RECOMMENDATION REPORT

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| Application No: | 14/01191/FUL |  |

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| Printed: | 15 March 2021 | Date Authorised to proceed: | 30 September 2014 |

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| Author: | Rebecca Andison | 🕿: | 0191 643 6321 |
| Date valid: | 31 July 2014 | Decision Type: | Committee Decision |
| Target decision date: | 25 September 2014 | Ward: | Preston |
| Date of Site Visit: | 13 August 2014 |  |  |
| Committee Date: | 29 September 2014 |  |  |

Application type: full planning application

Location: 24 Front Street Preston North Shields Tyne And Wear NE29 9LH

Proposal: Change of use from a single dwelling into 2no dwellings with associated external alterations including proposed flat roof dormer window

Applicant: Mr William McDowell, 259 Durham Road Low Fell Gateshead Tyne And Wear NE9 5AB

Agent: GW Architectural Design, FAO Mr Gary Wheatley 15 St Ronans View Low Fell Gateshead Tyne And Wear NE9 7TF

RECOMMENDATION: Application Permitted

INFORMATION

**This application was presented to Planning Committee on 16.09.2014 but was deferred to allow a site visit to be carried out. The additional information received since the previous committee meeting is set out in bold.**

1.0 Main Issues

1.1 The main issues in this case are:

1. Principle of the proposal;
2. Impact on neighbour’s living conditions;
3. Character and appearance;
4. Car parking and access.

2.0 Description of the Site

2.1 The application relates to a south facing mid-terrace property situated within a residential area of North Shields. The property was once occupied by a retail unit and flat but was converted into a single dwelling over 20 years ago.

2.2 The property has been extended to the rear, where there is a large flat roofed 2-storey offshot and a single storey extension. Adjoining the extension is a single storey annexe.

2.3 There is a small yard/garden to the rear, which is accessed via a narrow lane off North Road.

2.4 The 2no adjoining properties (No.’s 23 and 25 Front Street) are single dwellings. To the west, beyond the access lane, are terraced flats and to the north west is a Scout Hall and residential dwelling. To the north are detached properties on Pennyfine Close.

3.0 Description of the Proposed Development

3.1 Permission is sought to convert the property into 2no residential dwellings. The main property on Front Street would be retained as a **4/5 bedroom dwelling and the rear annexe would be used to create a new 3no bedroom dwelling. The main property has the fifth bedroom accessed via a small stair case in the fourth bedroom.**

3.2 External alterations are proposed to the rear of the property. It is proposed to construct a flat roofed dormer window in the west facing roofslope of the rear annexe. 3no rooflights are proposed in the eastern roofslope.

3.3 It is also proposed to install new windows, doors and replacement cladding to the side elevation of the annexe.

3.4 3no parking spaces are proposed at the rear of the property within the existing yard/garden.

4.0 Relevant Planning History

12/01527/FUL: Change of use to form 1no. five bedroom HMO property and 1no. three bedroom dwelling with loft conversion including flat roof dormer window to side elevation on rear and creation of 3 car parking spaces to the rear. (Part Retrospective)

Withdrawn 03.12.2012

06/01034/FUL: Sub-division of dwelling to form a new dwelling to the rear of the property. Provision of paved garden area comprising two car parking spaces Permitted 17.07.2006

85/01633/FUL: Erection of 2no. terrace Mews houses and garages

Permitted 10.12.1985

82/00466/FUL: Change of use from garage/store to lounge and erection of porch at rear

Permitted 20.04.1982

75/00570/FUL: Conversion of shop and flat to dwelling house

Permitted

5.0 Development Plan

North Tyneside Unitary Development Plan (adopted March 2002)

Direction from Secretary of State under paragraph 1(3) of Schedule 8 of Town and Country Planning and Compulsory Purchase Act 2004 in respect of policies in the North Tyneside UDP (August 2007).

6.0 Government Policy

National Planning Policy Framework (March 2012)

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is for a change of use from a single dwelling into two dwellings with associated external alterations including proposed flat roof dormer window. The site is located on Front Street, Preston Village with vehicular access via the rear lane. Whilst it is noted that the applicant is including three parking spaces as part of the proposal, these spaces will be difficult to manoeuvre given the constraints of the rear lane. Nonetheless, it is considered that a potential small increase in the number of vehicles associated with the site would not be severe in terms of highway and road safety terms and could be accommodated on the highway in the vicinity of the site. For these reasons and on balance, approval is recommended.

1.3 Recommendation - Approval

1.4 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlpt

1.7 Manager of Environmental Health (Contaminated land)

1.8 No objection in principle. No alteration to the existing building footprint.

1.9 Manager of Environmental Health (Pollution)

1.10 I would recommend conditions to control construction hours and to control dust

HOU04

SIT03

1.11 Landscape Architect

1.12 There is some planting within the rear yard but it is of very low amenity value and I would not object to the application on the basis of this being removed. The yard is not in a prominent location and the planting consists of 2 large shrubs (ornamental species) which would not be worthy of a Tree Preservation Order.

