

Committee Report

Application No:	DC/18/01206/FUL
Case Officer	Lois Lovely
Date Application Valid	18 December 2018
Applicant	Mr Peter Charlton
Site:	Dene House Durham Road Gateshead NE9 5AE
Ward:	Saltwell
Proposal:	Conversion and upgrading of existing office property into seven apartments and conversion of annexe into a store/workshop (amended 29/01/19).
Recommendation:	GRANT
Application Type	Full Application

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

The application property Dene House and the associated stand alone store room in the car parking area are located and accessed from Durham Road in Low Fell. A cycle path runs along Durham Road across the access. At the entrance to the car park lies a residential bungalow, Dene Lodge, that has a drive immediately behind the boundary wall to Durham Road. It is understood that the occupant of this property parks his car on land adjacent to the stand alone store room rather than on his drive. This land is in the ownership of Dene House and is included within the application site. The entrance off Durham Road is subject to shared access rights for the neighbouring property Dene Lodge and for residents of Littledene. There is also an access gate onto Littledene itself that was used as an emergency exit and by emergency services when Dene House was occupied as offices.

1.2 Dene House is located in Saltwell Conservation Area. It is not listed nor included on the approved Local List (2004). It first appears on the 3rd edition OS map as 'Red House' when it had large grounds which fronted both East Park Road and Durham Road. Red House changed its name to Dene House between the 4th and 6th edition OS maps.

1.3 The garden and grounds to the west of Dene House and between Dene House and Durham Road have been redeveloped as the small estate Littledene.

1.4 The vacant building has been on the market for a number of years, the most recent use being as offices for a number of small businesses.

1.5 The application site slopes downwards from east to west from Durham Road towards the western boundary of the site and the entrance to the property.

- 1.6 The site itself comprises the hard surface of the former car park for the offices, the property and the small area of existing garden and as a consequence has very little planting other than two mature trees within the car park and three trees within the garden area to the west of the building, that are the subject of a Tree Preservation Order. The application property, Dene Lodge, properties on Littledene and the Miller Homes development of the former Gateshead College site have mature trees within their gardens that bound the site.
- 1.7 The property comprises four floors. The property presents the main entrance, two full storeys and rooms in the roofspace with a dormer window and a lantern to the car park (north) elevation.
- 1.8 To the west elevation the property steps down and presents four storeys with an existing basement. There is access to an external garden space from the basement. A single storey pitched roof addition on the east elevation has a raised ramped access. There is a second access door to the property on the east elevation.
- 1.9 The area has seen significant residential development in recent years, in particular Littledene in the former grounds of Dene House and more recently the adjacent site of the former Gateshead College building.
- 1.10 **DESCRIPTION OF THE PROPOSAL**
The scheme proposes to convert the existing property into seven residential apartments with associated amenity garden space, private and visitor car parking and communal external spaces.
- 1.11 The proposals comprise two x three bed roomed flats and five x two bed roomed flats. The floor areas range from 150sqm in unit 1, units 2, 3,4, 5 are in the region of 80sqm and units 6 and 7 the two bed apartments are smaller in the region of 60sqm.
- 1.12 Unit 1 is in the basement and comprises two double bedrooms and a single bedroom, lounge diner and kitchen, bathroom and ensuite to double bedroom 2. A small single storey flat roofed extension clad in vertical timber appearance cladding is proposed on the southern elevation to accommodate a wet room ensuite. This unit is accessed from the main door from the car park and a staircase down from the main lobby. There are doors opening onto the garden from the living room, two from the single bedroom and from the double bedroom 1.
- 1.13 Unit 2 is on the ground floor and comprises a living/ diner/ kitchen, a bathroom and two double bedrooms. A juliet balcony is proposed on the north west elevation. Unit 2 does not have private external space.
- 1.14 Unit 3, also on the ground floor, comprises a living/diner/kitchen, bathroom, double bedroom and single bedroom. Bi-folding doors are proposed on the north east elevation to access a small external terraced area bounded by the stepped access to the store workshop. A 1500mm close board fence with

300mm trellis is proposed to screen the store building. New rooflights are proposed to the single storey element of the ground floor to provide daylight to unit 3.

