

Delegated Decision Report

Application No:	DC/17/00479/FUL
Case Officer	Tracy Long
Date Application Valid	8 August 2017
Applicant	Mr S Miller
Site:	High Spen Excelsior Club Ramsay Street High Spen Rowlands Gill NE39 2EL
Ward:	Winlaton And High Spen
Proposal:	Demolition of two storey social club and attached dwelling, followed by erection of four dwellings with associated parking (amended 06/12/18).
Recommendation:	Grant Permission
Application Type	Full Application

The Application:

DESCRIPTION OF THE SITE

The application site is the former High Spen Social Club at the junction of Pawston Road and Ramsay Street. The site is occupied by a large building which is now currently vacant. The site is situated within a prominent position at the northern end of High Spen village. The surrounding area is predominantly residential in character. To the north and east of the site are allotments with open countryside beyond. To the south of the site is housing and to the west of the site is an industrial estate.

DESCRIPTION OF THE APPLICATION

This planning application proposes to demolish the existing former social club building and redevelop the site for housing. The proposed housing is 4 terraced houses (1 x 2 bed house and 3 x 4 bed houses).

RELEVANT PLANNING HISTORY

There is no relevant planning history.

Consultation Responses:

Northumbria Water Have no comments to make.

Jennifer Morrison Tyne No archaeology issues.
And Wear Archaeology
Officer

Coal Authority

No objection subject to a pre commencement condition securing further site investigations and remedial works to ensure the safe stability of the development.

Representations:

The Council sent 91 letters to neighbouring properties as well as displaying a notice adjacent to the site when the application was originally submitted in 2017. No representations were received at this time.

The Council re-notified all of the neighbouring properties in December 2018 when amended plans were received.

One representation was received from 14 Front Street in response to the amended plans. This representation stated that the proposed development will be a vast improvement over the existing derelict building there. Concerns were raised regarding the parking and whether four parking spaces is enough for houses proposed.

Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

H4 Windfall and Small Housing Sites

H5 Housing Choice

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR20 Local Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

ENV3 The Built Environment - Character/Design

ENV46 The Durham Biodiversity Action Plan

ENV54 Dev on Land Affected by Contamination

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

Assessment of the Proposal:

The main material planning considerations are considered to be the principle of housing on this site, design issues, residential amenity, highway safety, the impact on ecology and the potential for contaminated land.

NPPF

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

WINDFALL HOUSING

The application site is not allocated for any specific purpose on the Council's Local Plan Policies Map 2015. As such it is considered that the principle of developing this site for housing should be assessed against saved policy H4 in the Council's Unitary Development Plan (UDP), which relates to windfall housing sites. Council officers consider that the principle of developing this site, which is within a predominantly residential area for housing is acceptable, subject to all other material planning considerations being satisfied.

FAMILY HOUSING

Policy CS11 of the Council's Core Strategy and Urban Core Plan (CSUCP) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with 3 or more bedrooms). Saved policy H5 of the Council's Unitary Development Plan (UDP) also seeks to improve the choice of housing in Gateshead. This development proposes 1 x 2 bed home and 3 x 4 bed homes which provides family homes and therefore accords with policy CS11 of the CSUCP and saved policy H5 of the UDP.

DESIGN ISSUES

The proposed design and layout of the housing development is considered to be acceptable. The redevelopment of this site for housing will also bring positive benefits of tidying up what is currently a vacant building / site therefore improving the character and appearance of the site and surrounding area.

Planning conditions will be necessary to approve the external materials and boundary treatment of the development in the interest of good design. Subject to these planning conditions it is considered that the proposed development is acceptable from a design point of view and accords with the design aims and objectives of the NPPF, saved policy ENV3 of the UDP and policy CS15 of the Core Strategy and Urban Core Plan.

