

## **DELEGATED REPORT / CASE OFFICER'S ASSESSMENT**

**Ref No:** ST/0429/17/FUL

**Proposal:** Following the approval of application ref: ST/0088/17/PNCU to change the use of the application site into 43 two-bedroomed residential apartments/duplexes, planning consent is now sought for the conversion works associated with this change of use. The proposed works include window and door reconfigurations, west facing balconies, roof terraces, roller shutters to new ground floor garages to the east elevation. Bin stores and 1.8 metre high railings and sliding gates to enclose the site. Improvements to the existing car park with associated landscaping and the relocation of the existing traffic calming measures (road narrowing, bollarding and speed cushioning) on Long Row.

**Location:** 30-31 & 32  
Long Row  
Market Dock  
South Shields  
NE33 1JA

**Site Visit Made:** 20/06/17

### **Relevant policies/SPDs**

- 1 DM1 - Management of Development (A, B, G, K)
- 2 SPD6 - Parking Standards
- 3 SPD9 - Householder Developments

### **Description of the site and of the proposals**

30-31 Long Row are two connected office buildings and to their north is 32 Long Row, which is a smaller free-standing office building. They were all built at the same time built, during late 2007 / early 2008, alongside their car parking and landscaping.

The prior approval determination established that the buildings may be re-developed as 43 residential apartments and it considered issues relating to transport and highway impacts of the development, contamination risks on the site, flooding risks on the site and impacts from noise from commercial premises on the intended occupiers; as set out in the prior approval legislation.

This planning application relates to proposed alterations to the appearance of the buildings, site layout and also some highways alterations as described above and shown on the submitted plans. There have been some very minor changes to the layout, to have regard to highways comments; but these would be considered non-material in terms of impacts upon neighbours relative to the original layout.

### **Publicity / Consultations**

**1) Neighbour responses:** None

**2) Other Consultee responses:**

*Traffic and Road Safety* – S278 highways agreement for new footpath crossings, plus relocation of street lighting and road closure treatment. The new VP's at the south of the site would not be adopted.

*Waste Services* – no response, following being notified of the additional information they had requested from the applicant.

*Environment Agency* – no response.

## **Assessment**

The proposed alterations to the building and site layout are not considered to give rise to any material harm to local visual amenity or the host building/site. A condition is suggested with regards to proposed materials being similar in appearance to those used for the host building/site.

Nor would the proposed changes give rise to any material harm to the neighbours, in particular residential apartments and houses to the south; as to the north are commercial uses.

The proposed layout is considered to provide an acceptable level of parking to serve the apartments, both for residents or visitors. And, the western side of Long Row opposite the buildings is not subject to parking restrictions so it could also be used for parking. The layout has also been amended to include 2x2m visibly splays where appropriate in response to comments from Traffic and Road Safety. The alterations within the adopted highway/footway will require the separate consent of the local highway authority and an informative is suggested in this regard (even though the applicant is already aware that this is the case). It is not considered necessary to link the relocation of the pinch point to the planning determination, as the current location was acceptable to serve the previous more intensive office use of the buildings.

**The footway to the front of the buildings alongside the river is not adopted footway and nor is it designated as a right of way. It could be fenced off as a permitted development irrespective of the outcome of this planning application.**

With regards to refuse storage, the proposed layout clearly shows bin storage points that are in close proximity to the adopted highway and the applicant supplied information about volumes of waste, access provisions and other matters initially raised by Waste Services. It is considered that, for planning determination purposes, sufficient information has been supplied in this regard and notwithstanding that Waste Services did not respond about the additional information they had requested.

In view of the above, the proposal is acceptable and it would accord with relevant LDF Policy and guidance relating to its determination. And, there are not considered to be any material considerations that would indicate to the contrary.

With regards to suggested planning conditions, it should be noted that one has been suggested to maintain some consistency with the prior approval determination with regards to a minimum finished floor above level ordnance datum (AOD) for the apartments.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

## **Recommendation**

Grant Permission with Conditions

## **Conditions**

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 The development shall be carried out in accordance with the approved plans as detailed below

C-02 Rev D received 15/05/2017  
C-06 Rev H received 15/05/2017  
C-07 Rev F received 15/05/2017  
C-08 Rev H received 30/05/2017  
C-10 Rev C received 15/05/2017  
C-12 Rev E received 30/05/2017  
C-14 Rev D received 04/08/2017  
C-15 received 15/05/2017  
C-16 received 14/07/2017

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

- 3 The external surfaces of the development hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 4 The apartments hereby permitted shall be carried out with finished floor levels set no lower than 4.865 metres Above Ordnance Datum (AOD).

To reduce the risk of flooding to the proposed apartments and future occupants, in accordance with the National Planning Policy Framework and Policy DM1 of the South Tyneside Local Development Framework and also to have regard to the requirements of the prior approval determination with regards to finished floor levels.

## **Informatives**

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible.
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## UNIQUE NOTES TO APPLICANT

- 3 Alterations to the adopted footpath/highway to create vehicular crossovers within the footway will require the separate approval of the Council as Local Highway Authority. The relocation of the pinch point / prohibition of driving Traffic Regulation Order will require the separate approval of the Council as Local Highway Authority. Please contact Highway Engineering Services, Adoptions and Projects Team, for further information on 0191 424 7507.
- 4 The Council requires the developer to provide to each unit before first occupation refuse bin and recycling bin provision. Please contact Waste Services, for further information on 0191427 2623.

### **List of approved plans for standard note**

**Case officer** – delete this list from the report if the approved plans condition 2 is used

**Business Support** – delete this list from decision notice if the approved plans condition 2 is used

**Case officer initials:**

**Date:**

**Authorised Signatory:**

**Date:**

«END»