2.0 Councillor Comments

2.1 Councillor David Sarin has requested that the application is determined by Planning Committee and has asked for speaking rights. He considers that the proposal is over development and that the proposed car parking is completely unacceptable.

3.0 Representations

3.1 31no letters of objection have been received from surrounding properties, users of the Scout Hall and Preston Residents Association. The following concerns are raised:

- Inappropriate design.

- Inadequate parking provision.

- Loss of privacy.

- Loss of residential amenity.

- Nuisance – disturbance, dust/dirt, fumes, noise.

- Out of keeping with surroundings.

- Poor traffic/pedestrian safety.

- Poor/unsuitable vehicle access.

- Traffic congestion.

- Precedent will be set.

- The house has been badly maintained for several years.

- The owners have consistently expressed their wish to convert the property into HMO accommodation.

- An application for HMO use has been previously submitted.

- The true intention is not to use the property as 2no residential dwellings.

- Work has already been carried out.

- The plans submitted do not correspond with the actual existing layout.

- Overdevelopment of the site.

- Access to the rear lane is too tight – there is not space for vehicles and pedestrians.

- Out of character with the rest of the village

- Adverse impact on the safety of access to the Scout Hall. The alley is used by 70no children and adults to access the hall.

- The Scout Hut is accessed from the rear where fire doors lead directly onto the lane. The fire doors could be blocked.

- There is no space for vehicles to turn within the back lane.

- Highway safety risk to people entering and leaving the Scout Hall.

- Safety risk to children from increased traffic and inadequate space for the proposed parking spaces.

- Could jeopardise the Scout group if parents’ concerns over safety are founded

- Disturbance during building work.

- Fire risk and difficult access for fire brigade.

- Area has previously been flooded. Drainage is not able to cope.

- Water will flow down the private lane between Thornton House and 6 Pennyfine Close.

- The sewage system may not be able to cope.

- Inadequate consultation. The Scout Hut and nearby residents were not notified.

- Parking spaces will block No.23’s garage.

- Noise from the parking area will adversely affect bedrooms of 6 Pennyfine Close.

- Overlooking from the dormer window.

- Loss of light and privacy to rear sitting room and bathroom windows of 1 Moor Crest Terrace.

- Loss of 2no trees from the garden.

- Inadequate outlook for future residents.

**An additional 12no letters of objection have been received to give a total of 43no objections. The following additional concerns are raised:**

**- I have heard that the property is being converted to a Bail Hostel.**

**- This is inappropriate for the location close to a school, scout hall, public baths and park, and a safety to concern for parents.**

**- I object to 24 Front Street, Preston Village being converted into a Bail Hostel.**

**- The property is extremely close to the local Scout Hut and is surrounded by a high school, swimming pool, rugby and football fields as well as a play park for young children.**

**- Locating a Bail Hostel in Preston Village is potentially placing young and old at great risk. Residents will potentially live in fear from the individuals coming and going from the property.**

**- There are plenty of other locations which would be very much more suited to these types of individuals.**

**- It is totally unbelievable that North Tyneside Council who claim to maintain high standards in Child and vulnerable adult protection can consider placing a hostel in a village which has so many amenities for the young and the elderly.**

**- The authorisation of such a change of use for this property makes a mockery of CRB checks.**

**- I am aware of similar properties within the North Tyneside Area and many create excessive noise (late at night), regular police attendances and increase criminal activity.**

**- Any decision should be delayed until all residents of Preston Village are fully informed as it appears at present that the majority of residents have not been properly informed.**

**- The plans are exactly the same as those proposed in 2012 except 2no separate residences are proposed instead of multi occupancy.**

**- Residents need to know that if the current planning permission is granted that any change to multi occupancy will be notified and those concerned will have the chance to comment.**

**- Tradesmen have been working in the house, and residents with first hand knowledge say the house is being prepared for multi occupancy.**

**- Consideration of this application should be delayed until the current position is established.**

**- If 4 bedsits are proposed that could mean four vehicles outside in an already overcrowded street.**

**- Neighbouring residents will be applying for a Council tax reduction if a bail hostel is approved.**

**- It is obvious that Preston Village is now considered unimportant as shown by the broken pavements, weeds and potholes.**

3.2 A petition has been submitted against the development containing 4no signatures.

3.3 A letter has been received from Alan Campbell MP. Mr Campbell states that he understands the proposal will have a considerable impact on neighbours, in particular the Scouts Group, and raises concern that insufficient consultation has been carried out. He asks for the application to be put on hold and further consultation carried out, to give interested parties time to have their say, and that the application goes before full planning committee.

