

Committee Report

Application No:	DC/21/00133/FUL
Case Officer	Amy Dunbar
Date Application Valid	10 February 2021
Applicant	Mr Jordison
Site:	Land Adjacent 1 Cypress Road Eighton Banks Gateshead NE9 7XE
Ward:	Lamesley
Proposal:	Erection of one 3-bedroom dwelling (amended plans received and description amended 16.07.2021, amended plans received 08.09.2021).
Recommendation:	GRANT
Application Type	Full Application

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

The application site concerns the side garden currently associated with No.1 Cypress Road. The garden features small areas of maintained grassland and hardstanding and a timber shed.

1.2 The site is located immediately adjacent to the road junction leading from Galloping Green Road to Cypress Road. To the south is No.1 Cypress Road which is a residential dwelling. To the west are dwellings on Rosemary Gardens and to the east lies Galloping Green Road with open fields beyond this.

1.3 The application site is not allocated for any particular purpose and lies in a Coal Authority Low Risk Area.

1.4 DESCRIPTION OF APPLICATION

The application seeks to construct one two-storey, 3-bedroom dwelling with the provision of one onsite parking space. In addition, a new onsite site parking space for No.1 Cypress Road is also proposed.

1.5 The proposed dwelling would be of a contemporary design built using red/brown brick and featuring a partial render finish, concrete roof tiles and uPVC windows and doors.

1.6 PLANNING HISTORY

No relevant planning history.

2.0 Consultation Responses

Northumbrian Water Informative

Tyne and Wear Archaeology
Officer No objections

3.0 Representations:

3.1 The Council issued neighbour notification letters to properties surrounding the application site on 1st March 2021. Following the submission of amended plans, neighbours were reconsulted on 21st July 2021.

3.2 6 letters of representation were received following the first round of neighbour notifications and a further 4 letters of representation were received following the second round of notifications.

3.3 In total, 10 letters of representation have been received from 6 households which are summarised below:

- Increase in demand for street parking
- Inadequate car parking
- Increase in traffic/ congestion
- Location of parking spaces would create vehicle manoeuvring difficulties
- Loss of view
- "Area will no longer be quiet and safe"
- Loss of trees
- Out of character with street scene
- Overdevelopment
- Health implications
- Disturbance during construction phase i.e., dust, dirt, contamination, traffic, blocked footpaths
- Increase carbon footprint, vehicle pollution
- Highway safety- pedestrians, horses
- Encourage indiscriminate parking on pavements
- Concerns that emergency services will not be able to access site
- Road damage
- Setting a poor precedent
- Loss of property value
- Loss of light
- Loss of privacy
- Existing parking bay is dangerous
- Development would disturb local wildlife, nature and habitats
- Loss of garden and open space
- Not in an accessible location i.e., public transport
- Proposed dwellings would be "undersized"
- Insufficient garden space provided
- Residential amenity- overlooking
- Overbearing
- Additional noise disturbance

4.0 Policies:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance
CS9 Existing Communities
CS10 Delivering New Homes
CS11 Providing a range and choice of housing
CS13 Transport
CS14 Wellbeing and Health
CS15 Place Making
CS18 Green Infrastructure/Natural Environment
MSGP12 Housing Space Standards
MSGP15 Transport Aspects of Design of Dev
MSGP17 Residential Amenity
MSGP20 Land Contamination/Stability
MSGP24 Design Quality
MSGP36 Woodland, Trees and Hedgerows
MSGP37 Biodiversity and Geodiversity
MSGP48 Waste Management Facilities - New Dev

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, highway safety, ecology, and land conditions.
- 5.2 **PRINCIPLE OF DEVELOPMENT- HOUSING DEMAND AND POLICY**
The application site is not allocated for housing and is therefore classed as a windfall housing site. The site is located within an established residential area where there are recreational and community facilities, such as urban green space and a church, situated nearby. Although the site has a rural feel it is close to public amenities i.e., it is approximately a 10-minute walk away from Wrekenton District Retail Centre where a range of shops and services are provided. The Team Valley Industrial Estate, which is a primary employment area, can be reached in less than 20 minutes by car. In housing policy terms,

the site is considered to be in principle, an appropriate location for a new dwelling.

