

**Committee Report**

<b>Application No:</b>	<b>DC/18/01101/COU</b>
<b>Case Officer</b>	<b>Joanne Munton</b>
<b>Date Application Valid</b>	<b>25 October 2018</b>
<b>Applicant</b>	<b>Maymask Ltd</b>
<b>Site:</b>	<b>Valley View Residential Home Burn Road NE21 6DY</b>
<b>Ward:</b>	<b>Winlaton And High Spen</b>
<b>Proposal:</b>	<b>Part Change of use and conversion from Care Home to 18 Assisted Living Units (Use Class C3).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Change of Use</b>

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

The application site is an existing building that sits on a corner of North Street and Burn Road in Winlaton. The building is two storey and L shaped with a wing running west to east then turning to a wing running north to south. The west-east wing is immediately adjacent the road and the north-south wing is set back behind existing hardstanding at the north/east of the site, which is used for car parking.

1.2 The building is a vacant care home and was last used in November 2017.

1.3 There are residential properties across the road to the north at Mosspool, immediately south west/south at Riding Lea and south east at North Street.

**1.4 DESCRIPTION OF APPLICATION**

The application proposes the change of use of the west-east wing from a care home (residential institution use class C2) to 18 flats (dwellings use class C3). The north-south wing would remain in the existing use as a care home.

1.5 The proposal includes the removal of small parts of the building to the rear (south) of the site on/near to the southern boundary, the replacement of an existing hipped roof with a flat roof on the side (west) elevation, and includes the installation of new windows at ground floor level at the rear of the building and new windows at first floor level, one additional on the north, south east and west elevations.

**1.6 RELEVANT PLANNING HISTORY**

141/87 - Change of use and conversion of former youth club to private residential care home. (Amended plans dated 8/5/87 and 2/6/87) - Granted 09.06.1987

1513/89 - Erection of two-storey extension to side and rear of existing care home to provide lounge and tv. lounge with 3 additional bedrooms, bathroom and wc. facilities above (amended plan 25/1/90) - Refused 30.03.1990

847/90 - Erection of two storey extension at side of care home to provide additional lounge facilities with additional bedroom accommodation and wc. facilities above - Refused 13.08.1990

689/91 - Erection of single-storey extensions on west side of care home to provide additional lounge and on south side to provide new laundry facilities and on east side to provide two additional bedrooms (amended 18/9/91) - Granted 07.10.1991

727/93 - Installation of windows at first floor level in front elevation of residential home for the elderly (amended 1/9/93) - Granted 06.09.1993

236/98 - Erection of first-floor extensions on east and west ends of residential care home to provide additional bedroom accommodation and single-storey extension on south side to provide enlarged laundry - Refused 30.04.1998

881/98 - Erection of first-floor extensions on east and west ends of residential care home to provide additional bedroom accommodation and single-storey extension on south side to provide enlarged laundry (revised application) - Refused 01.10.1998

153/00 - Erection of extension on east elevation of care home to provide enlarged laundry - Granted 10.03.2000

1023/01 - Erection of extension on south elevation to provide 23 additional bedrooms with additional dining room and 2 additional lounges (amended 24/9/01, 5/11/01 and 6/11/01) - Granted 12.11.2001

163/02 - Erection of single storey extension on south elevation to provide enlarged kitchen (amended 18/03/02) - Granted 28.03.2002

## **2.0 Consultation Responses:**

Northumbria Police      No objection

Northumbrian Water      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 were received.

## **4.0 Policies:**

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

H4 Windfall and Small Housing Sites

H5 Housing Choice

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

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

## **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 in terms of retail and housing policy, visual amenity, residential amenity, and highway safety and parking.

5.2 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.'

