

Delegated Decision Report

Application No:	DC/18/01183/FUL
Case Officer	Lois Lovely
Date Application Valid	27 November 2018
Applicant	Sunderland Talmudical College
Site:	Sunderland Talmudical College Prince Consort Road Gateshead NE8 4LP
Ward:	Saltwell
Proposal:	VARIATION of condition 1 of DC/18/00494/FUL to allow for the use of render instead of cladding.
Recommendation:	GRANT
Application Type	Full Application

The Application:)

DESCRIPTION OF THE SITE

The building is the former Education Offices originally erected in the late 19th century and is included on the Council's Local List. It occupies a prominent location on the crossroads of Prince Consort Road and Shipcote Lane and is directly adjacent to and to the north of the Shipley Art Gallery, which is grade II listed. It is a 3 storey building occupying a 195sqm sloping, corner site bounded to the north by Prince Consort Road and to the west by Shipcote Lane.

It is a red brick building with contrasting terracotta detailing with Dutch gables and intricate window surrounds to the front and 2 main side elevations with stone dressings and a welsh slate roof in an elaborate Flemish style. The roof in particular is of significance and contributes much to the overall architectural composition of the building. Due to the corner position of the site at the crossroads and its relationship to the Shipley Art Gallery, the building has three principle elevations.

The rear elevation is plain with a mix of flat and hipped roofs, exposed service pipe work and external fire escape stairs.

The external space is largely given over to grass on its two main road frontages with a vehicular access off Shipcote Lane to the side/rear which accesses a 4 space staff car park and concreted service area. A sycamore tree growing within the car park of the Shipley Art Gallery overhangs the southern shared boundary and the existing fire escape.

The Sunderland Talmudical College occupies the building. The Sunderland Talmudical College, as the name suggests, originated in Sunderland in 1946, one of

many such colleges established to continue and replace the great seats of Jewish Learning lost in Eastern Europe during the holocaust. It relocated to the heart of the thriving Jewish community in Gateshead in 1988, occupying the former Education offices, which are still its home today.

The college offers education in Jewish learning and knowledge to boys ranging in age from 16 to 22, of the 100 boys on the roll at any one time, 80% either live in residential rooms on site or in nearby college houses, the remainder attend from nearby in the local community.

In recent years the existing building has been altered internally to accommodate the changing educational needs. A large Study Hall has been accommodated on the ground floor by amalgamating many smaller rooms, which in turn have been replaced by converting basement areas into classrooms.

This application seeks to address the need for more separate teaching spaces and better catering and dining facilities.

DESCRIPTION OF THE PROPOSAL

The original approval DC/18/00494/FUL vertically broke up the building elevational treatment to reflect the strong banding features of the original building with the use of robust brick to reflect the existing materials and metal standing seam cladding above this to give a clean modern appearance. This application seeks to vary the cladding and replace it with render.

PLANNING HISTORY

00374/87 Change of use from education offices to Girls High School. Granted 09.06.1987

00899/88 Erection of 1.65m close boarded timber fence around boundary of college (retrospective application). Refused 07.10.1988

00258/89 Widening to 4.6m of existing vehicular access to college premises from Shipcote Lane (variation to access width of 5.5m required by condition 3 of planning permission 921/87). Granted 04.04.1989

DC/16/00009/FUL The erection of a single storey rear extension to accommodate improved kitchen and dining facilities, the alteration of the former kitchen dining area to create new teaching rooms and additional toilet accommodation (amended 25/02/16, 18/03/16 and 11/04/16 and amended plan and additional information received 16/03/16). Granted 11th April 2016

DC/17/00845/FUL Erection of 2-storey extension with half basement to the rear to accommodate improved kitchen /dining facilities and additional bedroom accommodation, alteration of former kitchen dining area to form new teaching rooms and additional toilet accommodation. Withdrawn 13th September 2017

DC/18/00494/FUL Erection of two storey rear extension (as amended 12.07.2018) Granted 23rd July 2018

Consultation Responses:

Representations:

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

A site notice was posted at the site on 6th December 2018 and a notice was published in the local press on the 12th December 2018 in order to alert the public to the submission of the planning application. Letters were sent to nearby properties.

No representations have been received.

Policies:

NPPG National Planning Practice Guidance

ENV3 The Built Environment - Character/Design

NPPF National Planning Policy Framework

ENV18 Locally Listed Buildings

DC2 Residential Amenity

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

Assessment of the Proposal:

Having established the principle of the development through the granting of planning permission DC/18/00494/FUL it is considered the main issue in this case is the impact on visual amenity.

This application seeks to vary the cladding and replace it with render. Subject to the colour and texture of the render it is considered that this treatment is acceptable and will also create a clean modern appearance to the extension.

It is not considered the proposed amendment would have a harmful impact on the original building, the extension or Shipcote Terrace / Prince Consort Road street scape.