RESIDENTIAL AMENITY

Given the remaining distances between the proposed houses and the existing properties surrounding the site, as well as taking into account the existing relationship between the existing club building and adjacent properties, it is considered that the development would not cause any significant harm to the living conditions of adjacent residents or the living conditions of future occupiers of the proposed houses through loss of light, overshadowing, visual intrusion or loss of privacy.

The proposed development is therefore considered to be acceptable from a residential amenity of view and accords with the aims and objectives of the NPPF, saved policy DC2 of the UDP and policy CS14 of the CSUCP, which seek to protect residents living conditions.

Access

The amended proposed site access from Pawston Lane provides increased visibility and is considered to be acceptable from a highway safety point of view.

Traffic Generation

Council officers are of the opinion that the traffic movements associated with four new houses would be limited and could be accommodated on the surrounding roads.

Car Parking Provision

Four car parking spaces are proposed within the site for the residents of the four houses, which can be accessed from the new proposed access from Pawston Road. The proposed parking layout within the site could result in double parking and vehicles reversing out onto the road, which could be a danger to highway safety. To address this issue officers consider that

planning conditions are necessary to agree and provide a "keep clear - hatched area" behind the four car parking spaces within the site.

No visitor parking spaces have been provided within the site. Officers are of the opinion that visitors to the development can park on the surrounding roads.

The proposed parking provision is therefore considered to be appropriate for the development and the site.

Cycle Parking Provision

The submitted plans show that each house has an external cycle storage shed in their garden. Planning conditions have been recommended to agree the final details of the cycle parking provision to ensure that it is appropriate in terms of being secure and weatherproof.

Bin Storage /Collection

All of the proposed houses have space for the storage of wheeled bins with easy access to wheel the bins out onto the pavement to be collected.

Subject to the above highway related conditions, the proposed development is therefore considered to be acceptable from a highway safety point of view and accords with the aims and objectives of the NPPF, policy CS13 and of the Council's CSUCP and the Council's Cycling Strategy.

ECOLOGY

A bat and barn owl survey has been submitted as part of this application. This report confirms that there is no evidence of roosting bats or barn owls within the building.

A longstanding kestrel (Birds of Conservation Concern Amber List) roost was observed on the northeast aspect of the building. The roost is formed by a large overhang which affords a high level of protection from the elements. Immediately adjacent the kestrel perch/roost is a small aperture which potential affords access into the interior of the building.

A bat informative has been recommended to ensure that the developer is aware of the possible presence of non breeding bats in the building during the demolition phase of the development.

Mitigation is also proposed to address the loss of the longstanding kestrel roost in the form a single pole mounted kestrel box to be installed close to the development site.

Planning conditions have been recommended to agree the final details and location of the proposed pole mounted kestrel box to ensure the details are appropriate.

Subject to the above but informative and planning conditions the proposed development is considered to be acceptable from an ecology point of view and accords with the aims and objectives of the NPPF, saved policies DC1(d), and ENV46 of the UDP and Policy CS18 of the CSUCP.

LAND CONTAMINATION

Council officers are of the opinion that the likelihood of ground contamination existing is low - however some contamination may exist. A Phase 1 Desk study report which examines ground contamination has been submitted as part of this planning application.

The desk top study report recommends that a site investigation is undertaken on site following the demolition of the building to establish the actual site conditions. Council officers agree with the recommendation of this report.

Given that the site is considered to be potentially contaminated and given the future sensitive residential land use, pre commencement planning conditions will be required to ensure that intrusive site investigations with a Phase II detailed risk assessment and where required remediation, monitoring and verification reports are carried out.

Subject to these planning conditions the proposal is acceptable from a contaminated land point of view and accords with the aims and objectives of the NPPF, saved policies DC1(p) and ENV54 of the Council's UDP and policy CS14 of the CSUCP.

COAL MINING ISSUES

The application site is within a Coal Authority defined "Development High Risk Area". Therefore within the site and surrounding area there are coal mining features and hazards which need to be considered.