- 1.15 Unit 4, also on the ground floor, comprises a living/diner/kitchen, bathroom, double bedroom and single bedroom. There is door access proposed from the living room to a garden space to the side and rear of the building that is bounded by the Littledene walkway 1800mm timber fence and a 1500mm fence with 300mm trellis boundary with Unit 3.
- 1.16 Units 2, 3 and 4 are all accessed from the main entrance door and lobby. Unit 3 also has a gated access to the terraced area that access the bi-folding doors.
- 1.17 On the First Floor Unit 5 comprises a living/diner/kitchen, a double bedroom, a single bedroom and a staircase up to another double bedroom with an existing dormer window.
- 1.18 Unit 6 also on the first floor comprises living/diner/kitchen accommodated within the single storey addition therefore steps down are required for headroom, a double bedroom and a single bedroom ensuite with raised ramp access to a garden area alongside the standalone store workshop and a car parking space beyond.
- 1.19 Unit 7 also on first floor also comprises a living/diner/kitchen, a double bedroom, single bedroom and a bathroom.
- 1.20 Externally, all existing external doors and windows are proposed to be retained, except for where the juliet balcony is to be created in Unit 2, a new door opening is to be created in place of a window on the rear elevation of both Unit 2 and Unit 3. The existing WC extension that was added circa 2001 and proposed as part of Unit 3 is proposed to be re-clad in vertical timber appearance boarding, as is the additional proposed new extension to the basement level Unit 1. New windows to the extension are proposed to be grey upvc and the flat roof in grey sarnafil.
- 1.21 The existing ground levels around the building enable the provision of private garden spaces to units 1, 3, 4 and 6, in addition to the communal area. A communal garden area, with seating is proposed to the south western point of the existing car park, that incorporates the two protected trees.
- 1.22 There are five mature trees within the proposed garden to Unit 1 and a substantial leylandii hedge within the garden of 6 Littledene forms a screen such that there are no opportunities for overlooking or loss of privacy of this 6 Littledene. The garden is bounded to the south east by brick retaining walls and the securely gated pedestrian walkway from Littledene to the car park to give access for residents of Littledene to Durham Road. A wrought iron rail is proposed to the north west boundary of the garden to separate it from the communal garden area that includes the bin and cycle store.

- 1.23 An enclosed communal bin store has been located on the far side of the driveway to the property to host two x 1100L communal bins for general waste and three x 240L communal bins for recycling and garden waste. A turning head has been added to the end of the driveway to provide space for service vehicles to turn. The preferred option for providing access for bin collection would be via a smaller refuse vehicle accessing the site and making use of the turning head to the end of the driveway. This will prevent residents having to drag large bins up the hill to Durham Road.
- 1.24 A communal cycle store is proposed adjacent to the communal garden in proximity to the main entrance to the property.
- 1.25 The existing tarmac drive and car park is proposed to be maintained with the car parking provision marked out with each unit having a designated space, resulting in a total of 7 spaces. A further 3 visitor parking spaces will be provided.
- 1.26 The proposed pedestrian footpath from Durham Road to the front entrance has been located behind the parking bays so that vehicles will not drive over it. The pedestrian footpath is proposed to be demarcated as separate from the driveway and not a shared surface to ensure a clear distinction between pedestrian and vehicle routes at the entrance.
- 1.27 The title plan for the adjacent lodge property that shares access rights into the main driveway includes an area west of the Dene Lodge boundary garden wall as a parking space for Dene Lodge and this has been accommodated within the proposed layout.
- 1.28 The standalone store workshop room is to be retained as existing except that the existing white render is to be redecorated in a light grey colour.
- 1.29 The application is supported by:
Heritage Statement
Design and Access Statement
Bat Survey
Tree Survey
- 1.30 PLANNING HISTORY
01426/01 Erection of single-storey extension at side of annexe to provide new kitchen, toilet and lobby to allow disabled access (consultation under Circular 18/84 Procedure). Granted 08.02.2002

2.0 Consultation Responses:

Northumbria Water No Comments

3.0 Representations:

- 3.1 Neighbour notifications were carried out in accordance with formal procedures introduced by the Town & Country Planning (Development Management

Procedure) Order 2015. Properties 4 – 10 inclusive and 12 Littledene were sent a neighbour notification letter. A site notice was posted at the site on 2nd January 2019 and a notice was published in the local press on the 21st January 2019 in order to alert the public to the submission of the planning application.

- 3.2 Ten letters of representation have been received, three objectors have written twice. The concerns raised relate to:

Littledene residents not consulted,
increase in traffic,
inadequate parking provision,
inaccuracies in plans - show Dene House having access to the private Littledene walkway,
impact on heritage asset,
saturation of apartment properties,
smaller number of more spacious flats would be more appropriate,
loss of privacy,
noise and disturbance,
access,
new pedestrian access to Littledene will lead to increased parking in Littledene,
request for a covenant to prevent access to Littledene,
removal of hedge and replacement with wrought iron rail will result in loss of privacy,
creation of store / workshop will attract more vehicles.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CFR20 Local Open Space

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV7 Development within Conservation Areas

ENV10 Dev in Gdns/Grounds in Conservation Area

ENV46 The Durham Biodiversity Action Plan

ENV54 Dev on Land Affected by Contamination

H4 Windfall and Small Housing Sites

H5 Housing Choice

CS3 Spatial Strategy for Neighbourhood Area

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

5.0 Assessment of the Proposal:

5.1 PRINCIPLE

Range and choice of housing

The Local Plan seeks to increase the range and choice of housing across Gateshead by improving the balance of the Borough's housing stock in terms of dwelling size, type and tenure. Accordingly:

- 5.2 CSUCP policy CS3 promotes investment in the development of new housing within the Saltwell Area.
- 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 5 x 3 and 2 x 2 bedroom apartments, 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.
- 5.7 The internal layout has endeavoured as far as possible within the constraints of the building fabric to provide adequate space standards and meet the minimum allocations in line with the national space standards for new housing published by DCLG.
- 5.8 Summary of Accommodation:
Unit 1 = 150m² - 3 Bed

Unit 2 = 88m² - 2 Bed
Unit 3 = 78m² - 2 Bed
Unit 4 = 76m² - 2 Bed
Unit 5 = 82m² - 3 Bed
Unit 6 = 67m² - 2 Bed
Unit 7 = 58m² - 2 Bed

- 5.9 It is considered that the proposal would provide appropriate space internally and externally.
- 5.10 Policy CS11(5) of the CSUCP requires that developments of 15 or more dwellings should provide 15% affordable homes. The application proposal falls below the policy threshold within CSUCP CS11 (5).
- 5.11 Lifetime Homes and Wheelchair accessible homes
This proposal falls below the policy threshold within CSUCP CS11 (2) and saved UDP policies H9 and H10.
- 5.12 Suitable accommodation for the elderly
Policy CS11(3) relates to increasing the choice of suitable accommodation for the elderly population. No specific provision has been made in relation to this policy.
- 5.13 Public open space
The site is in a neighbourhood which is not deficient in public open space according to the standard set by policy CFR20, and there is no requirement for the development to provide any.
- 5.14 Given the above the principle of the proposal is acceptable, subject to the recommended conditions, and 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 and the proposal would contribute to housing stock in the borough in accordance with the NPPF, CSUCP policy CS3 and CS11.
- 5.15 HERITAGE ASSETS
Saltwell Conservation Area was designated in 1990 - an area developed during the nineteenth century as a leafy suburb, which despite many changes, has retained an impressive Arcadian feel. The area between Enfield Road and Whinney House was almost exclusively large villas set in sizable, spacious grounds. Though parts of this area have been subject to radical change, its seclusion survives mostly intact since it still consists principally of large buildings in grounds with much mature tree cover. Trees and high stone walls on the Durham Road frontage reinforce this seclusion and the lightly trafficked East Park Road is impressively Arcadian. The character appraisal for Saltwell (IPA17) describes Littledene as 'high density suburban intrusion'.
- 5.16 Dene House is a later 'villa' and lacks the architectural quality of those built earlier, and which still survive such as North Dene, Heathfield and Whinney House. It is constructed from red brick rather than sandstone, and there is

much interest in the window detailing, roof and chimneys where historic fabric exists.

- 5.17 The loss of grounds is unfortunate and Dene House further suffers from a small, cramped setting rather than the sizable ground sit was intended to enjoy. The retention of the stone boundary to Durham Road is significant and positively contributes to the conservation area.
- 5.18 The property was built as a residential dwelling and therefore to convert this to residential from commercial will not harm the significance of the conservation area. Most remaining Victorian Villas on Durham Road are already converted. The details of materials and the roof lights should be conditioned (CONDITIONS 11 - 14).
- 5.19 Given the above, subject to the recommended conditions the proposal to convert the existing building, subject to the external works, will not harm the significance of the conservation area and will be in accordance with the NPPF, CSUCP policy CS15 and saved UDP policy ENV7.
- 5.20 HIGHWAYS
There is no objection in principle to a seven dwelling residential development on this site given its location on a main transport corridor, which provides excellent bus and cycle links to Gateshead and Newcastle to the north and Chester le Street and Durham to the south. The development is within walking distance of Gateshead and Low Fell centres and is also within cycling distance of many other retail and employment areas.
- 5.21 The plan submitted indicates that seven car parking spaces will be provided for the seven apartments and three visitor parking bays. This is acceptable in an allocated arrangement.
- 5.22 Whilst a 5.5m wide vehicular access with a 1.8m wide footway alongside is typically required for a development of more than 5 or 6 properties, on balance the proposed layout which falls below this is acceptable, with the access remaining a private drive/road. The acceptance of a reduced standard is based upon the relatively small scale of the development, the limited opportunity to improve the access and the fact that this is an existing single width access with no segregated footway. It is not considered the number of vehicle movements generated by the proposed development to be significantly greater than the previous office use and whilst the instances of two vehicles meeting at the access are likely to be low, a vehicle waiting to turn into the site would not obstruct the flow of traffic due to the width of Durham Road at this point. As such it is not considered that the proposal has a more harmful impact on the drive arrangement in front of the kitchen window behind the Durham Road boundary wall at the entrance from Durham Road for Dene Lodge.
- 5.23 The provision of a footway alongside the access road is a good improvement despite being what would be considered a minimum useable width. The main issue to consider in relation to this is the potential for vehicles turning into the site to overrun the proposed footway, which would be a safety concern. Vehicle