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

7.1 The main issues in this case are:

- Principle of the proposed development;

- Impact on residential amenity;

- Impact on character and appearance;

- Parking and access.

8.0 Principle of the Proposed Development

8.1 The NPPF operates under a presumption in favour of sustainable development. It states that development proposals which accord with the development plan should be approved without delay. Housing applications should be considered in the context of the presumption in favour of sustainable development. The reuse of previously developed land is encouraged.

8.2 Policy H5 of the UDP states that housing development on sites not identified for this purpose in the UDP (March 2002) will only be approved where the site is on previously developed land, acceptable in terms of its impact on the site (including local amenity, environment and adjoining land uses) and can be accommodated within the existing infrastructure necessary to facilitate the proposal.

8.3 The application site is located within a predominantly residential area and is already in residential use. There are a mixture of flats and dwellings within the immediate area.

8.4 The main dwelling facing Front Street is of a sufficient size to accommodate a 4-bedroom dwelling and provide a good standard of accommodation. Accommodation within the rear annexe is more limited in size. However the accommodation includes an adequate kitchen, bathroom, bedrooms and living area. In officer opinion the standard of amenity provided for future occupiers is acceptable

8.5 Members need to determine whether the proposal is acceptable in principle and accords with the NPPF, and Policy H5 of the UDP. Officer advice is that the principle of subdividing the property is 2no dwellings, and the standard of accommodation proposed, are acceptable.

9. 5-year Housing Land Supply

9.1 Paragraph 47 of National Planning Policy Framework (NPPF) requires Local Planning Authorities to identify and maintain a rolling five-year supply of deliverable housing land and to include at least a 5% buffer to housing requirements to ensure choice and competition in the market for housing land.

9.2 Paragraph 49 of the NPPF sets out that relevant development plan policies for the supply of housing will not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

9.3 Work is still ongoing to establish an adopted housing target for the borough. Latest evidence indicated a minimum potential five year housing land supply target between 2013/14 and 2017/18 and including a 5% buffer of 3,565 new homes.

9.4 North Tyneside’s total potential five year housing land supply identified within the September 2013 Housing Land Supply Assessment, is 2,614 homes (including delivery from sites yet to gain planning permission). There is therefore a shortfall of 951 homes. The Council therefore does not have an identified 5 year supply of housing land, and remains dependent upon further approvals of planning permission to achieve and subsequently maintain its housing supply.

9.5 If planning approvals are not granted for sites which do not have any adverse impacts which significantly and demonstrably outweigh the benefits of the development, this will undermine the Council’s ability to achieve the required supply going forward.

10.0 Impact on the Amenity of Surrounding Residents

10.1 Policy H11 seeks to resist proposals that would have an adverse impact on the amenities of the occupiers of surrounding land and property. Other matters that are taken into account are the scale and mass of the proposal and the relationship to its site and surroundings.

10.2 DCPS No.9 set out the material considerations to be taken into account when determining applications for residential extensions. These include the effect on the amenity of neighbouring occupiers in terms off loss of light, outlook and privacy.

10.3 It is proposed to convert the property into 1no **4/5-**bedroom dwelling and 1no 3-bedroom dwelling. The new 3-bedroom property is located within the rear annexe. The property was last occupied as a **4/5**-bedroom residential dwelling with the annexe used as a study.

10.4 31no letters of objection have been received. The concerns raised include loss of privacy, noise/disturbance and harm to highway safety.

10.5 The development creates an additional dwelling and therefore represents an intensification of use. However in officer opinion the additional noise and disturbance associated with 1no new dwelling would not result in a significant loss of amenity to surrounding residents. The impact on parking and highway safety is discussed later in this report.

10.6 A dormer window is proposed in the west facing roofslope. The proposed dormer faces the rear elevation of No.1-2 Moor Crest Terrace. It is offset slightly from this property and is located approximately 15m from the main rear elevation. There would be some additional overlooking of No.1-2 but the separation distance is similar to that provided between other properties in the area. In officer opinion the loss of privacy would not be significant.

10.7 Members must determine whether the impact on the amenity of neighbouring residents is acceptable. It is officer advice that the impact on residential amenity is acceptable.

11.0 Character and Appearance

11.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

11.2 Policy H11 of the North Tyneside Council Unitary Development Plan (adopted March 2002) seeks to ensure a high standard of design. Policy H11 stipulates that the local planning authority will take into account (amongst other things) the scale, density, massing, construction, landscaping and materials to be used in any proposal.

11.3 With regard to dormer windows DCPS No.9 states that dormer windows on those parts of a dwelling, which front a highway, are generally discouraged. In all cases large flat roofed dormers should be avoided and traditionally designed modest dormer windows will be encouraged when considered necessary.

