

Committee Report

Application No:	DC/20/01075/FUL
Case Officer	Amy Dunbar
Date Application Valid	20 January 2021
Applicant	Mr Ricki Hutchinson
Site:	Site of Old Carr Hill Clinic Carr Hill Road Gateshead
Ward:	Deckham
Proposal:	Proposed construction of four, two-bedroom residential dwellings (description and plans amended 29.06.2021, plans amended 01.10.2021, 15.10.2021 and 28.10.2021).
Recommendation:	GRANT
Application Type	Full Application

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

The application site is a rectangular parcel of land formerly occupied by Carr Hill Clinic which has since been demolished.

1.2 The site is a corner plot located immediately adjacent to the road junction leading from Carr Hill Road to Ilford Place. The north boundary is shared with 5 Ilford Place and 72 Kingston Road and the west boundary with 85b Carr Hill Road, all of which are residential dwellings. The east and south boundaries lie adjacent to Ilford Place and Carr Hill Road, respectively, with residential dwellings 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 four two-storey, 2-bedroom dwellings with the provision of four onsite parking spaces.

1.5 The proposed dwellings would be of a contemporary design built using red brick, grey concrete roof tiles and uPVC windows and doors.

1.6 RELEVANT PLANNING HISTORY

DC/17/00302/DEM prior approval required and approved for demolition of former single storey Health Centre. Dated 27th April 2017.

2.0 Consultation Responses:

Tyne and Wear Archaeology Officer No objections

Tyne and Wear Fire and Rescue Service No objections

3.0 Representations:

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

3.2 No representations have been received.

3.3 The application has been referred to Planning and Development Committee as the applicant is related to a member of staff within the Local Planning Authority.

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

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

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 and land conditions.
- 5.2 **PRINCIPLE OF DEVELOPMENT- HOUSING DEMAND AND POLICY**
The application site is brownfield land that is not allocated for housing and can therefore be considered as a windfall housing site. The site is located within an established residential area where there are recreational and community facilities, such as a play park and a primary school, situated nearby. The site is approximately 300 metres away from Old Durham Road Local Retail Centre where a range of shops and services are provided. The site is also easily accessible by public transport and is well linked to key road networks. In housing policy terms, the site is considered to be in principle, an appropriate location for new residential development.
- 5.3 The proposal would afford four dwellings 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 dwellings would each have 2 bedrooms therefore would not meet the target set out in Policy CS11 however it is recognised that this is a borough wide target therefore not every new dwelling would have to comply with this standard.
- 5.6 The latest results of the Housing Delivery Test (HDT) show that the only 63% of Gateshead's Local Housing Need (LHN) is being delivered in the Borough. For this reason, it is considered that the principle of the development would be acceptable as despite not providing homes with 3 or more bedrooms, the development would have the potential to increase housing delivery across Gateshead.
- 5.7 **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.
- 5.8 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.

- 5.9 As indicated on the proposed floor plans, the dwellings would provide two bedrooms each. The minimum gross internal floor area for a 2-bedroom, 2 storey dwelling with a minimum provision of 3 bed spaces is 70m² including 2m² of built-in storage. The floor plans demonstrate that an internal floor area of 73.6m² would be achieved including 1m² of built-in storage. The proposed dwelling would exceed the minimum space requirements for gross internal floor area and although the floor plans do not identify a further 1m² of built-in storage, it is considered this requirement would be met given that the internal floor area exceeds the minimum requirement.
- 5.10 The proposed floor plans demonstrate that bedrooms 1 and 2 would exceed the minimum width and floor area requirements necessary for accommodating a double bedroom.
- 5.11 It is considered that the proposal presents four reasonably sized homes 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.
- 5.12 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.
- 5.13 The wider street scene consists of a range of house types built during various points in time. The most predominant house types are red brick, semi-detached properties gradually built between c.1938- 1966, some of which feature white cladding and a pebble dash finish. Other house types within the street scene include a late 19th century terrace of stone-built properties while immediately adjacent to the site lies a pair of c.1970 semi-detached properties which feature assorted hanging tiles and minimal exposed red brick.
- 5.14 The proposed development would consist of a terrace of brick-built dwellings of a uniform and modern design. In terms of layout, the dwellings would be set back from the footpath edge on Carr Hill Road by two metres to ensure suitable spacing is provided between the proposed dwellings and the road frontage. Furthermore, the development would incorporate a mix of hard and soft landscaping to provide a sufficient level of garden space as well as a car park to the east of the dwellings. Given that the surrounding street scene features a variety of house types with differing site layouts, it is considered that the proposed design and layout of the dwellings would not have a harmful impact on the character and appearance of the wider area.
- 5.15 To ensure that appropriate materials are incorporated into the built environment, a condition has been attached requiring details of all materials,

including hardstanding, to be submitted to the Local Planning Authority (Condition 3).

- 5.16 With regard to landscaping contained within the plot boundaries, the development would feature areas of grassed garden space. 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 5).
- 5.17 With regard to soft landscaping contained outside of the plot boundaries, a condition has been attached requiring details of the proposed planting and hard landscaping (condition 6).
- 5.18 Limited details of the proposed boundary treatment have been provided therefore it is considered appropriate to condition that a fully detailed scheme for boundary treatment is submitted in order to protect the visual amenity of the site and to ensure the boundary treatment is not of a height/design that would be detrimental to the safety of pedestrians (condition 8).
- 5.19 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.
- 5.20 RESIDENTIAL AMENITY
Paragraph 130 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.
- 5.21 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 achieved between main facing elevations containing habitable room windows and 13 metres between such elevations and a gable elevation. Although only strictly applicable to when houses are to be extended, these dimensions can be helpful in providing a benchmark for use in new build situations too.
- 5.22 The nearest residential dwelling to the application site is 85b Carr Hill Road. The side elevation of this property, which is a blank elevation with the exception of a small non habitable room window, would be situated within 3.1 metres of the side elevation of plot 1 which would be a blank gable elevation. Given this arrangement, there would be no scope for overlooking of either property.
- 5.23 The separation distances afforded between other nearby properties and the proposed development would exceed the minimum distances set out in the Household Extensions and Alterations SPD therefore it is considered that the development would ensure both existing and future occupiers an acceptable level of light, outlook and privacy.

- 5.24 The development would ensure that the proposed dwellings are of a suitable size, incorporating a sufficient level of outdoor amenity space as well as spacing between the site and existing adjacent properties therefore it is not considered that the proposal would result in overdevelopment of the site.
- 5.25 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 10).
- 5.26 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.
- 5.27 **TRANSPORT AND HIGHWAY SAFETY**
The application proposes that four off-street parking spaces would be provided to serve the proposed dwellings within a small car park accessed off Ilford Place. This satisfies the minimum parking provision for new residential development.
- 5.28 With regard to the new vehicle access off Ilford Place, 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 vehicle access at this location would not pose a risk to the safety of pedestrians using the adjacent footpath.
- 5.29 To ensure that pedestrian and driver visibility is secured, a condition has been attached which requires that no structure or erection over 0.6 metre in height is constructed within or around the perimeter of the south east corner of the site or within the visibility splays demonstrated on the submitted site layout plan (condition 11).
- 5.30 The proposed plans demonstrate that secure bike storage would be provided at each new 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 12).
- 5.31 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 compliance with conditions, the application is in accordance with policies CS13 and MSGP15 of the Local Plan for Gateshead.
- 5.32 **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.

5.33 The site was formerly occupied by an NHS clinic which has now been demolished. Based on its historic use, it is likely that the site will be affected by ground contamination as a result of imported fill materials used to construct a development platform and/or from building materials.

5.34 The PRA recommends that an intrusive site investigation is carried out to identify possible contamination and areas that will require remedial works. The Local Planning Authority concur with the report findings therefore relevant conditions regarding land contamination have been attached. Subject to compliance with these conditions, the proposal is considered to be in accordance with policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.35 **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 any intrusive site investigation works are carried out with regard to coal mining legacy. The proposal is in accordance with policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.36 **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.

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 Climate Change, Compliance, Planning and Transport 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 –

2005/A/001 Revision G

2005/A/002 Revision H

2005/A/003 Revision K

DTP/3707021/ATR001 Revision E

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, including areas of hardstanding, have been submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To ensure the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and Policies CS15 and MSGP24 of the Local Plan for Gateshead.

4

The development hereby approved shall be implemented in accordance with the external materials specified and approved under Condition 3.

Reason

To ensure the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and Policies CS15 and MSGP24 of the Local Plan for Gateshead.

5

The landscaping scheme demonstrated in plan no. 2005/A/001 Revision G 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.

6

Prior to the first occupation of the site, a fully detailed scheme for landscaping outside of the plot boundaries shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

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.

7

The landscaping scheme approved under condition 6 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 vegetation 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.

8

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.

9

The boundary treatment approved under condition 8 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.

10

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.

11

No structure or erections exceeding 0.6 metre in height shall be constructed within or around the south east corner of the development site as well as within the visibility splays demonstrated on drawing number DTP/3707021/ATR001 Revision E.

Reason

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

12

Prior to the first occupation of the first 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.

13

Prior to the commencement of the development, a Phase 2 Intrusive Investigation and Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

The site investigation should collect and analyse soil samples throughout made ground and natural ground strata to maximum planned excavation depths and include an assessment to test for the presence and likelihood of ground gas emissions.

The site investigation will identify potential contamination and possible areas, which may require remedial works in order to make the site suitable for its proposed end use. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS

10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

Reason

To ensure that risks from land contamination to the future users of the site 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 the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

Reason for pre-commencement condition

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would be been otherwise necessary to refuse the whole permission.

14

Unless otherwise approved in writing by the Local Planning Authority and prior to the commencement of the development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 the National Planning Policy Framework and Policy MSGP20 of the Local Plan for Gateshead.

Reason for pre-commencement condition

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would be been otherwise necessary to refuse the whole permission.

15

Unless otherwise approved in writing by the Local Planning Authority and prior to the commencement of the development, the contaminated land remediation measures shall be implemented in complete accordance with the details approved under Condition 14.

Reason

To ensure that risks from land contamination to the future users of the site 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 the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

Reason for pre-commencement condition

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would be been otherwise necessary to refuse the whole permission.

16

If land contamination remediation measures are deemed necessary, following the completion of these approved remediation measures and prior to the first use of the development, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to the Local Planning Authority for written approval.

Reason

To ensure that risks from land contamination to the future users of the site 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 the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

17

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