- 5.3 The proposal would afford a new dwelling to the local housing stock and would therefore contribute towards delivering new housing within Gateshead in accordance with policy CS10 of the Local Plan for Gateshead.
- 5.4 **HOUSING CHOICE**
Policy CS11 specifies that 60% of new private housing across the plan area should be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. Furthermore, Policy CS9 seeks to ensure that existing communities will be sustainable places of quality and choice. This should be achieved by, amongst other things, maintaining a range of housing types and sizes throughout the plan area.
- 5.5 The proposed development would provide a reasonably sized family home with three bedrooms and outdoor space in an established residential area which accords with policy CS9 and CS11 of the Local Plan for Gateshead.
- 5.6 **RESIDENTIAL SPACE STANDARDS**
Policy CS11(4) requires that new residential development provides adequate space inside and outside of the home to meet the needs of residents.
- 5.7 Policy MSGP12 requires new residential development to, at minimum, achieve the Nationally Described Space Standards (NDSS) in order to ensure adequate space is provided inside the home and therefore ensuring new homes are of a high standard and quality. However, the supporting text to MSGP12 (paragraph 5.8) explains that the requirement to comply with the NDSS is to be introduced one year after the adoption of the MSGP (1st February 2021), to allow for a period of transition in accordance with national guidance.
- 5.8 As indicated on the proposed floor plans, the dwelling would provide three bedrooms. The minimum gross internal floor area for a 3-bedroom, 2 storey dwelling with a minimum provision of 4 bed spaces is 84m² including 2.5m² of built-in storage. The floor plans demonstrate that an internal floor area of 86.8m² would be achieved including 3.6m² of built-in storage. Some of the floor space in the loft bedroom would be used for storage only as it would provide a headroom of less than 1.5m. The proposed dwelling would exceed the minimum space requirements for gross internal floor area and built-in storage.
- 5.9 Additionally, the proposed floor plans demonstrate that bedrooms 1, 2 and 3 would exceed the minimum width and floor area requirements necessary for accommodating a double bedroom.
- 5.10 Overall, the proposed dwelling would comply with the technical requirements set out in the NDSS.
- 5.11 It is considered that the proposal presents a spacious, family-sized home that would provide an adequate amount of internal living space for future occupiers which would contribute towards providing a good standard of amenity and is

therefore in accordance with policies CS11 and MSGP12 of the Local Plan for Gateshead.

- 5.12 In terms of housing policy, the principle of the development is acceptable subject to all other material planning considerations being satisfied.
- 5.13 **IMPACT ON VISUAL AMENITY**
The NPPF requires that, amongst other things, new development is sympathetic to local character and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 5.14 The development would be a brick-built dwelling incorporating materials to match those used to construct the surrounding residential properties. The development would also incorporate a mix of hard and soft landscaping to provide a sufficient level of garden space as well as a permeable driveway surface.
- 5.15 In terms of landscaping, the development would feature areas of grassed garden space and some permeable hardstanding to support the driveway and space for storing bins. An existing tree and hedgerow would also be removed. Although this would remove the 'leafy' character of this garden, the tree is not protected by a Tree Preservation Order nor does the hedgerow benefit from protection as its only purpose is to mark the boundary of a private garden. Given this, it would not be reasonable to request that a replacement hedgerow or tree is provided on site. The addition of grassed garden space would contribute towards softening the appearance of the plot therefore a condition has been attached to ensure the soft landscaping scheme proposed on the site layout plan is implemented to protect the visual amenity of the site (condition 4).
- 5.16 With regard to boundary treatment, limited details have been submitted therefore it is considered necessary to condition that a detailed scheme for boundary treatment is submitted to ensure the visual amenity of the site is protected (condition 5).
- 5.17 Consideration has been given to the design of surrounding properties including properties along Cypress Road which feature a prominent front facing gable elevation with a steep roof pitch. The proposed dwelling is not intended to be an exact copy of these properties as it would be a slightly larger detached dwelling, however it does incorporate complementary design features such as the front facing dormer windows which feature steep pitched roof slopes. To ensure the proposed materials would be in keeping with the character of the surrounding area, a condition has been attached relating to the proposed materials (condition 3).
- 5.18 The contemporary design of the development in terms of its layout, form and materials would ensure a good architectural design, therefore it is considered that the development would not have a harmful impact on the character and appearance of the wider street scene in accordance with policies CS15 and MSGP24 of the Local Plan for Gateshead.

