

**Committee Report**

<b>Application No:</b>	<b>DC/20/01003/FUL</b>
<b>Case Officer</b>	<b>Richard Smith</b>
<b>Date Application Valid</b>	<b>29 October 2020</b>
<b>Applicant</b>	<b>Mr Paul Swansbury</b>
<b>Site:</b>	<b>Queen Elizabeth Hospital Queen Elizabeth Avenue Sheriff Hill Gateshead NE9 6SX</b>
<b>Ward:</b>	<b>High Fell</b>
<b>Proposal:</b>	<b>Single storey extension and part refurbishment of Cragside Court Mental Health Unit to create a new ten bed mental health unit incorporating shared healthcare services plus associated landscaping and revised parking layout (Amended Plans received 11.12.2020 and Additional Information received 16.11.2020, 24.11.2020 and 11.12.2020).</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 within the wider Queen Elizabeth Hospital site, with the Cragside Unit located towards the north-eastern end of the site.

1.2 The Cragside Unit is located approximately 13 metres from the boundary of nearest residential properties set off Windy Nook Road to the north. With an apartment block on Fells Dyke Court located approximately 29 metres to the west of the Cragside Unit.

1.3 The Cragside Unit rectangular shaped red brick single storey building with a pitched roof, and a part grassed part hardstanding courtyard in the middle of the building.

1.4 There is currently 186no of car parking spaces and 4no disabled spaces to the south and south-west of the unit.

**1.5 DESCRIPTION OF APPLICATION**

Planning permission is sought for the erection of a single storey extension and part refurbishment of Cragside Court Mental Health Unit to create a new ten bed mental health unit incorporating shared healthcare services plus associated landscaping and revised parking layout.

- 1.6 The ground floor of the proposed development will include 10no bed wards, a day space for patients with dining and seating areas, beverage bay and activity spaces for guests.
- 1.7 The first floor of the proposed development is primarily a service access within the proposed pitched roof which also includes the main plant room for the extension as well as maintenance access to an element of the flat roof within the footprint of the building which houses the main external plant for the building hidden from view by the height of the pitched roof wrapping around the parameter of the building and tying into the existing roof.
- 1.8 The main entrance to Cragside is maintained on the southern elevation of the building but includes a new external canopy, internal porch and shared entrance space.
- 1.9 The proposed extension will project 17.6 metres off the western elevation of the Cragside Unit, with a depth of 44.5 metres. The extension will have an eaves height of 3.4 metres with an overall ridge height of 6.4 metres, which will match the height of the existing building.
- 1.10 The application also proposes a revised parking layout which will see parking spaces reduced from 186 to 169, a reduction of 17 spaces.
- 1.11 Works have commenced on site and therefore the planning application is part retrospective.
- 1.12 **PLANNING HISTORY**  
Numerous planning applications have been submitted at the Queen Elizabeth Hospital. No recent planning application are considered to be relevant to the proposed development.

## **2.0 Consultation Responses:**

The Coal Authority No Objection

## **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 1no letter in support of the application was received and 7no letters of objection were received, raising concern with regards

- Excessive working hours
- Personal Safety
- Noise
- Loss of privacy
- Personal Security

- Disruption
- Overdevelopment of site
- Too close to resident boundary
- Antisocial behaviour
- Works commencing without consent
- Cutting down trees
- Why can't the Tranwell Building be renovated instead?
- Not consulted on works
- Waste of taxpayers' money
- Previous issues with patients of Tranwell Building
- Better use of NHS funds

#### **4.0 Policies:**

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

DC1C Landform, landscape and after-use

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

ENV54 Dev on Land Affected by Contamination

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

5.1 The key considerations to be taken into account when assessing this planning application are visual amenity, residential amenity, highway safety and parking, land contamination and coal mining legacy.