A Coal Mining Risk Assessment Report has been submitted as part of this planning application. This report recommends the carrying out of further ground investigations to establish the presence of shallow coal mine workings on the site and whether any remediation measures are required.

The Coal Authority agrees with these recommendations and has confirmed that they have no objection to the development subject to pre commencement planning conditions securing the further site investigation works including gas monitoring and remediation works.

Subject to such planning conditions it is considered that the proposed development would not be at risk from past coal mining in the area and would accord with the aims and objectives of the NPPF, saved policies DC1(p) and ENV54 of the Council's UDP and policy CS14 of the CSUCP.

OPEN SPACE/PLAY PROVISION

Saved policies H13 and H15 of the Council's UDP require new residential development to contribute towards open space and play provision. This is based on the anticipated population of the development and is based on the standards of open space and play provision required per population under saved policies CFR20, CFR28, CFR29 and CFR30 of the UDP.

The NPPG (Paragraph: 031 Reference ID: 23b-031-20161116) is clear that tariff style contributions should not be sought from residential developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1000sqm.

While it cannot be concluded that the proposed development would comply with saved policies H13, H15, CFR20, CFR28, CFR29 and CFR30 of the UDP, it is considered it is not possible to require any contribution for either play or open space in this case based on the above assessment.

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 not CIL chargeable development as it is not for qualifying retail or housing related. As such no CIL charge is liable.

CONCLUSION

Taking all the relevant issues into account, including the comments made a local resident, it is considered that the proposed development is acceptable from a planning point of view and accords with both national and local planning policies.

It is therefore recommended that planning permission be granted subject to the conditions below.

Recommendation:
GRANT permission

1

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

4214	site location plan
4214 rev F	proposed site plan
4214 rev C	proposed elevations (north and south)
4214 rev A	proposed elevations (west and east)
4214	proposed roof plan

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

No external materials for the development hereby approved shall be used on site until samples of the materials, colours and finishes to be used on the 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 in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policy 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.

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

5

Notwithstanding the submitted plans, no development shall commence on the provision of the new car parking area for the development until a revised car parking layout which shows a "keep clear" or "hatched markings" to the rear of the car parking spaces to restrict double parking within the site has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

6

Prior to the occupation of any of the houses hereby approved the revised car parking area approved at condition 5 shall be provided in accordance with the approved details and retained thereafter.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

7

Notwithstanding the details on the submitted drawings, no cycle parking facilities shall be provided on site until details of the secure and weatherproof cycle parking facilities for each dwelling has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate provision for cyclists in accordance with the NPPF and policy CS13 of the Council's Core Strategy and Urban Core Plan and the Council's Cycling Strategy.

8

The cycle parking provision approved under condition 7 shall be provided in accordance with the approved details for each dwelling prior to that dwelling being occupied.

Reason

To ensure adequate provision for cyclists in accordance with the NPPF and policy CS13 of the Council's Core Strategy and Urban Core Plan and the Council's Cycling Strategy.

9

Prior to the building being demolished a scheme for the provision of a replacement pole mounted kestrel box close to the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To provide suitable replacement opportunities for roosting kestrel in accordance with the NPPF and policy CS18 of the Core Strategy and Urban Core Plan.

Reason For Pre Commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that suitable replacement opportunities for roosting kestrel can be provided prior to the existing roosting facilities in the building being lost when the building is demolished.

10

Prior to any of the houses hereby approved being occupied, the replacement pole mounted kestrel box shall be provided in accordance with the scheme approved at condition 9.

Reason

To provide suitable replacement opportunities for roosting kestrel in accordance with the NPPF and policy CS18 of the Core Strategy and Urban Core Plan.

11

Prior to the commencement of development (other than demolition of existing buildings) an intrusive site investigation, (as recommended in the James Christopher Phase 1 desk top

study report dated 22/5/17 and the Coal Authority) shall be undertaken, and a Phase 2 Risk Assessment report of the findings submitted to and approved in writing by the Local Planning Authority.

