

Committee Report

Application No:	DC/20/00271/HHA
Case Officer	Richard Smith
Date Application Valid	23 March 2020
Applicant	Mrs Nuran Adiguzel
Site:	Lindum House, The Lindum Club Durham Road Gateshead NE9 5AY
Ward:	Deckham
Proposal:	Erection of detached quadruple garage with associated landscape works (amended plans received 29.05.2020).
Recommendation:	GRANT
Application Type	Householder Application

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

The application site includes a two-storey red brick detached period property that features a hipped tiled roof and is located on land that slopes gradually downwards from east to west. The property also features a large single-storey flat roof side extension.

1.2 The property was formerly the Lindum Club, with the building set back from Durham Road within its own grounds, which includes a car parking area to the front of the building. It was converted into a dwelling house after planning permission was granted for the change of use in 2016.

1.3 The original access appears to have been from Durham Road but does not look to have been used for some time. The main access in more recent times appears to have been via the side road (Lindum Road).

1.4 There are also a number of substantial trees within the grounds, which are covered by a Tree Preservation Order (TPO). The character of the streetscene is mixed with a range of residential, retail and commercial uses of differing sizes and types.

1.5 To the north, fronting Durham Road, is Springfield House, a care home. To the rear, and adjoining Springfield House, but fronting Dryden Road, is Eslington Mews, a sheltered housing apartment block. Both Springfield House and Eslington Mews were granted planning permission, under a single application in 2011. To the east of Lindum House is Montague Court.

1.6 DESCRIPTION OF APPLICATION

The application under consideration seeks planning permission for a quadruple, domestic garage with a width of 13 metres, 6.6 metres in depth, the garage will have an eaves height of 2.9 metres and a hipped roof with an

overall ridge height of 5.1 metres located to the north of the site and associated landscape works.

1.7 PLANNING HISTORY

928/99: Planning permission granted erection of single-storey extension at rear of club to provide beer store and rear entrance canopy.

387/99: Planning permission granted for relocation of Lindum Club car park and erection of twelve residential flats (use class C3) on former car park site (revised application).

DC/16/00248/COU: Planning permission granted for the change of use from private members club on ground floor and offices on first floor (Sui Generis) to private residential use as a single 5 bedroom dwelling (C3 use).

2.0 Consultation Responses:

None.

3.0 Representations:

3.1 REPRESENTATIONS

Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

- 3.2 5no letters of objection have been received, raising concern with regards:
- The garage will exceed the height of the existing boundary wall and would be excessively high.
 - Loss of outlook
 - Highway and Pedestrian Safety
 - Loss of light
 - Overdevelopment of the site
 - Noise and Dust Pollution
 - Operating as a business
 - Loss of view

- 3.3 A verbal representation was also received by phone from a resident of the adjacent apartments who raised concerns relating to the development.

- 3.4 The lady advised that she did not have internet access and, due to the current situation, she was unable to leave her property to post a letter of objection, her concerns are included in the list above.

4.0 Policies:

DC1C Landform, landscape and after-use

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

HAESPD Householder Alterations- Extensions SPD

5.0 Assessment of the Proposal:

5.1 The key considerations to be taken into account when assessing this planning application are residential amenity, visual amenity, highway safety and trees

5.2 VISUAL AMENITY

Saved policy ENV3 of the Unitary Development Plan (UDP) requires that new development should make a positive contribution to the established character and identity of its locality; policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle 2010 - 2030 (CSUCP) requires that development should contribute to good place-making through the delivery of high quality and sustainable design by responding positively to local distinctiveness and character.

5.3 The proposed development is considered to be of good design quality, which will sit well within the wider site, following the amended plans submitted (29.05.2020) the garage will have a hipped roof to match that of Lindum House and will utilise similar materials.

5.4 The proposed garage will be directly visible from Lindum Road and only marginally viewed from Durham Road due to the trees on site and the existing boundary wall, however given the boundary treatments which exist along the site, coupled with the mature trees on site, and the use of matching materials, it is not considered that it will appear alien within its surroundings, nor will it introduce an incongruous element within the wider street scene. Whilst the proposed garage is a large structure, it is proportionate to the size of the dwelling house and plot and is not considered to result in overdevelopment.

5.5 Therefore, it is considered that the development is acceptable in terms of visual amenity; in accordance with saved UDP policy ENV3, policy CS15 of the CSUCP and the NPPF.

5.6 RESIDENTIAL AMENITY

Saved policy DC2 of the UDP states that planning permission will be granted for new development, where it does not have an adverse impact on amenity or the character of an area and does not cause undue disturbance to nearby residents or conflict with other adjoining uses and paragraph 127 of the NPPF requires that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and should offer a high standard of amenity for existing and future users. Furthermore, policy CS14 1 (iii) seeks to prevent negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contamination, vibration and air quality.