tracking should be carried out to demonstrate how a delivery size vehicle turning into the site could do so without overrunning the footway as well as showing how such vehicles could turn within the site before egressing in a forward direction. If necessary, following this exercise, demarcation between the adopted highway and private drive would need to be incorporated. This can be conditioned. The applicant should also consult with Waste Services in respect of a small refuse vehicle to make collections within the development. If the use of a small vehicle is not possible, the vehicle tracking should also include a standard refuse vehicle. Again this can be secured by condition (CONDITIONS 14 - 15).

- 5.24 The area in the vicinity of the site access is very dark due in part to the existing large tree. A lighting scheme is required and the details can be secured by condition (CONDITIONS 17-18).
- 5.25 The Great North Cycleway (NCN 725) passes the development entrance on Durham Road and the route is well used by both cyclists and pedestrians. There are concerns over the conflict between vehicles emerging from the site and cyclists on the shared use footway on Durham Road. Due to the lack of opportunity to improve visibility it is considered that warning signs should be installed within the site advising drivers of the potential for cyclists crossing ahead.. These details can be secured by condition (CONDITIONS 19 - 20).
- 5.26 The level of car parking proposed is acceptable and accords with the Council standards. Provision of electric vehicle charging or the means by which residents could install charging facilities in future are required. The details can be secured by condition (CONDITIONS 21 - 22).
- 5.27 There is also a concern over the conflict between vehicles emerging from the driveway for unit 6 and pedestrians on the footway. A 2m x 2m splay should be provided or the fence alongside the driveway should be of an open style. The details can be secured by condition (CONDITION 24).
- 5.28 Communal cycle parking is proposed but further details are required. This should include details of the layout within the communal room, how bikes will be secured within the room and how shared access will be managed. The details can be secured by condition (CONDITION 25).
- 5.29 A sustainable travel welcome pack should be given to each of the new residents to inform them of sustainable travel options. This should include bus timetables and cycle maps. The details can be secured by condition (CONDITION 26).
- 5.30 It is considered appropriate to impose a restriction on a gate being installed across the access so that it would incorporate a 6m set back from Durham Road (CONDITION 28).
- 5.31 Given the above and subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with CSUCP policy CS13.

5.32 GROUND CONDITIONS

Mining

The site is in a Coal Authority Development High Risk Area (Probable shallow coal seams) however there is no ground breaking involved with the development other than removal of tarmac hardstand to create the communal garden and the extension.

5.33 Contamination:

The site has never had any major development other than as part of a park with access roads and later the construction of Dene House with associated parking. The potential of contamination affecting the proposed development is low.

5.34 The property is situated in an area containing coal measures, which are a potential source of methane and carbon dioxide. Although gas monitoring of the site would provide monitoring data sufficient to allow prediction of worse case conditions and so enable the confident assessment of risk and characterisation of pollutant linkages and subsequent design of appropriate gas protection scheme, it would also enable the applicant to prove whether gas protection measures are necessary. However, the Applicant has agreed to install gas membrane/ gas protection measures which would allow for potential "worst case" conditions from coal mining gas instead of undertaking gas monitoring. This can be secured by condition (CONDITION 3).

5.35 Given the sensitive end use of the proposed new gardens then as a minimum a Preliminary Risk assessment (PRA) should be submitted.

The findings of the PRA will determine if there is a need for a

- o Phase 2 Site investigation & Risk assessment.

And where required

- o Submission of Remediation statement for approval of LA
- o Implementation of approved Remediation measures
- o Submission of Remediation Validation report

5.36 The details can be secured by condition (CONDITIONS 4 - 7).

5.37 Given the above and subject to the recommended conditions the proposals are considered to be acceptable and in accordance with the NPPF, Saved UDP policy ENV54 and CSUCP policy CS14.

5.38 ECOLOGY

A bat survey has been submitted in support of the application.

5.39 Dene House is of moderate suitability for roosting bats. It has a large, uncluttered roof void with wooden cladding with bituminous felt behind, and gaps allowing access into the void. Additional potential bat roost features include mortar gaps in brickwork, hanging tiles, lifted roof tiles, gaps in the soffit and at the wall tops. No field signs of bats were observed. The building has the potential for bat use throughout the year, including hibernation. The loft is likely to be used occasionally by nesting birds, with typical species including feral

pigeon and jackdaw. Evidence of nesting was found including straw material between the roof and wall tops and bird droppings.

