

**Committee Report**

<b>Application No:</b>	<b>DC/19/01100/FUL</b>
<b>Case Officer</b>	<b>Amy Dunbar</b>
<b>Date Application Valid</b>	<b>31 October 2019</b>
<b>Applicant</b>	<b>Mr Alex Williams</b>
<b>Site:</b>	<b>Stirling House 173 Saltwell Road Bensham Gateshead NE8 4TJ</b>
<b>Ward:</b>	<b>Saltwell</b>
<b>Proposal:</b>	<b>Change of use of ground floor from public house to 8-bedroom House in Multiple occupation. Change of use of first floor from function room to 3 two-bedroom flats and provision of 2 two-bedroom flats on second floor. Alterations to roof including new dormer window and rooflights (plans amended 27.01.2020).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

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

The application site is a detached building (Stirling House) that formerly operated as a public house (use class A4). The site is located within the Saltwell Road local shopping centre and is currently vacant. It sits immediately adjacent to the southern end of the second of the three phases of Gateshead Regeneration Partnership's Trilogy residential development.

**1.2 DESCRIPTION OF APPLICATION**

The application proposes to change the use of the premises from use class A4 to a mixed-use premises consisting of:

- Sui generis use at ground floor level to provide an 8-bedroom house in multiple occupation
- use class C3 at first and second floor level to provide three 2-bedroom flats at first floor level and two 2-bedroom flats at second floor level

The applicant also proposes to install a dormer window on the south facing roof slope (facing onto Dunsmir Grove) and make alterations to the external window and door arrangements on the property.

**1.3 PLANNING HISTORY**

No relevant planning history.

**2.0 Consultation Responses:**

Northumbrian Water          No objections

### **3.0 Representations**

3.1 The Council issued neighbour notification letters to 25 properties surrounding the application site on 13<sup>th</sup> November 2019.

3.2 1 letter of objection has been received which is summarised below:

- over-supply of HMOs in Saltwell which is to the detriment of the character and appearance of the area
- proposal doesn't provide family accommodation
- internal living space and rooms of first floor flats are too small
- no external living spaces

3.3 The objection was submitted by Councillor Adams therefore this application has been referred to Planning Committee.

### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS7 Retail and Centres

CS9 Existing Communities

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV61 - New Noise-Generating Developments

### **5.0 Assessment of the Proposal:**

5.1 The key considerations to be taken into account when considering this planning application are the principle of the development, visual amenity, residential amenity and highway safety.

5.2 PRINCIPLE OF THE DEVELOPMENT

The application proposes to change the use of a vacant public house (use class A4) to residential accommodation (mix of sui generis and C3 use). The proposed floor plans indicate that the ground floor would be converted to a large HMO use and the first and second floor would be C3 use.

- 5.3 There isn't a policy that would, in principle, seek to prevent the loss of the public house use. Neither is the public house registered as an Asset of Community Value.
- 5.4 The proposed floor plans show that the development has not been designed to attract families as none of the proposed dwellings would provide 3 or more bedrooms. As such, the development would not contribute towards the Council's target of ensuring that 60% of new private housing is suitable and attractive to families, as required by policy CS11, however it would benefit the local economy by bringing this vacant building back into use and by introducing additional residents to the area who would support the local shopping centre, which is in accordance with policy CS7 of the CSUCP.
- 5.5 Policy CS9 of the CSUCP seeks to ensure that existing communities will be sustainable places of quality and choice. This should be achieved by, amongst other things, preventing the loss of family homes through sub-division, change of use or redevelopment as well as preventing an over concentration of shared accommodation.
- 5.6 To elaborate further, paragraph 10.11 of the supporting text for Policy CS9 suggests that shared accommodation (including HMOs) form a very significant part of private rented sector and provide market housing needs for a variety of people. The supporting text also states that permitted development rights will be removed where high concentrations of shared accommodation create problems in terms of environmental quality and residential amenity. This would be through the use of an Article 4 Direction that would prevent the permitted change of use between classes C3 (dwellinghouses) and C4 (houses in multiple occupation of no more than six residents). No Article 4 Direction to control the change of use between the C3 and C4 use classes has been issued. However, as no Permitted Development Rights exist to allow the conversion of pubs into dwellings, then planning permission would have been required for this change of use in any event.
- 5.7 The application proposes to change the use of a former pub therefore it would not result in a loss of family homes.
- 5.8 The application site is located on Saltwell Road, which is a busy local shopping centre where there is an increased level of daily activity, including noise disturbance, due to the commercial nature of the area. Further to this and given the former use of the site as a pub, it is not anticipated that there would be a significant intensification of the use of the building therefore it is not considered that shared accommodation in this location would have a harmful impact on environmental quality or residential amenity.