5.19 RESIDENTIAL AMENITY

Paragraph 127 of the NPPF requires that planning policies and decisions should ensure that development will achieve a high standard of amenity for existing and future users. This is reflected in local policy CS14 of the CSUCP which requires that the wellbeing and health of communities will be maintained and improved by preventing negative impacts on residential amenity.

5.20 Policy MSGP17 recognises amongst other things, that existing residential areas are vulnerable to amenity issues where building density is increased as a result of the sub-division of curtilages to create new building plots particularly as a result of a loss of privacy and reasonable levels of outlook.

5.21 The proposed dwelling would be situated within 1.2 metres of the side elevation of 1 Cypress Road which features two doors and a non-habitable room window. Furthermore, the proposed side elevation of the new dwelling does not feature any windows or doors. Given this arrangement there would be no scope for overlooking of either property.

5.22 The proposed dwelling has been designed so that it would match the height of existing dwellings along Cypress Road, furthermore the building line of the proposed dwelling would match that of the west elevation of 1 Cypress Road however would project beyond the east elevation of this dwelling by 1 metre. Given the movement of the sun throughout the day in relation to the position of No.1, it is not anticipated that the size and scale of the dwelling would result in a loss of daylight entering habitable room windows or have an overbearing impact on the existing adjacent property.

5.23 Overall, it is considered that the position, size, and scale of the proposed dwelling in relation to 1 Cypress Road would not result in harm to the amenity of residents occupying this property.

5.24 To ensure that acceptable levels of privacy are achieved, The Council's Household Extensions and Alterations Supplementary Planning Document requires that a minimum distance of 21 metres is maintained between main facing elevations containing habitable room windows.

5.25 The nearest main facing elevation is that of 4 Rosemary Gardens which is 22 metres away from the west elevation of the proposed dwelling. Given this separation distance, it is not considered that the development would result in an unacceptable level of overlooking of nearby residential properties.

5.26 The site is located within a residential setting therefore there is likely to be an increase in noise disturbance to nearby residents during the construction phase. Should planning permission be granted it would be necessary to condition the hours of construction (condition 7).

5.27 It is considered that the proposed development would provide an acceptable standard of amenity for neighbouring and proposed occupiers, having regard to light, outlook and privacy. Therefore, it is considered that the proposal is in

accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.28 TRANSPORT AND HIGHWAY SAFETY

The application proposes that one off-street parking space would be provided to serve the proposed dwelling whilst a new off-street parking space would be provided for 1 Cypress Road off Galloping Green Road. This satisfies the minimum parking provision for new residential development and compensates for the loss of the existing parking provision at 1 Cypress Road.

5.29 The parking provision for the proposed dwelling would make use of an existing vehicle access situated on a road bend adjacent to a road junction. It is accepted that this existing parking space is not situated in a desirable position however the application proposes to improve this existing arrangement through optimising visibility either side of the access by removing the hedgerow and reducing any boundary treatment to 1 metre in height. Highways Officers are satisfied that these alterations would create a safer vehicle access to the site.

5.30 With regard to the new vehicle access off Galloping Green Road, Highways Officers have assessed this arrangement and are of the view that a satisfactory level of visibility would be provided to drivers and pedestrians and a new crossing at this location would not create a highway safety concern.