- 5.40 Works proposed are primarily internal renovations with the area where new doorways proposed being well sealed, therefore impacts on potential bat roosts are likely to be minimal, however it is considered that the recommendations of Section H of the Bat Survey dated December 2018 should be secured by condition (CONDITION 27).
- 5.41 The outbuilding is considered to have, based on an initial external inspection, low suitability for roosting bats, with gaps at wall tops and around guttering and under the fascia; there may also be gaps around tiles and under flashing, but the view of the roof was limited and no internal access possible. No external works to the outbuilding are proposed and the potential bat roosting features will not be affected.
- 5.42 The habitat on site is of low-moderate suitability for foraging and commuting bats but is within 100m of Saltwell Park which has moderate suitability, including a large lake and mature trees. There are a number of mature trees outwith the site on its northwest boundary, which form a tree lined corridor to Saltwell Park.
- 5.43 Given the above the proposal is considered to be acceptable and in accordance with Section 15 of the NPPF; ODPM Circular 06/2005: Biodiversity and Geological Conservation; policy CS18 Green Infrastructure and the Natural Environment (Core Strategy and Urban Core Plan for Gateshead and Newcastle 2010 - 2030); and the Saved policies DC1(d) Environment and ENV46 the Durham Biodiversity Action Plan in the Gateshead UDP:
- 5.44 RESIDENTIAL AMENITY
AMENITY OF EXISTING SURROUNDING RESIDENTS AND FUTURE OCCUPIERS OF THE DEVELOPMENT
Impact on Existing Residents
The topography of the site is such that the adjacent dwellings in Littledene and the dwellings on the former Gateshead College site are lower than Dene House and are either screened by mature landscaping or do not have primary windows on the facing elevations and therefore it is considered the conversion of Dene House to apartments would not have a harmful impact on the residential amenity of the existing occupiers. The outlook from the existing dwellings could not result in loss of privacy to the potential occupants of the flats as the flats are set at a higher position and at an angle not visible from the existing dwelling windows.
- 5.45 The resident of Dene Lodge has objected to the principle of the conversion from offices to residential as the offices operated between 8am and 5pm whilst the resident was at work and therefore did not impact on his amenities.
- 5.46 Currently the property is passed by residents of the properties in Littledene. The resident of Dene Lodge located adjacent to the access from Durham Road has objected to the proposal on the grounds of loss of privacy to his living room,

bedroom and kitchen. Both the living room and kitchen are set back from the access, in addition the living room is at a higher level than the access road and do not directly abut the access. The bedroom does abut the access but it would be expected that a bedroom would have some form of blinds or curtains to prevent passers by looking directly in to the room. It is not only pedestrians accessing Littledene but also pedestrians on Durham Road that have historically been able to look in to the bedroom window thus it is considered that the additional 7 properties would not add to the existing harm to the extent that planning permission could be refused. In addition the proposals include a pedestrian footway to be identified in a different surface material on the opposite side of the access road and pedestrians would be expected to follow this other than walk in the middle of the drive as they would be in danger from vehicles entering the site if they did so.

- 5.47 The resident of Dene Lodge has also objected to the parking space and garden for Unit 6 giving the opportunity for the driver to have full view on to the living room, bedroom and garden. Dene Lodge has a 600mm brick wall, pier and wrought iron rail infill. The proposed drive is in a location that is currently parked in by the occupant of Dene Lodge. The space is alongside the 1800mm fence that bounds the private path from Littledene and the driver once in the car if forward facing would have an oblique view of the windows of Dene Lodge.
- 5.48 The garden to unit 6 is proposed to be enclosed by a 1500mm close board fence with 300mm trellis on top thus would not create an opportunity for overlooking into the garden of Dene Lodge that is at a higher level from the proposed garden. Even if no fence was proposed to the garden of Unit 6 the view of the bedroom window would be oblique, the distance to the living room window at an oblique angle would be 16m.
- 5.49 The resident of Dene Lodge has also objected to the creation of a store / workshop as it would create additional footfall to the store. The proposal indicates that the store is to be part of Unit 6 with access to it from the existing door to the rear. No additional footfall will be created and this is considered will not impact on the residential amenities of Dene Lodge.
- 5.50 The resident has also objected on the grounds of disturbance from:
- cars passing within 60cm of the bedroom window before 8am and after 5pm resulting in loss of sleep (i.e. outside of office hours);
 - increase in pedestrians will increase noise;
 - the parking space for unit 6 and the workshop will increase noise.
- 5.51 The existing arrangement is cars passing the bedroom window within 60cm and there were no restrictions on the office hours of Dene House therefore it could have been used 24/7 on 365 days of the year. A review of historic aerial photographs reveals the number of cars in the car park when the offices were occupied exceeds the number of parking spaces proposed.
- 5.52 It is considered that pedestrians generated from the additional 7 properties would not add so significantly to noise to be worse than the existing harm to the extent that planning permission could be refused.

- 5.53 The unit 6 parking space is currently used for 3 no. car parking spaces in this location therefore the reduction to one space will improve this situation.
- 5.54 The Store / workshop building will have a low use compared to the previous office annex building therefore improving the situation further.
- 5.55 **Amenity of Future Occupiers**
The proposal as designed would ensure that acceptable living conditions both internally and externally would be created for future residents.
- 5.56 The proposed development is not considered to have an adverse impact on the amenity of the area, would not cause an unacceptable loss of amenity to nearby residents. The proposal would also ensure acceptable living conditions for future residents and therefore would not conflict with Saved policy DC2 of the UDP and CSUCP policy CS14.
- 5.57 **VISUAL AMENITY**
The property is to be retained as existing with existing windows and doors to be retained. The external works proposed to enhance the workshop annex, to clad the existing extension and new proposed extension, along with the creation of a communal garden area are considered will enhance the existing situation and will bring the building back in to use so that the building and grounds will be maintained.
- 5.58 Given the above, and subject to a condition requiring samples of materials (CONDITIONS 10 and 11), the proposal is considered to be acceptable and in accordance with CSUCP policy CS15 and Saved UDP policies ENV3 and ENV7.
- 5.59 **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 application site is within Residential Zone A and the levy is £30 per sqm for market housing.
- 5.60 **OTHER MATTERS**
There are two separate pedestrian access points on Littledene. One of these points is private for the use of residents from Littledene which will be retained as existing. The other is an existing gate direct into the garden area of the basement apartment. The drawings were inaccurate and they have since been amended to show the situation as existing. Dene House will not have access to the private pathway.
- 5.61 However, Dene House does have right of access to Littledene in the Title Deeds and the existing gate from the basement area will be retained and the occupant of Unit 1 will have pedestrian access. An objector has requested that a restriction be imposed that no pedestrian or vehicular access be allowed from the basement flat to prevent parking or pedestrians using Littledene. Another resident of Littledene whose drive runs alongside the private footpath has

objected on the grounds that allowing the use of the existing gate from Dene House onto Littledene would be hazardous for pedestrians as they would be emerging into a blind spot for a drivers leaving 7, 8 or 9 Littledene. A further concern is that this entrance will encourage parking in Littledene that would result in the objectors' drive being blocked such that emergency services would not be able to gain access if required. Littledene is an adopted road and drivers would be expected to adhere to the highway code and this would not be a reasonable restriction to impose on any planning permission.

- 5.62 An objector has concerns that the removal of a hedge and replacement with a wrought iron rail will result in loss of privacy and overlooking. Whilst the proposals include a wrought iron rail they do indicate that the hedge will be removed thus the impact will be no different to the existing situation.
- 5.63 An objector raised a concern that his own aspirations to purchase such a property as Dene House are being suppressed by an influx of developers and requests the Council to support prospective purchasers. Whilst not a planning issue the building was for sale on the open market for a considerable period and therefore the opportunity was available for a private purchaser.
- 5.64 An objection that the proposed conversion will result in a significant increase in energy usage, refuse collection and vehicle emissions is not considered to be valid as it is unlikely that there would be an increase in energy use by change of use to residential as there will be significantly less people using the building and the proposal will increase thermal efficiency (and prevent heat loss) throughout the building.
- 5.65 Due to the historic location of Dene Lodge close to the access of the site regardless of residential or commercial use the building has always had vehicular and pedestrian movements past the building. This cannot be avoided however as noted above the change of use from commercial to residential will reduce this impact.
- 5.66 The parking to Dene Lodge has been retained as existing and in accordance with the title deeds. The parking area adjacent to Dene Lodge has been retained as existing.

6.0 CONCLUSION

- 6.1 In the light of the above planning issues, the submitted application can be supported, as it seeks to minimise its impact on highway safety, residential amenity and nature conservation. More importantly, the restoration of Dene House is to be welcomed and is given significant weight by officers. The extent of impact on the historic fabric of the building is considered acceptable subject to suggested conditions.
- 6.2 It can be concluded that the development would not have an unacceptable impact on the character and appearance of the conservation area, the visual amenity of the area, the residential amenities of existing and potential future occupiers, trees and protected species.

6.3 The proposed conversion of Dene House to residential apartments is considered to be acceptable and it is recommended that planning permission should be granted.

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

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

8546c-01 Location Plan
8546c-02C Existing + Proposed Site Plan
8546c-03 Existing Plans
8546c-04C Proposed Plans
8546c-05 Existing Elevations
8546c-06B Proposed Elevations
8546c-07 Proposed Cycle Store
8546c-08A Proposed Workshop
A4 drawing Typical Gas barrier 10
Visqueen data sheet

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

Prior to first occupation of the development hereby permitted the gas membrane/ gas protection measures indicated on:
A4 drawing Typical Gas barrier 10

Visqueen data sheet

Received on 8th February 2019 shall be installed wholly in accordance with the approved details.