- 5.9 Overall it is considered that the proposed development complies with policy CS9 and is acceptable in principle subject to all other material considerations being satisfied.
- 5.10 **RESIDENTIAL AMENITY**  
As the site is located within the local shopping centre on Saltwell Road, where a large number of commercial properties exist, the comings and goings associated with the proposed development are unlikely to have a distinguishable or significant impact on the existing background levels of noise or disturbance experienced by nearby residents. Consideration has also been given to the building's last use as a public house. It is not considered that the level of activity nor noise generated by the proposed use would be in excess of that that could be created from a functioning public house.
- 5.11 The property is an existing detached building therefore would not result in a loss of light or overshadow nearby properties.
- 5.12 The proposed alterations to the door and window arrangement as well as the addition of a dormer window would not affect the privacy of nearby residents. The window arrangements are such that the occupiers of all the proposed residential units would have a good level of outlook and light.
- 5.13 Policy CS11 of the CSUCP requires that residential development provides adequate space inside and outside of the home to meet the needs of residents.
- 5.14 Gateshead Council's emerging Making Spaces for Growing Places policy MSGP13 requires new residential development to achieve the Nationally Described Space Standards (NDSS) however as this MSGP policy has not yet been formally adopted, limited weight can be applied to it.
- 5.15 Although Gateshead Council has not yet adopted the requirement for new residential development to meet the NDSS, these standards have been considered when assessing this application in order to establish a benchmark value for adequate living spaces within the home, as required by policy CS11.
- 5.16 In terms of internal living space, it has been acknowledged that flat 1, indicated on the first-floor plan, falls short of some of the NDSS's minimum requirements. To be specific, the gross internal floor area and width of the two bedrooms fall short of the minimum requirements.
- 5.17 Amended floor plans were submitted on 27<sup>th</sup> January 2020 which show that two of the flats on the first floor would accommodate 3 persons, rather than 4 persons as originally proposed. The NDSS minimum requirements for a 2-bedroom, 3 persons dwelling are less than the requirements for a 4-person dwelling.
- 5.18 As demonstrated on the proposed floors plans, the gross internal floor area of flat 1 is 55.4m<sup>2</sup>. The NDSS requires that a minimum gross internal floor area of 61m<sup>2</sup> is achieved for a 2-bedroom 3-persons dwelling. This equates to a shortfall of 5.6m<sup>2</sup>. The two bedrooms in flat 1 have respective widths of 2.4m

and 1.97m. The NDSS requires that a double (or twin) bedroom has a minimum width of 2.75m and a single bedroom has a minimum width of 2.15m. This means that bedroom 1 is 35cm narrower and bedroom 2 is 18cm narrower than the NDSS prescribes. However, both of the bedrooms still exceed the bedroom floor area standards in the NDSS.

- 5.19 The gross internal floor area of flat 2 is 61.2m<sup>2</sup> so flat 2 complies with the NDSS minimum space requirements for a two bedroom, 3 persons flat.
- 5.20 Despite the minor shortfall identified, it is considered that this would not result in an inadequate amount of internal living space. Although the width of the bedrooms in flat 1 fall short of the NDSS minimum requirements, the floor area of both bedrooms exceed the NDSS minimum requirements. Overall and on balance, the proposed development would not be harmful to the residential amenity of future occupiers.
- 5.21 An objection has been raised with regard to the lack of external living space proposed as part of this development. The proposed floor plans show that future residents would have access to the rear yard although this is primarily to be used for bike storage. Furthermore, residents would have access to a roof terrace on the second floor which has a floor area of 48.1m<sup>2</sup>.
- 5.22 Given the development would involve the re-use of an existing building there is limited scope to provide additional external living space. Further to this, existing residential properties on Saltwell Road are limited to small yard spaces therefore the proposed developed would not be out of character with the wider street. Finally, the application site benefits from being with 500 metres of Saltwell Park therefore future residents would be within walking distance of a large area of open space. The amount of external floor space provided is considered acceptable given the location and nature of the proposed development.
- 5.23 Overall, the proposed development would not have a detrimental impact on the amenity of neighbouring occupiers or future residents and is in accordance with policy CS11 and CS14 of the CSUCP and saved policies DC2 and ENV61 of the UDP.
- 5.24 VISUAL AMENITY  
It is considered that the external alterations proposed at this property would not have a harmful impact on the character and appearance of the site or the wider street scene. It is likely that bringing this building back into use would result in improvements to the overall appearance of the building. The application is in accordance with Policy CS15 of the CSUCP and saved Policy ENV3 of the UDP.
- 5.25 TRANSPORT/ HIGHWAY SAFETY  
The application site is located in a sustainable location which is close to amenities within the local shopping centre and has excellent public transport links with a bus stop located within 30 metres of the site.

- 5.26 The applicant has not proposed to provide any off-street parking however on street parking is available in adjacent streets. Furthermore, due to the sustainable location of the development and the size and scale of the development, it is unlikely that the proposed development would have a significant impact on highway safety or the demand for parking in the surrounding area.
- 5.27 The applicant has proposed to provide secure cycle storage in the rear yard for a minimum of 13 bicycles. This would promote the use of sustainable transport and reduce the demand for on street parking around the application site. Details of the proposed cycle storage have been required by Condition 4.
- 5.28 Overall, this proposal is considered acceptable from a highways perspective and is in accordance with policy CS13 of the CSUCP.

## **6.0 CONCLUSION**

- 6.1 Taking all of the relevant issues into account, it is considered that the proposed development is acceptable and accords with the relevant national and local planning policies.
- 6.2 It is recommended that planning permission is granted 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 –

Site location plan

14/10/2019/PM/PLAN/02 REVB

14/10/2019/PM/PLAN/04

14/10/2019/PM/PLAN/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 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 on the application form.

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

Prior to the occupation of the development and notwithstanding the details of the submitted application, a scheme for the provision of secure and weatherproof cycle parking facilities within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policy CS13 of the Core Strategy and Urban Core Plan and the Gateshead Cycling Strategy.

5

The scheme for secure and weatherproof cycle parking facilities shall be implemented in accordance with details approved by condition 4 prior to the occupation of the development and retained for the lifetime of the development.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policy CS13 of the Core Strategy and Urban Core Plan and the Gateshead Cycling Strategy.



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