5.31 To ensure that pedestrian and driver visibility is provided, a condition has been attached which requires that no structure or erection over 1 metre in height is constructed within the visibility splays serving both vehicle accesses demonstrated on the submitted layout plan (condition 8).

5.32 Representations have been submitted raising concerns regarding traffic congestion, an increase in demand for street parking around the application site and pedestrian safety concerns as a result of the development. It is considered that the addition of one dwelling would not be significant enough to harm the safe operation of the surrounding highway network or result in a significant increase in the demand street parking given that provision has been made to secure onsite parking.

5.33 The proposed plans demonstrate that secure bike storage would be provided for the new dwelling and the existing dwelling. In order to encourage the use of sustainable transport, a condition has been attached to ensure that this storage is implemented on site (condition 9).

5.34 The proposal would not have any significant additional impact on highway capacity and safety and would provide onsite car parking to the levels set out in the Council's car parking standards. Subject to the provision of cycle parking, the application is in accordance with policies CS13 and MSGP15 of the Local Plan for Gateshead.

5.35 ECOLOGY

The application has been assessed by the Council's Ecologist and it had been determined that the ecological impact of this development would be negligible

as there are limited habitats and features within the site that have the potential to support statutorily protected and priority/notable species.

5.36 It is noted that a hedgerow is present around the boundary of the site therefore in the event that planning permission is granted, an informative regarding the protection of nesting birds should be attached to any grant of permission.

5.37 It is considered that the development would have no significant impact on biodiversity and would be in accordance with policies CS18 and MSGP37 of the Local Plan for Gateshead.

5.38 LAND CONDITIONS- CONTAMINATED LAND

The applicant proposes a sensitive end use of the site therefore a Preliminary Risk Assessment (PRA) has been submitted and the application site has been assessed and inspected as part of the Council's Contaminated Land Strategy.

5.39 The site has been identified as a garden/open space since the construction of the associated dwelling in circa 1920. Prior to this the site was used as agricultural land and has remained undeveloped since that time. Based on its historic use, it is unlikely that the site will be affected by ground contamination.

5.40 The Local Planning Authority is satisfied that no further site investigation works would be required prior to the commencement of the development. The proposal therefore complies with policy CS14 and MSGP20 of the Local Plan for Gateshead.

5.41 LAND STABILITY

The Coal Authority has identified that the site is not situated within a 'Development High Risk Area' therefore it is not anticipated that coal mining legacy issues would pose a risk to the proposed development. If permission were to be granted, it is not considered necessary to condition that a Coal Mining Risk Assessment is carried out at this site as the proposal is in accordance with policy MSGP20 of the Local Plan for Gateshead.

5.42 WASTE MANAGEMENT

It is considered that the plot is of ample size in which to store wheeled bins and the site has sufficient access to the existing road for emptying therefore the proposal is in accordance with policy MSGP48 of the Local Plan for Gateshead.

5.43 OTHER MATTERS

Objections have been put forward which concerns matters that are not considered material planning issues. These are:

-loss of property value

-loss of an open view

-health implications of development

-setting a poor precedent

These matters have not been considered as part of this assessment.

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.

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 –

NP/10170-100 Site Location Plan Revision A

NP10170 110 Revision E Proposed Plans and Elevations

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

Development shall not commence above damp-proof course level until details of all materials, colours and finishes to be used on all external surfaces have been submitted to and subsequently approved in writing by 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 and Policies CS15 and MSGP24 of the Local Plan for Gateshead.

4

The landscaping scheme demonstrated in plan no. 'NP10170 110 Revision E Proposed Plans and Elevations' shall be implemented in accordance with the approved details within the first available planting season (October to March) and shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any grass which fails to establish shall be re-established.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and in accordance with the NPPF and Policies CS15 and MSGP24 the Local Plan for Gateshead.

5

Prior to the commencement of works to install/remove boundary treatment, a fully detailed scheme for the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

Reason

To ensure the satisfactory appearance of the development in the interests of the visual amenity of the area and in the interests of highway safety in accordance with the NPPF and Policies CS13, CS15, MSGP15 and MSGP24 of the Local Plan for Gateshead.

6

The boundary treatment approved under condition 5 shall be implemented in accordance with the approved details.

Reason

To ensure the satisfactory appearance of the development in the interests of the visual amenity of the area and in the interests of highway safety in accordance with the NPPF and Policies CS13, CS15, MSGP15 and MSGP24 of the Local Plan for Gateshead.

7

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 1700 hours on Mondays to 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 and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

8

No structure or erections exceeding 1 metre in height shall be placed within the 2m x 2m visibility splays demonstrated on drawing number NP10170 110 Revision E (Proposed Plans and Elevations).

Reason

In the interests of highways safety in accordance with Policies CS13 and MSGP15 of the Local Plan for Gateshead.

9

Prior to the first occupation of the dwelling, secure and weatherproof cycle storage, capable of storing at least one bicycle, shall be provided on site and thereafter permanently retained.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policies CS13 and MSGP15 of the Local Plan for Gateshead.

10

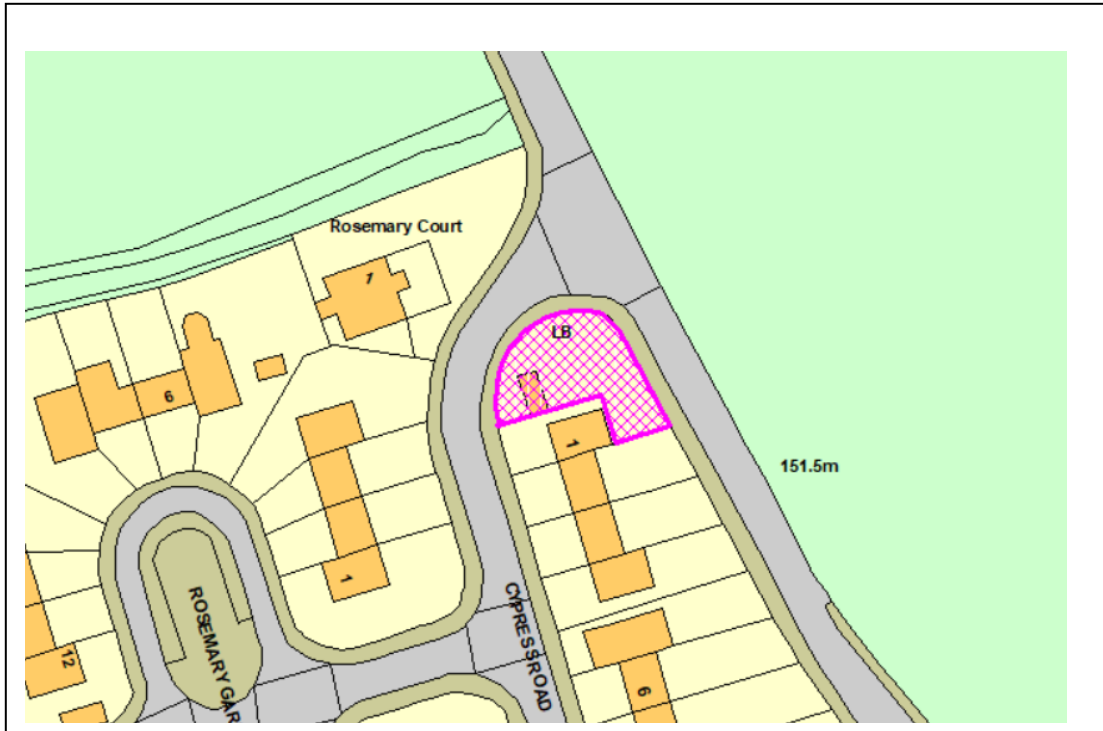
In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

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 CS14 and MSGP20 of the Local Plan for Gateshead.



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