##### **5.2 VISUAL AMENITY**

Saved policy ENV3 of the Unitary Development Plan (UDP) requires that new 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 Furthermore, paragraph 124 of the National Planning Policy Framework (NPPF) 2019 sets out that good design is a key aspect of sustainable development, creating better places in which to live and work. Paragraph 127 meanwhile 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.
- 5.4 The proposed extension will tie into the existing Cragside Unit, the proposed scheme is a single storey with an external pitched roof to match the current roof in terms of pitch, style and height. The overall building height is just over 6m to roof ridge level and does not exceed the existing building height. Due to the sloped nature of the site and to maintain the existing finish floor level throughout the proposed extension, the proposed extension will sit lower in comparison to its neighbours and will in part be screened from view by the embankment.
- 5.5 There is extensive use of red brick to all external walls, red pantiles to a pitched roof with red painted timber fascia and soffits and tinted casement windows framed in warm tones to match the existing Cragside Unit. The proposed extensions will utilise similar materials to match the existing building, with a double roman pantile roof tile in peat brown. This is considered to be in keeping with the existing roof tiles.
- 5.6 The pitched roof will use constructed using similar pantiles, whilst the proposed windows proposed will be taller in size and orientated to maximise access to light with grey PPC metal panels below sill level emphasising the vertical orientation of the glazing. Whilst the external doors proposed will be installed in a matching frame colour to the glazing.
- 5.7 Therefore, it is considered the proposed extension is considered appropriate in its context, the materials proposed will match that of the existing Cragside Unit and will not lead to an incongruous feature within the wider QE Hospital site.
- 5.8 Given the above, the proposed extension is considered to be acceptable and in accordance with saved policy ENV3, CSUCP policy CS15 and the NPPF.
- 5.9 **RESIDENTIAL AMENITY**  
Officers are aware that there have been representations on the basis that there has been and could continue to be antisocial behaviour by patients from the Tranwell Unit who may be moved to the Cragside Unit. Officers would, however, draw to attention, that the planning system deals with the use and development of land; rather than the identity and background of any particular occupiers of existing and proposed buildings.
- 5.10 It is considered that anti-social behaviour (including noise and smoking) is a matter for the management of the building in connection with the Police and the

Council's Environmental Health section and should not preclude granting planning permission in this case for the reasons cited above.

- 5.11 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. Furthermore, policy CS14 1 (iii) Preventing negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contamination, vibration and air quality.
- 5.12 Paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.13 The proposed extension will be constructed into the existing land due to the site levels on site and as such will not be an increase in height above that of the existing Cragside Unit.
- 5.14 Concerns have been raised over the overbearing nature of the development, however, the proposed extension will increase the height of the building above that of the existing unit, nor will the extension be built any closer to the boundaries of the properties located on Windy Nook Road.
- 5.15 The proposed extension will be approximately 12 metres from the boundaries of those properties located on Windy Nook Road, with an elevation to elevation distance of between approximately 25-29 metres, dependant on the individual properties. It is considered that this is an appropriate separation distance between the extension and the properties on Windy Nook Road and therefore it is not considered the proposed development will appear overbearing.
- 5.16 Furthermore, given the distance and the relative height of the extension it is not considered the proposed development will lead to an unacceptable loss of light, or lead to an unacceptable level of overshadowing.
- 5.17 Whilst there are windows proposed in the rear elevation of the proposed extension, given the separation distance as highlighted above, coupled with the boundary treatment which stands at approximately 2 metres, it is not considered the proposed development will lead to an unacceptable level of visual intrusion. Furthermore, regard is given to the existing windows which are currently positioned in the northern elevation of the Cragside Unit.
- 5.18 In terms of the apartment block located on Fells Dyke Court, the separation distance from the rear of the building to the western elevation of the proposed extension is approximately 12.5 metres. However, it is considered that given the eaves height of the proposed extension is 3.4 metres and the design of the pitched roof, coupled with the change in land levels with the apartment block being located at a higher level than the proposed extension it is not considered the proposed development will appear overbearing or lead to an unacceptable loss of outlook.

- 5.19 It is considered that the proposed development will not lead to an unacceptable loss of natural light to the ground floor flats of the apartment, by virtue of the orientation of the two buildings, coupled with the design of the proposed extension. Furthermore, it is not considered the proposed extension will impact upon the levels of sunlight a currently to the apartment block nor will it lead to an unacceptable level of overshadowing.
- 5.20 Given the proposed extension will be built into the land, coupled with the land levels between the Cragside Unit and the Fells Dyke Court apartment block it is not considered the proposed extension will lead to an unacceptable level of visual intrusion.
- 5.21 To ensure that the construction of the proposed development does not lead to a considerable impact on the nearby residents it is considered appropriate to impose a suitably worded condition for the hours of construction on site.
- 5.22 Given the above, the proposed extension is considered to be acceptable and in accordance with saved policy DC2, CSUCP policy CS14 and the NPPF.
- 5.23 **HIGHWAY SAFETY AND PARKING**  
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.
- 5.24 Policy CS13 of the CSUCP ensures any new development provides safe, secure and direct pedestrian links.
- 5.25 The Transport Statement submitted with the application concludes that the proposal will not have a severe impact on the highway network. However, the report does not fully address the more localised issues associated with the continuity of pedestrian routes within the Queen Elizabeth Hospital site, the loss of parking or cycle parking, in the vicinity of the proposed development.
- 5.26 No cycle parking has been provided on site and therefore it is considered a suitably worded condition (4-5) should be imposed for the to provide cycle parking on site.
- 5.27 The proposed development will also see a loss of 17no car parking spaces; however, this has been justified by the change in services associated with the Tranwell. Whilst this will offset parking somewhat it is not considered the wider demand for parking will reduce significantly. On balance it is not considered this is significant enough to warrant refusal of planning permission. It is considered appropriate to impose a condition (6-7) for an updated Car Park Management Scheme (CMPS) to be submitted prior to the first occupation of the proposed extension.
- 5.28 The applicant has provided minor details on the pedestrian connections to the Cragside Unit from the wider QE Hospital site. Whilst in principle this is