The site investigation and Phase 2 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.

Reason

In order to ensure that risks from land contamination are minimised and the land is suitable for its residential end use in accordance with the NPPF, saved policies DC1(p) and ENV54 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the site investigations and remediation after works have commenced on building the houses.

12

Prior to the commencement of the development (other than demolition of existing buildings) a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, land stability and other property must be submitted to and approved in writing by 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.

A minimum of 1.15m of 'proven' uncontaminated 'clean cover' is required in all soft landscape areas.

Reason

In order to ensure that risks from land contamination are minimised and the land is suitable for its residential end use in accordance with the NPPF, saved policies DC1(p) and ENV54 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the site investigations and remediation after works have commenced on building the houses.

13

Prior to any of the dwellings being constructed the remediation scheme approved under condition 12 shall be implemented in accordance with the approved details.

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

Reason

In order to ensure that risks from land contamination are minimised and the land is suitable for its residential end use in accordance with the NPPF, saved policies DC1(p) and ENV54 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

14

Following completion of the remediation measures approved under condition 12 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to the individual dwellings being occupied.

Reason

In order to ensure that risks from land contamination are minimised and the land is suitable for its residential end use in accordance with the NPPF, saved policies DC1(p) and ENV54 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

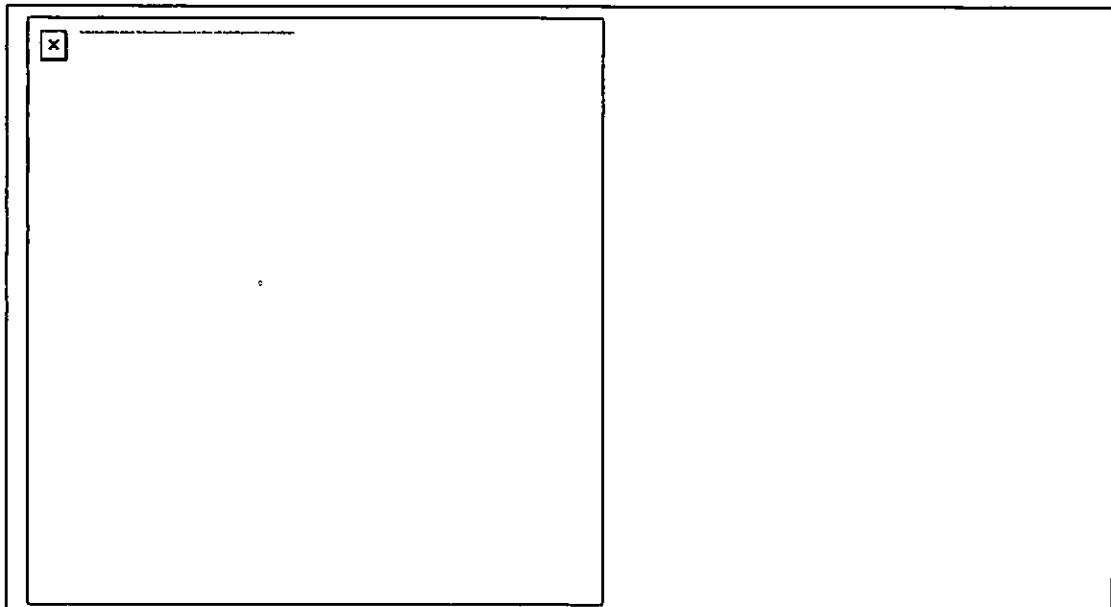
In the event that contamination is found at any time when carrying out the development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is considered necessary by the Local Planning Authority a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, prior to development continuing.

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 prior to the dwellings being occupied.

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

In order to ensure that risks from land contamination are minimised and the land is suitable for its residential end use in accordance with the NPPF, saved policies DC1(p) and ENV54 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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Team Leader <i>[Signature]</i>	Date <i>17/2/19</i>
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