considered that conditions pertaining to materials and the site access can be omitted from the previous recommendation or amended to reflect the additional information submitted by the applicant.

5.14 Further, the applicant has partially cleared the application site including the removal of several unprotected trees. The submitted information takes account of these changes and the submitted Tree Protection Plan outlines the proposed tree protection on the site; this would require amendment to Conditions 5 (Tree Protection) and 6 (Implement Tree Protection).

5.15 It is considered that Conditions 11 - 15 (all pertaining to land stability) should be re-imposed (as requested by The Coal Authority).

5.16 OTHER MATTERS

The application is not located within the Green Belt and as such Green Belt Policy does not apply.

5.17 Given the scale of the proposal neither wheelchair nor lifetime homes policy apply.

5.18 The application site is not considered to be ecologically sensitive, further the site has recently undergone clearance further reducing any potential ecological value. It is therefore not considered necessary for the application to be supported by ecological survey work.

5.19 Issues of ground conditions and trees were considered in the granting of the original application and principle developing the site in regard to these matters has been established.

5.20 It is considered that all other material issues raised by objectors have been addressed within the main body of the report.

6.0 CONCLUSION

6.1 Following full consideration of policies contained in the Council's Unitary Development Plan, the CSUSP, national planning policy and all other material planning considerations it is considered that the development should be granted planning permission subject to conditions.

7.0 Recommendation:

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 shall be carried out in complete accordance with the approved plan(s) as detailed below -

Location Plan

030 100:04 01

030 100:02 10

030 100:01 08

030 100:03 05

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 21 January 2018.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

The development hereby permitted shall be constructed entirely of the materials detailed in the materials schedule (dated 28 November 2018.)

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, 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

The windows on the south eastern elevation of the ground floor living room and the southern most first floor bedroom shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington) and non opening except at top vent level for the lifetime of the development.

Reason

To ensure the protection of privacy for neighbouring occupiers in the interests of residential amenity, in accordance with NPPF, 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.

5

The Tree Protection Scheme shown on the submitted Tree Protection Measures (revised 29/11/18) shall be implemented prior to the commencement of the development and any works in connection with the development hereby approved and retained as such in accordance with the approved details for the duration of the development and shall not be removed until all equipment; machinery and surplus materials have been removed from the site.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

6

Unless otherwise approved in advance and 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 1700 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 the NPPF, saved Policies DC1, DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne

7

The proposed access shown on approved plan 030 100:04 01 shall be installed in full prior to the first occupation of the dwellinghouse hereby approved, thereafter the access shall be retained as approved for the lifetime of the development.

Reason

In the interests of highway safety and in accordance with policy CS13 of the Core Strategy and Urban Core Plan.

8

The development hereby approved shall not commence until a scheme for intrusive site investigation has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the safety and stability of the proposed development and in accordance with saved policy DC1(p) of the Unitary Development Plan.

9

The scheme approved under condition 8 shall be implemented before the development commences and in full accordance with the approved details.

Reason

To ensure the safety and stability of the proposed development and in accordance with saved policy DC1(p) of the Unitary Development Plan.

10

The development hereby approved shall not commence until a report of findings arising from the intrusive site investigations has been submitted to and approved in writing by the Local Planning Authority.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings or to address instability arising from the off-site recorded mine entry or mine gas emissions, a scheme of remedial works shall be included in the above report.

Reason

To ensure the safety and stability of the proposed development and in accordance with saved policy DC1(p) of the Unitary Development Plan.

11

The scheme approved under condition 10 shall be implemented before the development commences and in full accordance with the approved details.

Reason

To ensure the safety and stability of the proposed development and in accordance with saved policy DC1(p) of the Unitary Development Plan.

12

Where remediation is required, following completion of measures identified in the approved remediation scheme, the dwelling 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 the safety and stability of the proposed development and in accordance with saved policy DC1(p) of the Unitary Development Plan.



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