- 5.7 The proposed garage is set approximately 12.7 metres away from the side of Springfield House, however, there are no habitable room windows in this section of the elevation. There is a window on each of the three floors of Springfield House but these provide light to corridors, rather than to living accommodation.
- 5.8 The nearest habitable room windows are to the sitting rooms that occupy the 'drum' shaped feature on the corner of Springfield House where the main (Durham Road facing) elevation, turns to link with the south facing side elevation.
- 5.9 The floor plans of Springfield House show that, on each of the three floors, the 'drum' houses a sitting room, related to an individual bedroom, with windows facing north west then all the way round to give a south eastern aspect.
- 5.10 These habitable room windows would be at an oblique angle to the garage as well as being separated from the rear (blank) elevation of the garage by an access road and parking bays related to the apartments. A 2.3-metre-tall brick boundary wall sits approximately 10m away from these habitable room windows and there is also mature tree and shrub planting, within the curtilage of Springfield House that would provide further screening of the garage roof.
- 5.11 In addition, the garage roof slopes away from the boundary, with a hipped shape, and whilst it would project approximately 2.5 metres above the existing boundary wall (at the ridge) this point is some 14.7 metres away from the habitable room windows. It is therefore considered the proposed development will not lead to a loss of outlook, nor will the proposed garage appear overbearing.
- 5.12 The objections to the application have come from residents of Eslington Mews, however, whilst there are habitable room windows on the south west facing elevation of Eslington Mews, they are approximately 35m away from the closest corner of the proposed garage.
- 5.13 Given the existing trees which flank the northern boundary between the host property and Eslington Mews, coupled with the orientation it is not considered

the proposed development will lead to an unacceptable loss of natural light and sunlight than that which already exists.

- 5.14 Given the location of the proposed garage within the site of Lindum House, it is not considered the proposed development will lead to any residential amenity concerns to the residents of Montague Court or the properties located on Lindum Road.
- 5.15 Therefore, it is considered that the development is acceptable in terms of residential amenity; in accordance with saved UDP policy DC2, policy CS14 of the CSUCP and the NPPF.
- 5.16 **HIGHWAY SAFETY AND PARKING**
Policy CS13 of the CSUCP seeks to ensure that any new development provides safe, secure and direct pedestrian links.
- 5.17 Paragraph 109 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.18 The proposed garage would not have an unacceptable impact on highway capacity, highway safety or parking provision.
- 5.19 Therefore, it is considered that the development is acceptable in terms of highway safety; in accordance with policy CS13 of the CSUCP and the NPPF.
- 5.20 **TREES**
The planning application was accompanied by an Arboricultural Impact Assessment (AIA) that has subsequently been updated, officers are satisfied with the findings of the report and subject to an appropriately worded condition for the implementation of the Tree Protection measures included in the AIA it is considered the proposed development accords with the NPPF, saved UDP policy ENV44 and CSUCP policy CS18.
- 5.21 **OTHER MATTERS**
Concerns were raised that the property is operating as a business. This application does not seek to change the use of the property, or request that the garage should be for anything other than for domestic use. Should either the property or the garage be used to operate a business, this could require a separate planning application.
- 5.22 Concerns have been raised around noise and dust pollution. Should any noise or dust pollution arise as a result of the development this would be reported to the Council's Environmental Health team.
- 5.23 Concerns have been raised regards to loss of view, this is not a material consideration in determining this planning application.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is therefore recommended that planning consent be granted, as the development has been able to demonstrate, subject to suitable conditions would not cause significant harm to amenity or highway safety. It is considered that the development does accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

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 be Service Director Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary

1

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.

2

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

RES504-BHA-B2-XX-DR-A-1201-S4-P03

RES504-BHA-B2-XX-DR-A-1301-S4-P02

RES504-BHA-B2-ZZ-DR-A-1501-S4-P02

RES504-BHA-B2-ZZ-DR-A-1601-S4-P02

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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.

3

The development hereby permitted shall be constructed entirely of the materials detailed on the application form and shown on plan number

RES504-BHA-B2-ZZ-DR-A-1601-S4-P02 and

RES504-BHA-B2-XX-DR-A-1201-S4-P03.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The Tree Protection Measures shall be wholly implemented in accordance with the approved details at all times during construction and until final completion of the development. There shall be no access, storage, ground disturbance or contamination within the protected areas.

Reason

In order to maintain the health and visual amenity of the tree concerned in the interests of the visual amenity of the area and in accordance with saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework



