

**Committee Report**

<b>Application No:</b>	<b>DC/22/00490/FUL</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>9 May 2022</b>
<b>Applicant</b>	<b>Mr John Deshi</b>
<b>Site:</b>	<b>Valley View Residential Home Burn Road NE21 6DY</b>
<b>Ward:</b>	<b>Winlaton And High Spen</b>
<b>Proposal:</b>	<b>Conversion of former residential care home to 13 flats (use class C3) (Phase 2) (amended 29/05/22, 12/06/22, 29/06/22, 05/09/22 and 09/01/23, and additional information received 21/07/22 and 21/12/22).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:**

**1.1 DESCRIPTION OF THE SITE**

The application relates to part of the former Valley View Residential Home. The application site is located on the corner of Burn Road and North Street in Winlaton. Land levels on site are flat and both pedestrians and vehicles access the site via a single access to the north via Burn Road.

1.2 The buildings on site are two-storey in a height and are of traditional construction finished in render and tile. There are residential properties located to the west of the applications site and a mixture of commercial and residential properties to the south.

**1.3 DESCRIPTION OF THE PROPOSAL**

The application seeks full planning permission for the conversion of part of the former residential care home to 13 flats. The application describes the proposal as 'Phase 2', owing to the fact planning permission has already been secured for the conversion of the western wing of the building into 18 assisted living units (Use Class C3) in 2019 (DC/18/01101/COU). Application DC/18/01101/COU remains extant as a lawful commencement has taken place, as a result of demolition work to the rear of the building.

1.4 The application proposes only minor alterations to the externals of the premises, these include the removal of a door and window within the front elevation and the replacement with a new entrance door, the removal and repositioning of an access door, the installation of three security doors, and repair (where necessary). There are, however, changes to the site access and car park proposed, including the demolition of a detached garage located to the south of the existing building.

1.5 The application is accompanied by the following documents:

- Design and Access Statement; and
- Flood Risk and Drainage Assessment.

1.6 PLANNING HISTORY

The planning history relevant to the current application is set out below;

- DC/18/01101/COU; Planning permission granted for 'Part Change of use and conversion from Care Home to 18 Assisted Living Units (Use Class C3)' Date; 21 February 2019.

**2.0 Consultation Responses:**

Northumbria Police No objection.

Tyne and Wear Fire and Rescue No objection.

**3.0 Representations:**

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015 including neighbour letters, site notice and press notice.

3.2 No representations have been received.

**4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS17 Flood Risk and Waste Management

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP24 Design Quality

MSGP29 Flood Risk Management

## **5.0 Assessment:**

5.1 The detailed planning considerations are the principle of the proposed development, the impact on design, residential amenity, flood risk, drainage, highway safety, open space and play area provision and CIL.

### **5.2 PRINCIPLE**

The site, in question, is not allocated for any specific use, and therefore the development of the site for residential purposes would form a windfall site.

5.3 In order to promote the development of a good mix of sites, paragraph 69(c) of the NPPF advises that local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

5.4 The latest results of the Housing Delivery Test (HDT) show that 87% of homes required are being delivered in the Borough. The proposed development would provide additional dwellings which would be a positive factor.

### **5.5 Reuse of Empty Property**

Part 3 of policy CS9 of Local Plan seeks to bring empty properties back into use. The proposed conversion of the former care home into flats would be consistent with this aim.

### **5.6 Range and Choice of Housing**

Local Plan policy CS11(1) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). The proposal is for the change of use from a care home to 13 one-bedroomed flats, which does not satisfy this policy objective. However, it is acknowledged that the scope for increasing the number of bedrooms is constrained by the footprint of the existing building and the potential viability of the scheme. As such, while the proposal couldn't be considered to fully accord with Policy CS11, it is not considered to be harmful and/or prejudicial to the delivery of the Local Plan.

### **5.7 Space standards**

Policy CS11(4) of the Local Plan requires adequate space inside and outside of the home to meet the needs of residents and Policy MSGP12 also sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). The proposed development would fully comply with NDSS and would comply with the requirements of Policy CS11(4) and MSGP12.

### **5.8 DESIGN ISSUES**

The application does not propose any significant alterations to the building, nor does it propose any significant alterations to the carpark. It does result in the loss of a small area of landscaping to the rear of the premises to accommodate an area of additional parking. However it is considered that the development is

sympathetic to the surrounding area and would not appear out of keeping with the existing housing stock and other buildings as a result. The scheme is acceptable from a design perspective and accords with the design aims and objectives of the NPPF, and policies CS15 and MSGP24 of the Local Plan.

#### 5.9 RESIDENTIAL AMENITY ISSUES

As referenced within the design section above, the application does not seek to make any significant changes to the fabric of the existing building. As such, the application does not propose the insertion/installation of any additional windows or doors.

5.10 In terms of the impact on 15 and 16 Riding Lea located to the west of the site, the building on site is located approximately 19.5 metres from the main rear elevations of these properties. However, it is noted that the windows in the elevations facing these properties formally served bedrooms, both at ground and first floor levels. Further, it was noted from a site visit that there is a strong boundary treatment of high planting which exists along the shared boundary between the site and these properties. As such, it is considered that the former arrangement would have resulted in some level of impact on the amenity of the occupiers of 15 and 16 Riding Lea, although not to an unacceptable degree.

5.11 Further to the above, the application proposes the removal of an area of landscaping to the rear of the premises, this is to allow the provision of 11 parking spaces. It is proposed that these spaces would be accessed via an access to the south of the building, following the demolition of an existing detached garage. It is considered that physical works associated with the creation of the car parking area are unlikely to impact on the amenities of existing and/or future occupiers.

5.12 However, it is noted that the carparking area would introduce a level of vehicle movements and the 'comings and goings' associated with these movements. As such, it is considered some impact on existing occupiers of 15 and 16 Riding Lea and future occupiers of the development. It is the view of officers, that the impact of these movements on the occupiers of 15 and 16 Riding Lea could be limited to an acceptable degree through the retention of the existing boundary treatment and associated planting. Further, it is considered that occupiers of proposed development would be aware of the proposed parking solution prior to occupying, this plus the fact the carpark is unlikely to be used to a significant extent during sensitive hours is adequate to ensure no unacceptable impact would occur.

5.13 The submitted plans do not currently show the retention of the planting and as such a conditions are required, these conditions are to require the submission of a new parking layout showing the retention of the hedge, the retention of an appropriate parking space size and circulation aisle, and grading of land (as required) (Conditions 14 – 17).

5.14 Following on from the above, it is considered that the change of use to apartments would have a similar level of impact on the occupiers of 15 and 16 Riding Lea in terms of overlooking and noise production. As such, it is

considered that the development couldn't be considered to worsen any existing impacts and the proposal would be acceptable on this basis.

- 5.15 In terms of impact on 43 and 45 North Street, it is considered that the proposed development would not impact to any unacceptable degree on these properties or their occupiers. This is because of the offset relationship with the application site.
- 5.16 Furthermore, there is a commercial premises located to the south of the site in a form of a petrol filling station and repair garage. It is considered that the separation afforded between the building on the application site and the commercial use is adequate to ensure that no unacceptable impact would occur. This view also takes into consideration the trading hours of the garage i.e. between 0700 and 1900 Monday to Saturday and between 0900 and 1800 on a Sunday.
- 5.17 It is considered that construction works associated with the development could impact on the living conditions of adjacent neighbours. It is recommended that conditions be imposed that would limit the construction hours of the development (Condition 3).
- 5.18 Based on the above, it is considered that the development is acceptable on balance from a residential amenity point of view and accords with the aims and objectives of the NPPF, and Policies CS14 and MSGP17 of the Local Plan.
- 5.19 **TRANSPORT ISSUES**  
The application site has good accessibility to Winlaton Local Shopping Centre and local public transport services.
- 5.20 It would usually be expected for residential development to provide parking at a minimum ratio of one space per dwelling and visitor parking at a ratio of one space per four dwellings. Therefore, based on the combined number of units across Phases 1 and 2, there would an expectation for a total of 31 spaces plus eight visitor spaces. The layout provided by the applicant provides a combined total of 30 spaces. As set out in the amenity section above, it is considered that the rear carparking area needs to be amended to protect residential amenity. It is considered that these changes are acceptable from a highways perspective subject to the submission and approval of an amended layout plan (Conditions 14 – 17).
- 5.21 However, Officers note the fact that the applicant has omitted a single unit from the development in order to provide 32 secure cycle spaces, three electric vehicle charging spaces are to be provided and that the applicant intends to make changes to rationalise and improve the site access; all of which could be secured via planning conditions (Conditions 4 to 9).
- 5.22 Therefore, while the development would fall short on parking levels, when appropriate weight it afforded to the location of the site in relate to the local centre and public transport connections, and the sustainability credentials of

the development it is considered that the development is acceptable in transport terms.

5.23 Based on the above assessment and subject to conditions, it is considered that the proposed development would comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

5.24 FLOOD RISK/DRAINAGE

A drainage assessment has been submitted and it has been demonstrated that a workable drainage solution for the site is achievable, as such the delivery of the drainage system should be secured through planning conditions (Condition 10 and 13).

5.25 Subject to the above planning condition the proposal is considered to be acceptable from a flood risk and NPPF and Policies CS17 and MSGP29 of the Local Plan for Gateshead.

5.26 OPEN SPACE/PLAY PROVISION

The site is within a ward (Winlaton and High Spen) which is not deficient in public open space, and the relevant accessibility standards are also met given the location nearby areas of public open space. As such this is in accordance with the policy requirements of MSGP40 and it is unlikely that open space contributions would be required.

5.27 Within the ward there is a small deficiency of play space, MSGP40.1b requires the provision of play facilities to the equivalent of 0.07ha per 1,000 residents therefore there is a requirement for approx. 8sqm of play space when calculated using the play space standard. Given the complexities of the site i.e., the need to parking levels to achieved and the fact the proposal requires the conversion of an existing building, limited usable green spaces has been provided.

5.28 While limited green space has been provided, for the reasons set out above it is considered that the proposal would not fully comply with Policy MSGP40 of the Local Plan, but remains acceptable.

5.29 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is for housing related development. The development is located within a charging zone with a levy of £0 per square metre for this type of development.

**6.0 CONCLUSION**

6.1 It is considered that the development would bring about a number of benefits such as the reuse of a vacant building and a boost to the borough's housing stock. Taking all other relevant issues into account, it is considered that the proposed development is acceptable; the proposal (subject to planning

conditions) is considered to accord with the aims and objectives of both national and local planning policies.

6.2 Given the above, it is recommended that planning permission be granted subject to the planning conditions set out below.

**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

Unless otherwise required by condition attached to this permission, the development shall be carried out in complete accordance with the approved plan(s) as detailed below -

03B - Proposed South Block Ground Floor Plans

04A - Proposed South Block First Floor Plans

05A - Existing & Proposed Elevations

05B - Existing & Proposed North Elevations

SD02B - Proposed Site Plan

SD02 C - Site Access 1:100

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

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

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.

4

Notwithstanding the approved plans, prior to the first occupation of any unit hereby approved final details of the amended site access shall be submitted to and subsequently approved in writing by the Local Planning Authority. The details shall include details of levels, details surface finishes, an autotrack drawing showing the access can accommodate a standard car turning left into the site and a timetable for implementation.

Reason

In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

5

The site access shall be installed in full accordance with the details and timetable for implementation approved under Condition 4.

Reason

In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

6

Notwithstanding the submitted details, prior to the first occupation of any unit hereby approved final details of cycle storage include details of the locking mechanism, anchor point and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

7

The cycle storage provision shall be installed in accordance with the details and timetable for implementation approved under Condition 6.

Reason

In the interests of sustainable development and in order to accord with NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

8

Notwithstanding the submitted details, prior to the first occupation of any unit hereby approved detailed specifications of the electric vehicle charging units/points, spaces and a timetable for implementation shall be submitted for approval by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

9

The electric vehicle charging facilities shall accordance with the details and timetable for implementation approved under Condition 8.

Reason

In the interests of sustainable development and in order to accord with NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

10

Prior to occupation of any unit hereby approved, a detailed drainage scheme shall be submitted to the Local Planning Authority for approval. An accompanying report shall present the findings of investigation and assessment of existing drainage at the site to confirm the level of service it currently provides. The proposed drainage scheme shall ensure that runoff from all existing and proposed runoff areas are managed in line with current best practice with no flooding for 1in30year return period rainfall events and the safe accommodation of runoff for 1in100year return period rainfall events, allowing for the predicted effects of climate change over the lifetime of the development.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and Policies CS17 and MSGP29 of the Local Plan for Gateshead.

11

The development shall be undertaken in full accordance with the drainage scheme approved at condition 10.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and Policies CS17 and MSGP29 of the Local Plan for Gateshead.

12

Prior to first occupation of any unit hereby approved a Drainage Maintenance Plan (DMP) shall be submitted to and agreed by the Local Planning Authority. The DMP should include a site plan identifying ownership and responsibility for all drainage components together with a maintenance schedule and inspection checklist. The DMP should identify any drainage components that may require replacement within the lifetime of development and a strategy for their renewal.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and Policies CS17 and MSGP29 of the Local Plan for Gateshead.

13

The drainage system approved under Condition 10 shall be managed and maintained in full accordance DMP approved under Condition 12.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and Policies CS17 and MSGP29 of the Local Plan for Gateshead.

14

Notwithstanding the approved plans, prior to the commencement of the development hereby approved, final details of the carparking for the site shall be submitted to and subsequently approved in writing by the Local Planning Authority. In regard to the parking area to the rear of the premises, the submitted details shall clearly demonstrate the retention of existing boundary treatments and planting, an appropriate parking bay and circulation aisle size and regrading of land (where required) and a timetable for implementation.

Reason

In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

15

The site access shall be installed in full accordance with the details and timetable for implementation approved under Condition 14.

Reason

In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

16

Prior to the first use of the rear carparking area, a maintenance schedule for the retained planting shall be submitted to and approved in writing by the Local Planning Authority.

Reason

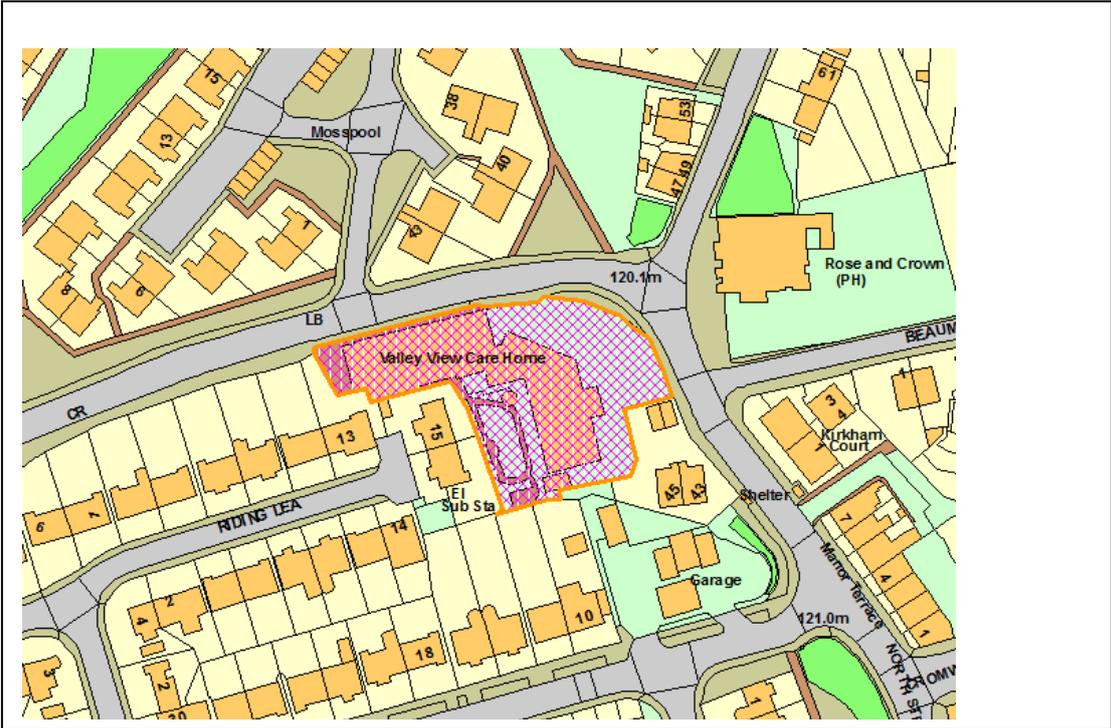
In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.

17

The retained planting shall be maintained and managed in full accordance with the maintenance schedule approved under Condition 16 for the lifetime of the development.

Reason

In the interests of highway safety and to comply with the requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan.



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