Reason

To ensure that risks from coal mining gas to the future users of the land and neighbouring land are minimised in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

4

Prior to commencement of the development hereby permitted a Preliminary Risk Assessment shall be undertaken and submitted for the consideration and written approval of the Local Planning Authority.

Should the findings of the Preliminary Risk Assessment indicate an intrusive site investigation with a Phase II Detailed Risk Assessment is required, these shall be undertaken and a report of the findings submitted for the consideration and written approval of the Local Planning Authority.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site, controlled waters and construction workers. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment of this area. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and proposed validation strategy. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

N.B. The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape / garden areas.

Reason for condition

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 the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for pre commencement condition

To ensure the approved remediation measures are undertaken prior to commencement of the development hereby permitted to ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

5

The details of remediation measures approved under condition 4 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason for condition

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 the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for pre commencement condition

To ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission

6

Following completion of the remediation measures approved under condition 5 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted

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 the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan

7

During development works, any contaminated material observed during excavation of the existing ground should be screened and removed. If any areas of contaminated ground, that had not previously been identified, are encountered during development works, then operations should cease in that area, and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be 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 Policies DC1, and ENV54 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

8

No development shall commence on the development hereby permitted until a Demolition and Construction Management Plan (CMP) for the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include :

- full asbestos survey and proposed controls and management of any asbestos found
- a dust management plan
- a noise management plan
- pollution prevention measures

- contractor parking
- details of delivery arrangements including hours
- measures to limit and manage transfer of debris on to the highway

Reason for condition

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction of the development in accordance with the NPPF, saved policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

Reason for pre commencement condition

The proposed CMP must demonstrate that the demolition and construction operations will not harm residential amenities or highway safety before the development commences.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission

9

The CMP approved under condition 8 shall be wholly implemented and adhered to for the full duration of the demolition and construction of the development hereby permitted

Reason for condition

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction of the development in accordance with the NPPF, saved policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

10

The tree protection measures indicated on drawing 160/PA/01 Tree Constraints Protection Plan and Planting Proposals shall be implemented wholly in accordance with the details prior to the commencement of the development hereby permitted and retained for the duration of the construction of the development

Reason for condition

To minimise the risk of harm and long-term adverse impacts of the development on protected trees in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

Reason for prior to commencement condition

The proposed tree protection measures must be retained to ensure there can be no damage during construction of the development hereby permitted.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

11

Development shall not progress above damp proof course until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority. The materials shall include:

timber appearance cladding
flat roof covering
grey upvc windows
grey render

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2, ENV7 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.

12

The materials approved under condition 11 shall be implemented wholly in accordance with the approved details and retained for the life of the development

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2, ENV7 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.

13

Prior to the development hereby permitted progressing above damp proof course final largescale details of the conservation rooflights for the single storey flat roof shall be provided for the consideration and written approval of the Local Planning Authority

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the

appearance of the existing building in accordance with the NPPF, Saved Policies DC2, ENV7 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.

14

The details approved under condition 13 shall be implemented wholly in accordance with the approved details prior to first occupation of Unit 3 and retained for the life of the development thereafter

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2, ENV7 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.

15

Prior to first occupation of the development hereby permitted details of autotracking of the turning head by a refuse wagon shall be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that there is an overrun over the footpath then details of an extension of the imprint paving into the development site to create a small shared surface area with a segregated footway to include a demarcation between the adopted highway and private drive must be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In order to ensure the layout can be adequately serviced by a refuse wagon and to accord with CSUCP policy CS13.

16

The details approved under condition 15 shall be implemented wholly in accordance with the approved details prior to the first occupation of any part of the development and retained clear for the purposes of turning vehicles and for the life of the development thereafter.

Reason

In order to ensure the layout can be adequately serviced by a refuse wagon and to accord with CSUCP policy CS13.

17

Prior to first occupation of the development hereby permitted a lighting scheme for the proposed footpaths and parking areas of the development site shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure the development is safe in highway terms in accordance with CSUCP policy CS13.

18

The details approved under condition 17 shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

Reason

To ensure the development is safe in highway terms in accordance with CSUCP policy CS13.

19

Prior to first occupation of the development hereby permitted, details of warning signs to be installed within the site advising drivers of the potential for cyclists crossing ahead shall be submitted for the consideration and written approval of the Local Planning Authority. The scheme should include a red triangle warning sign to TSRGD diagram 950.

Reason

To ensure highway safety by addressing concerns over the conflict between vehicles emerging from the site and cyclists on the shared use footway on Durham Road and to accord with CSUCP policy CS13.