- 5.3 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 The site would be considered as a housing windfall site under policy H4 of the UDP. Given the choice of nearby local amenities and that the site is not in an isolated location, it is considered that the location of the proposal is sustainable.
- 5.5 Saved policy H5 of the UDP requires a range of housing choice and policy CS11(1) of the CSUCP requires that a range and choice of housing is provided. The proposal is for the development of 18 flats with one bedroom each, the proposal would contribute to range of housing stock in the borough.
- 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. It is considered that the proposal would provide appropriate space internally and externally.
- 5.7 Policy CS11(5) of the CSUCP requires that developments of 15 or more dwellings should provide 15% affordable homes. The application proposes 18 dwellings and therefore, this part of the policy would apply to the scheme. However, it is considered that the scheme would benefit from Vacant Building Credit.
- 5.8 After considering the proposal against the vacant building credit, it is considered that the building has not have been abandoned, and the proposal would not result in an increase in overall floorspace. Therefore, the credit in this instance would be for the whole building, and no affordable housing contribution would be sought.
- 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  
The host building is widely visible from the public domain and it is considered that the proposed minor amendments to the external appearance of the building would respect the character of the area.
- 5.11 It is recommended that a condition be imposed requiring the external materials to be used on site in accordance with those specified in the application.
- 5.12 It is considered that bringing this part of the vacant building back into use would have the potential to provide more regular maintenance of the building, which would contribute more positively to the character of the area.
- 5.13 The proposal would comply with the aims and requirements of saved policy ENV3 of the UDP, policy CS15 of the CSUCP and the NPPF.

#### 5.14 RESIDENTIAL AMENITY

The building is detached and the west-east wing backs onto gardens of 13 and 15 Riding Lea to the south and south west. The proposal includes the removal of some of the building on/near to the rear (south), which would set parts of the building back from the boundary. New windows are proposed on the ground floor facing south, but given the proposed setback and location of the new windows, it is considered that the proposal would not result in an unacceptable impact on privacy at neighbouring properties.

5.15 Similarly, it is considered that the proposed first floor windows, at the eastern end on the rear elevation, one each on the side elevations and at the eastern end on the front elevation, would be appropriately located and would not result in an unacceptable impact on privacy at neighbouring properties.

5.16 Additionally, given that the building is existing and considering the previous use, it is considered that the proposal for the change of use and minor external alterations would not result in an unacceptable overbearing impact, or unacceptable loss of outlook or light, or an unacceptable level of noise or disturbance at neighbouring properties. In terms of noise during the works to convert the building, including the removal of parts of the building at the rear and side, it is recommended that a condition be imposed restricting construction/demolition hours, to ensure the works would not result in an unacceptable level of disturbance at residential neighbours.

5.17 Also, it is considered that the proposal would provide an appropriate level of residential amenity for future occupiers of the dwellings, and it is recommended that a condition be imposed requiring all bathroom windows to be obscurely glazed.

5.18 The proposal 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

There is an existing parking area on site and the applicant has indicated that there would be 15 parking spaces available for the new development. Given the proximity to bus stops and local services in the area, it is considered that the parking provision would be adequate for the proposed development.

5.20 However, the application does not indicate where the spaces would be located in what would be a shared parking area with the other part of the site (north-south wing). Therefore, it is recommended that conditions be imposed requiring final details of a scheme to mark out the spaces as allocated for the proposed new use to be submitted to the LPA for consideration, and implementation of the approved details.

5.21 Additionally, conditions are recommended to be imposed requiring final details of secure and weatherproof cycle parking provision to be submitted to the LPA for consideration, and implementation of the approved details.

5.22 The proposal would comply with the aims and requirements of policy CS13 of the CSUCP and the NPPF.

5.23 **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 Taking all the relevant issues into account, the proposal would bring part of a vacant site back into use and would contribute to housing stock in the borough. It is considered that the development is acceptable in terms of visual and residential amenity, and 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.

6.2 Therefore, it is recommended that planning permission be granted, subject to the below conditions.

**7.0 Recommendation:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of 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 shall be carried out in complete accordance with the approved plan(s) as detailed below -

3161/C-00

3161/C-01

3161/C-02

3161/C-03

3161/C-04B

3161/C-05 A

3161/C-06

3161/C-07

3161/C-08A

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 3 years from the date of this permission.