considered to be acceptable, a suitably worded condition (8-9) will be imposed for the final details to be submitted.

5.29 Therefore, it is considered on balance, subject to suitably worded conditions that the development is acceptable in terms of highway safety; in accordance with policy CS13 of the CSUCP and the NPPF.

#### 5.30 LAND CONTAMINATION

The property has been assessed and inspected as part of the Council's Contaminated Land Strategy and the site is situated on potentially contaminated land based on previous historic uses. The site has been occupied by and is immediately adjacent to hospital buildings since circa 1910 when the area was known as 'Windy Nook Infectious diseases hospital' with the site layout changing since that period.

5.31 Consequently, it is possible that the development area may be affected by ground contamination. Contamination may possibly exist in any historic made ground deposits present, and, from imported fill materials and material used to construct a development platform for the site and buildings.

5.32 The report provides satisfactory information to discharge all relevant land contamination conditions associated with provision of a Preliminary Risk Assessment, and an intrusive site investigation with a Phase II Detailed Risk Assessment, and where required appropriate conditions for Remediation, Monitoring and Verification Reports.

5.33 The Preliminary Ground Investigation report (GEOL20-9493 dated 27.09.20) concludes that there is no land contamination risk to human health and concludes:- Therefore, the topsoil deposits can remain on site without representing a risk towards Human Health, and as a result no remediation measures are required. However, if during the construction phase or works any visual and/or olfactory evidence of grossly contaminated soils are identified, then these will need to be dealt with a reassessment of the ground contamination risk assessment contained within the report will need to be made.

5.34 Therefore, subject to suitably worded condition (condition 10) the proposed development is considered to be in accordance with both local and national planning policy.

#### 5.35 COAL MINING LEGACY

The application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

5.36 Specifically, the Coal Authority records indicate that the application site is underlain by probable unrecorded coal mine workings at shallow depth.

- 5.37 A Coal Mining Risk Assessment (Geoconsultants, 18 October 2020) was submitted with the planning application. The report has reviewed a range of mining and geological information. In addition, the report has reviewed the findings of historical intrusive site investigations undertaken at the site by Dunelm Drilling Company. Based on the findings of intrusive site investigations the report author concludes that there is sufficient competent rock cover and no further assessment with regards to historical shallow coal mine workings is required.
- 5.38 Given the above it considered the proposed development complies with both local and national planning policy and is acceptable.
- 5.39 **OTHER MATTERS**  
Planning Law sets out that retrospective applications can be made although any work undertaken in advance of gaining planning permission would be undertaken "at risk" should permission not be granted, or amendments required.
- 5.40 The trees located within the Hospitals ownership were not covered by a Tree Preservation Order and the site is not within a designated Conservation Area and therefore, the Council as Local Planning Authority (LPA) have no control over the removal of the trees as this was done so outside of the planning process currently being undertaken.
- 5.41 The LPA can only consider the application that is put in front of them and not to recommend the use of other units within the applicant's ownership.
- 5.42 Once the planning application was submitted and made valid a full consultation application was undertaken which included all of the properties located on Windy Nook Road which share a boundary with the application site.
- 5.43 The use of funds both NHS and Taxpayers money and the management of patients from other units within the hospital are not material considerations in determining this planning application.