20

The details approved under condition 19 shall be implemented wholly in accordance with the approved details and retained thereafter for the life of the development.

Reason

To ensure highway safety by addressing concerns over the conflict between vehicles emerging from the site and cyclists on the shared use footway on Durham Road and to accord with CSUCP policy CS13.

21

Prior to first occupation of the development hereby permitted details of electric vehicle charging points to be provided including details of the number, location and specification of the charging points have been submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

22

The electric vehicle charging points approved at condition 21 shall be provided in accordance with the approved details prior to the development being first occupied and be retained thereafter.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

23

Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development hereby permitted, including the use of any equipment on the site, shall be carried out only between 08:00 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Internal works within dwellings shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1800 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with Policies DC1, DC2 and ENV61 of the Unitary Development Plan and CS14 of the CSUCP.

24

The driveway to unit 6 shall have a minimum visibility splay of 2m x 2m with no obstruction above 600mm.

Reason

In the interests of highway safety and in accordance with CSUCP policy CS13 and the NPPF.

25

No dwelling of the development hereby permitted shall be first occupied until final details of the cycle parking provision for that dwelling is submitted to and approved in writing by the Local Planning Authority and the cycle parking shall be provided on site prior to the occupation of each respective dwelling in accordance with the approved details.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

26

Upon first occupation of each dwelling a sustainable travel welcome pack shall be provided to each of the new residents to inform of sustainable travel options to include bus timetables and cycle maps.

Reason

In order to encourage residents to consider sustainable travel options and in accord with the NPPF and policy CS13 of the CSUCP.

27

The recommendations at Section H of the Bat Survey dated December 2018 prepared by Taryn Rodgers of E3 Ecology shall be implemented in full for the life of the development

Reason

To avoid harm to bats and ensure the maintenance of the 'local' bat population at or above its current level in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

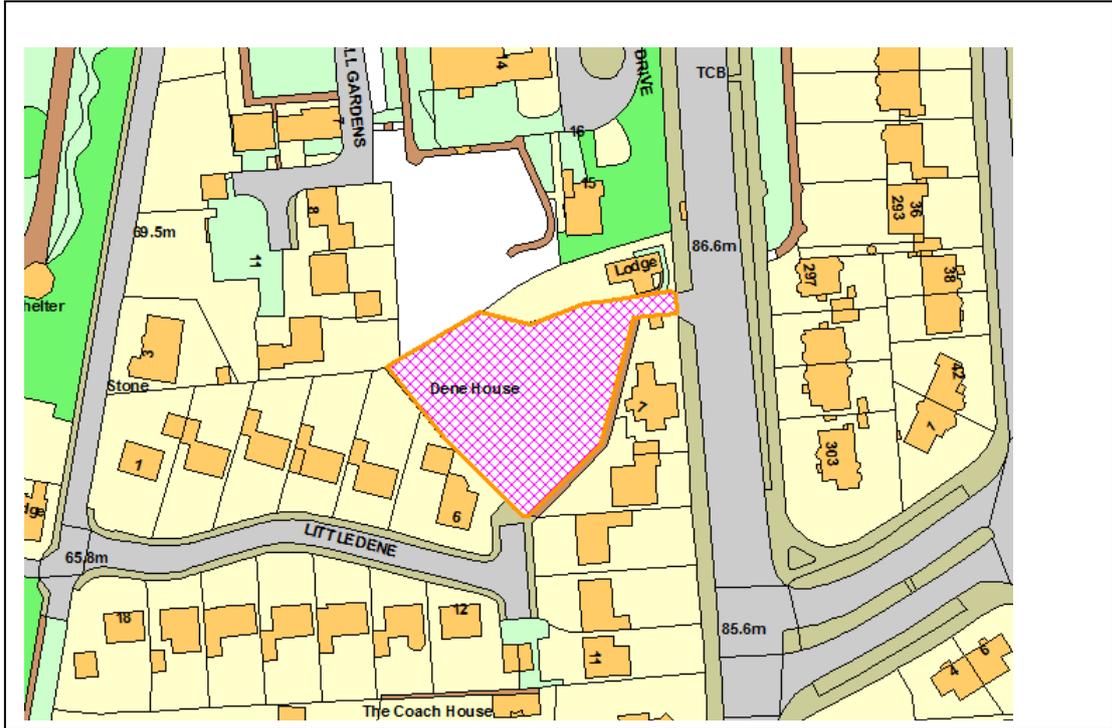
28

No gate shall be installed across the access opening on Durham Road without details having first been submitted to the Local Planning Authority for consideration and written approval. The details shall include a minimum 6m set back from the boundary wall along Durham Road.

The approved gate shall be installed thereafter and retained for the life of the development.

Reason

In the interests of highway safety and in accordance with CSUCP policy CS13.



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