11.4 LDD11 ‘Design Quality’ applies to all planning applications that involve building works. It states that extensions must offer a high quality of design that will sustain, enhance and preserve the quality of the built and natural environment. It further states that extensions should compliment the form and character of the original building.

11.5 External alterations are proposed to the rear extension and annexe. A flat roofed dormer window, velux windows and new windows and doors are proposed.

11.6 The front elevations of properties on Front Street retain much of their original character but the rear elevations have been extensively altered. The host property has a large flat roofed 2-storey offshot and there are numerous examples of flat roofed extensions in the immediate vicinity, including a flat roofed dormer at No.25 Front Street.

11.7 The dormer faces the rear access lane and will be visible as the rear of the site is approached from North Road. However the main front elevation of the property will not be affected and when taking into account the screening provided by neighbouring buildings the impact on the streetscene will not be significant.

11.8 Officer advice is that the flat roofed design of the proposed dormer is acceptable when taking into account the prevalence of other flat roofed extensions in the immediate area, and the location of the dormer at the rear of the property. The new/replacement windows and doors, and rooflights will have minimal impact on the appearance of the site.

11.9 A parking area is proposed to the rear of the property within the existing yard/garden. The Landscape Architect has advised that the existing planting is of low amenity value and does not object to the shrubs being removed.

11.9 Members must determine whether the impact of the external alterations on appearance of the site of the character of the area is acceptable.

12.0 Car Parking and Access

12.1 NPPF states ‘Development should only be prevented or refused on transport grounds where the residual impacts of development are severe’.

12.2 Policy T11 states that parking requirements will in general be kept to the operational maximum and should include adequate provision for people with disabilities and special needs.

12.3 LDD 12 Transport and Highways SPD sets out the Council’s adopted parking standards.

12.4 The proposed dwellings are provided with 3no parking spaces at the rear of the site. The proposed spaces directly abut the access lane.

12.5 Under LDD12 a total of 5no parking spaces are required for the proposed development (3no for a **4/5**-bedroom dwelling, and 2no for a 3-bedroom dwelling).

12.6 One of the main concerns raised by local residents is the impact on highway safety and on-street parking/congestion.

12.7 The Highway Network Manager has commented on the application and recommends approval. He notes that the proposed parking spaces do not meet standard dimensions but does not consider that the development would result in significant harm to highway safety.

12.8 The property was last occupied as a **4/5**-bedroom dwelling with no off-street parking. Taking this into account it would not be reasonable to insist on parking provision for the proposed **4/5-**bedroom dwelling. However 2no spaces are required for the additional 3-bedroom dwelling.

12.9 3no parking spaces are proposed but access to one of the spaces is highly restricted, leaving 2no useable spaces. In officer opinion the provision of 2no spaces for the proposed 3-bedroom property is acceptable. It is noted that residents must reverse directly onto the highway. However this is not uncommon for properties with yards/garages abutting rear access lanes.

12.10 The NPPF states that for a development to be refused on highway grounds the impact must be severe. In officer opinion 1no additional property is unlikely to generate such a significant increase in highway congestion or parking problems that would have a severe adverse impact on highway safety. A condition is recommended to require the provision of a revised layout plan to show 2no parking spaces.

12.10 Members need to determine whether sufficient access and parking would be available and whether this proposal would accord with policies T4, T6, T11 and LDD12. Officer advice is that the impact on highways safety is acceptable.

13.0 Conclusion

13.1 Members need to determine whether the proposal is acceptable in principle, whether the impact on residential amenity is acceptable and whether it will have a detrimental impact on the character of the area or highway safety.

13.2 It is officer advice that the proposal complies with policy and the application is recommended for approval.

RECOMMENDATION: Application Permitted

Conditions/Reasons:

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| 1 | In accordance with approved plans | MAN01 |  |

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| 2 | Standard Time Limit 3 Years FUL | MAN02 |  |

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| 3 | Materials External Surfaces to Match | MAT01 | H11 and DCPS No.9 |

4. Notwithstanding the details shown on the approved plans, no parking shall be provided at the rear of the site, and the trees and garden shall be retained.

 Reason: In the interest of highway safety; having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

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| 5 | Refuse Storage Detail Provide Before Occ | REF01 | H11 |

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| 6 | Restrict Hours No Construction Sun BH | HOU04 |  |

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| 7 | Materials Surfaces Schedule Before Devel | MAT04 | H11 |

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| 8 | Permit Devel Withdrawn Dwellings | PD01 | A,B, D and EH11 |

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Informatives

Building Regulations Required ()

Do Not Obstruct Highway Build Materials ()

Advice All Works Within Applicants Land ()

No Doors Gates to Project Over Highways ()

Highway Inspection before dvlpt ()