



Appeal Decision

Site visit made on 21 July 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2020

Appeal Ref: APP/H4505/W/20/3253118

9 Derwent Street, Chopwell NE17 7HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Gary Tremlett against the decision of Gateshead Council.
- The application Ref DC/19/01090/FUL, dated 15 October 2019, was refused by notice dated 13 May 2020.
- The development proposed is Change of use from existing retail to residential apartments.

Decision

1. The appeal is allowed and permission is granted for the Change of use of vacant premises to two residential units including alterations to shopfront and roof, and erection of first floor rear extension at 9 Derwent Street, Chopwell NE17 7HU in accordance with the terms of application Ref DC/19/01090/FUL, dated 15 October 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Elevations (5), Proposed Tech Plans (3), Site Plan (3).
 - 3) No individual external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.
 - 4) The development shall be completed using the materials approved under Condition 3, and retained as such in accordance with the approved details thereafter.

Procedural Matter

2. The description of the development has been amended by the Council and is described as; Change of use of vacant premises to two residential units including alterations to shopfront and roof, and erection of first floor rear extension. I concur that this accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of future occupiers.

Reasons

4. The appeal site is a modern, flat roofed vacant unit located in the Local Centre of Chopwell on the western extremities of the Borough of Gateshead. The immediate area is a broad mix of retail uses, hot food takeaway, a public house and residential dwellings interspersed between commercial premises along Derwent Street. The appeal site is positioned between the retail unit of the Co-op and a vacant premises, with vehicular access to the rear via a gap between the vacant unit and a pharmacy.
5. The submitted plan demonstrates the conversion of the building into 2 No. three bed self-contained apartments with a first-floor extension above the existing ground floor flat roofed projection. The front elevation would be altered to provide a flush frontage with the back of the pavement, and direct access onto Derwent Street.
6. Excluding the bathroom, both apartments would equate to between approximately 61sq m – 63sq m in size including bedroom space. The open plan nature of the living quarters would create a more functional space, and although bedroom sizes would be limited, the plans demonstrate a typical bedroom layout can be achieved. Furthermore, future occupiers would be aware of the size of the units before they decide to live in the properties. Some storage provision is illustrated although it would come down to the lifestyle choice of the individuals whether or not they considered there was adequate storage space available.
7. Although a three bedroom development would likely gain interest from families, the Council have provided no precise details of any spacing standards this development should achieve. Their Committee Report does however explain that the adopted Core Strategy 2015 policy CS11 requires 'adequate space inside and outside of the home to meet the needs of residents'. As is my duty to determine the appeal, I also reason the proposed internal space would not lead to unduly compromised living conditions for future occupiers.
8. Whilst the appeal site is located within the local centre of Chopwell, I am not of the view that pedestrian access directly onto the pavement that is a standard width of approximately 1.5m wide, would result in any impediment to the living conditions of the future occupiers. It is no different a layout to other converted developments or houses I observed close by. Even though future developments, and the new park facilities brought to my attention by an objector, may generate more activity to the area, this does not alter my findings.
9. Future occupiers would be aware of the inconvenience or otherwise of parking to the rear of the site, the location of the main entrances to the front, and the restrictiveness of the double yellow lines along Derwent Street. Parking to the rear would follow the same pattern as many other conversions and houses along Derwent Street. No concerns have been raised by the Council with regard to parking and I have no reason to disagree.

10. It is often common practice for flatted developments not to provide external space to support the occupiers, and no evidence has been presented by the Council to demonstrate that they require a specific amount of private external space for a three bed unit. There is however access to public open space within walking distance of the appeal site, and I consider this would provide some mitigation for the lack of external space available. No harm would arise to the living conditions of the occupiers as a result.
11. I conclude that the proposal would provide acceptable living conditions for future occupiers and is not in conflict with 'saved' Unitary Development Plan Policy DC2 in its purpose to uphold residential amenity. Nor would the proposal be in conflict with the Core Strategy and Urban Core Plan 2015 Policy CS15 in its aims to achieve good place making. It would also comply with the overall aims and objectives of the National Planning Policy Framework to achieve sustainable development.

Other Matters

12. I am aware of the objections to the proposal referring to the loss of a commercial facility, and demand for such commercial and retail use here may occur in the future. However, I have had sight of the Council's Committee Report and this thoroughly explains the benefits of reducing vacancy levels within the area and that the loss of the unit would not undermine the vitality and viability of the local centre. Therefore I have no reason to challenge the Council's conclusions.
13. Issues pertaining to the rental price of the existing premises putting off potential tenants is not within my scope to comment on, nor to offer comment on an objector's view that there is no demand for three bed apartments in this location.

Conclusion and Conditions

14. I have imposed the standard plan condition in the interest of accuracy and a further condition for a time limit to implement the development. Details of the materials and implementation of such is conditioned in the interest of protecting the character and appearance of the area.
15. For the reasons given, I allow this appeal.

Alison Scott

INSPECTOR