This is in accordance with the NPPF, policy ENV3 of the Unitary Development Plan and policy CS15 Core Strategy and Urban Core Plan.

The varied condition would read as follows:

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

- 17143 06 proposed site and roof plan
 - 17143 07 proposed lower ground floor plan
 - 17413 08 proposed ground floor plan
 - 17143 09 proposed first floor plan
 - 17143 10 A proposed rear elevation
 - 17143 11 A proposed side elevation
 - 17143 12 A proposed side elevation
 - 17143 13 Bin and Bike Store
 - 17143 14 section A-A
- SunTaiColl/01/002 Rev 0 proposed drainage

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.

CONDITIONS

This application seeks to vary condition 1 of planning permission DC/18/00494/FUL, and so it would result in a new grant of planning permission for the whole development, therefore the existing conditions attached to planning permission DC/18/00494/FUL need to be considered to determine whether they are still necessary and/or need to be reworded. None of the previous conditions have been discharged therefore they will need to remain as worded and reattached to the new grant of planning permission.

CONCLUSION

Taking all relevant issues into account, it is recommended that planning permission should be granted as the proposed variation to condition 1 is considered acceptable and in accordance with local and national planning policy.

Recommendation:

That permission be GRANTED subject to the following condition(s)

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

17143 06 proposed site and roof plan
17143 07 proposed lower ground floor plan
17413 08 proposed ground floor plan
17143 09 proposed first floor plan
17143 10 A proposed rear elevation
17143 11 A proposed side elevation
17143 12 A proposed side elevation
17143 13 Bin and Bike Store
17143 14 section A-A
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Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 22nd July 2021.

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 progress above damp proof course until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are 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, Saved Policies DC2, ENV3 and ENV18 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The development shall be completed using the materials approved under Condition 3 and retained as such in accordance with the approved details thereafter.

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, Saved Policies DC2, ENV3 and ENV18 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

5

The development hereby permitted, shall be constructed wholly in accordance with the recommendations of the Drainage Strategy prepared by Charles Thompson of Novo55 Consulting dated 3rd May 2018, prior to the first occupation of the extension.

Reason

In order to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

6

No development approved by this Planning permission shall be commenced until an intrusive site investigation is undertaken, and a Phase II Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase II Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. 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.

The Risk Assessment should confirm possible pollutant linkages and should provide, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

Ground gas monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with recommendations for ground gas mitigation measures.

Reason for condition

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and agreed prior to the commencement of the development.

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

7

The recommendations of the intrusive site investigation and the Phase 2 Risk Assessment Report approved under condition 6 shall be implemented prior to commencement of the development hereby permitted.

Reason for condition

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

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The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and agreed prior to the commencement of the development.

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

8

Prior to commencement of the development hereby permitted, where required, 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 submitted for the written approval 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.

NB The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape areas.
Reason for condition

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and agreed prior to the commencement of the development.

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

9

The details of remediation measures approved under condition 8 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Prior to commencement of the development hereby permitted, where required, 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 submitted for the written approval

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.

NB The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape areas.

Reason for condition

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and agreed prior to the commencement of the development.

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

10

Following completion of the remediation measures approved under condition 8 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

11

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 shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by 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 DC1, and ENV54 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

12

The use of the Dining Hall for functions not associated with the normal day to day college activities, shall be restricted to between 07:00 and 23:30 hours unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable operating hours at the premises in accordance with Policies DC1, DC2 and ENV61 of the Unitary Development Plan and CS14 of the CSUCP.

13

No loudspeakers, juke boxes or other equipment for the reproduction of music or other sound shall be installed or operated on the premises until a scheme to insulate the premises in order to secure the reduction in the level of noise emanating from the building has been submitted to and approved in writing by the Local Planning Authority. The equipment shall not be installed or operated until the approved insulation measures have been implemented and thereafter permanently retained.

Reason

To ensure no disturbance to nearby premises due to the emission of unreasonable levels of noise from the premises and in accordance with Policy DC1, DC2 and ENV61 of the Unitary Development Plan

14

The bin and cycle store indicated on drawing 17143 13 hereby approved shall be erected and retained as such in accordance with the approved details thereafter, before the development hereby approved is first brought into use.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

No development or any other operations shall commence on site until a scheme of pruning and for the protection of the existing trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. In particular a scheme of pruning for the sycamore tree within the grounds of the Shipley Art Gallery car park shall be submitted for the consideration and written approval of the Local Planning Authority.

The scheme must include a plan clearly showing the location and specification of the protective fencing to be used. The approved protective fencing must be installed prior to the commencement of the development and thereafter retained intact for the full duration of the construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason for condition

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on the trees to be retained by ensuring the trees are retained and protected before the development commences.

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

16

The scheme of tree pruning approved under condition 15 shall only be undertaken with the presence of the Council Tree Officer on site