## **6.0 CONCLUSION**

- 6.1 Taking all the relevant issues into account, it is therefore recommended that retrospective planning consent be granted, as the development has been able to demonstrate that it is acceptable in principle and 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 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 -

SMH RYD 00 00 DR A 1001 P4  
SMH RYD 00 00 DR A 0100 P3  
SMH RYD 00 00 DR A 0101 P4  
SMH RYD 00 00 DR A 3000 P9  
SMH RYD 00 01 DR A 3001 P5  
SMH RYD 00 00 DR A 3601 P4  
SMH RYD 00 R0 DR A 3002 P6  
SMH RYD 00 00 DR A 3602 P3  
SMH RYD 00 00 DR A 3800 P5

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 hereby permitted shall be constructed entirely of the following materials:

Roof - Double Roman concrete tile in Peat Brown finish  
Walls - Red brick  
Windows - Aluminium casement windows, brown finish.  
Doors - Aluminium frames with glazing, brown frame finish.  
Boundary Treatments - Timber fence to the northern boundary. Grass, scrub and parking to the west, south and east.  
Hard Standing - Tarmac

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.

3

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Friday, 0900 hours and 1300 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 the NPPF, saved Policies DC1, DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

Prior to the first occupation of the development hereby approved details of secure and weatherproof cycle parking, capable of storing at least two cycles has been 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.

5

The details approved under condition 4 shall be implemented in accordance with the approved details before the extension hereby approved is occupied and retained as such 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

6

Prior to the first occupation of the development hereby approved final details of an updated car park management plan have been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how the car parking spaces allocated to this development will be managed.

Reason

In the interests of effective use of the car parks, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

7

The details approved under condition 6 shall be implemented in accordance with the approved details before the extension hereby approved is occupied and retained as such 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

8

Prior to the first occupation of the development hereby approved, final details of the highway layout and to include pedestrian access to the Cragside Unit from the wider Queen Elizabeth Hospital site shall be submitted for the written approval of the Local Planning Authority. The final details shall include the final pedestrian crossing points.

Reason

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

9

The Pedestrian Access approved under Condition 8, shall be wholly undertaken in full prior to the first occupation of the development hereby permitted.

Reason

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

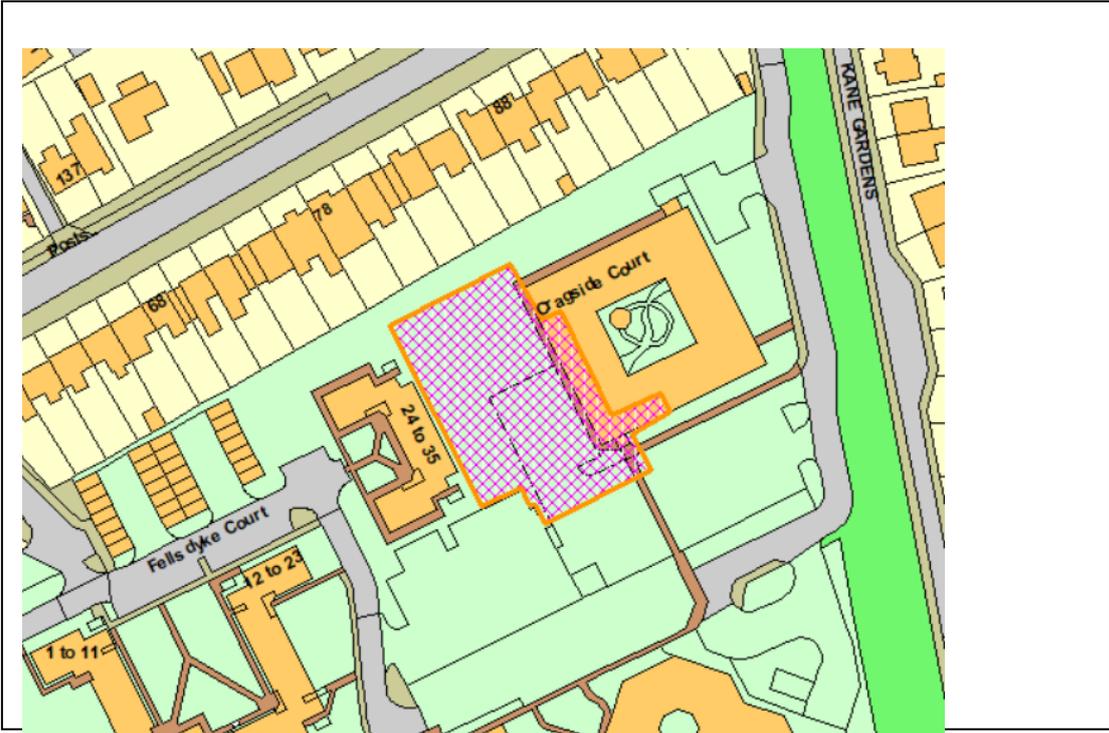
10

Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease, and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been 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 saved policies DC1p and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.



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