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 application form received 25.10.2018.

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 and the National Planning Policy Framework.

4

All external works and ancillary operations in connection with the construction/demolition associated with 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 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

All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the respective dwellings hereby approved and retained thereafter.

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 and the National Planning Policy Framework.

6

The dwellings hereby approved shall not be occupied until final details of a scheme to mark out parking bays to be allocated for those dwellings have been submitted to and approved in writing by the local planning authority.

Reason

To ensure adequate parking provision for the dwellings is clearly indicated and provided on site, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the National Planning Policy Framework.

7

The details approved under condition 6 shall be implemented before the dwellings are occupied and retained in accordance with the approved details for the lifetime of the development.

Reason

To ensure adequate parking provision for the dwellings is clearly indicated and provided on site, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the National Planning Policy Framework.

8

The dwellings hereby approved shall not be occupied until final details of secure and weatherproof cycle storage for residents have been submitted to and approved in writing by the local planning authority.

Reason

To ensure there is adequate cycle storage provision on site, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the National Planning Policy Framework.

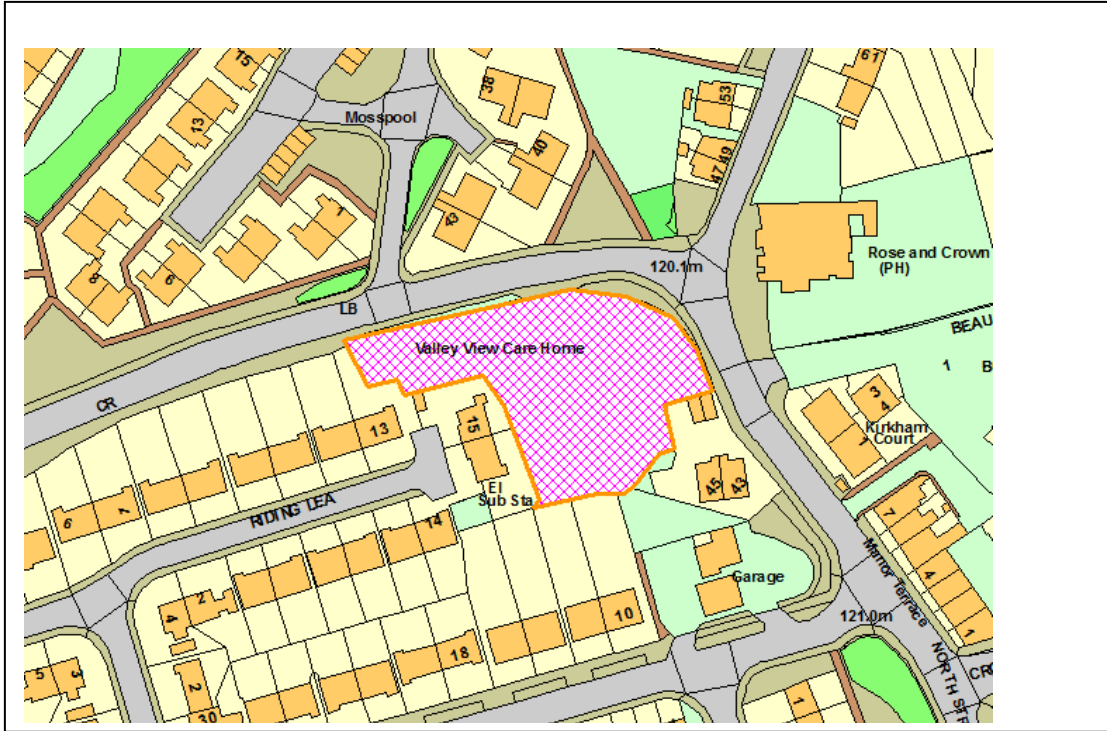
9

The details approved under condition 8 shall be implemented before the dwellings are occupied and retained in accordance with the approved details for the lifetime of the development.

Reason

To ensure there is adequate cycle storage provision on site, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the National Planning Policy Framework.





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