

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0640/18/FUL
Proposal: Partial demolition of existing nightclub and associated works to connect to adjacent public house, including the change of use to Class A4 (drinking establishment) of the Town and Country Planning (Use Class) Order. External seating area to southern elevation and extend bin store to northern elevation. Alterations to elevations of existing nightclub, including timber cladding to ground floor and installation of bifold doors to north and south elevations. Alterations to windows at first floor level.
Location: The Wouldhave
40-42 Mile End Road and The Ranch House
Mile End Road
South Shields
NE33 1TA

Site Visit Made: 02/08/2018

Relevant policies/SPDs

- 1 DM1 - Management of Development (A, B, G, M)
- 2 SSTCW AAP Policy SS1 - Strategic Vision for South Shields Town Centre and Waterfront
- 3 SSTCW AAP Policy SS8 - Evening and Night-time Economy in South Shields

Description of the site and of the proposals

This application relates to the existing The Wouldhave public house and the attached former nightclub to the east. The Wouldhave is a two storey pub located on the corner of Mile End Road and Coston Drive. It has two storeys and a hipped roof. The former nightclub is a large flat roof two storey building to the east of the Wouldhave pub. The former nightclub has a number of flat roof offshoots to its northern and southern elevations. There is a small raised terrace area to the south of the former nightclub.

Various planning applications and advertisement consents relating to the former nightclub and the existing public house have been determined over the years. The most recent application was for the demolition of the former nightclub and the construction of an extension to the public house with an external dining terrace, including the change of use to a drinking establishment (Class A4). That application (ref: ST/1150/17/FUL) was granted permission on 16/03/2018; however the permission has not been implemented.

This planning application seeks full planning permission for the partial demolition of the existing nightclub and associated works to connect to adjacent public house, including the change of use to a Class A4 Drinking Establishment. The remaining nightclub would be two storeys. It is also proposed to construct an external seating area to the southern elevation and to extend bin store to the northern elevation. Alterations to the elevations of the existing nightclub are also proposed, including the addition of timber cladding to the part of the ground floor to the northern, eastern and southern elevations and the installation of bi-fold doors to north and south elevations. Alterations to the windows at first floor level are also proposed.

Publicity / Consultations (Expiry date 14/08/2018)

1) Neighbour responses

None received

2) Other Consultee responses

Community Safety Team

On the basis of the information available to us, the Community Safety Team is content with the proposal.

Northumbria Police Architectural Liaison Officer

I have looked through the attached documents and also considered the application made in January this year and have no objections or further comment to make in addition to those made for the initial application.

Environmental Health Officer (Flood Risk)

No observations from flood risk

Environmental Health Officer (Contaminated Land)

Having reviewed the updated plans for this build, there will not be a requirement for a desktop study or site investigation. The development is acceptable.

Licencing Officer

No objections

Traffic and Road Safety

Recommend approval

Assessment

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

The main considerations are the impacts the development will have on residential and visual amenity and traffic and highway safety, and also land contamination issues.

Detailed Planning Policy

Policy DM 1 seeks to ensure that development is acceptable in relation to any impact on residential and visual amenity and that the impact of the development is acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts.

Policy SS1 of the South Shields Town Centre and Waterfront Area Action Plan (2008) (AAP) seeks to strengthen, revive and promote the growth of South Shields town centre as the Borough's principal centre for shopping, entertainment and leisure, culture and administration, making it a popular and attractive market town.

The site is located in the South Shields Licencing Special Policy Area. Policy SS8 of the AAP seeks to support the establishment of licensed premises in accordance with the Licencing Authority's designated Special Policy Area in the Ocean Road and Mile End Road area of the town centre, where the Council considers that they would not have any adverse impacts upon the local environment or residential amenity, or the viability of established uses.

Supplementary Planning Document 6 sets out the requirements of car parking and highway safety.

Impact upon Visual Amenity

The proposal involves demolishing part of the existing large former nightclub. Given the reduction in scale and size it is not considered that the proposal would result in a significantly greater impact upon the visual amenity of the surrounding area than the existing nightclub building. Indeed it is considered that the part demolition of the former nightclub and the timber cladding to ground floor would improve the general appearance of the area. The alterations to the windows to the former nightclub would be acceptable.

The proposed terraced area would be larger than the existing terraced area to the nightclub, but it is not considered that it would be detrimental to the visual amenity of the area.

In conclusion, the proposal as a whole would have a positive impact upon the visual amenity of the area.

Impact upon Residential Amenity

The nearest residential properties to the site are located approximately 50m to the north. They are screened from the pub by a row of trees and bushes to the north of Coston Drive. 1no. entrance door would be located to the northern elevation of the public house but the majority of the entrances and exits to the pub, and also the proposed terrace, would all be situated to the southern elevation of the buildings. Therefore the main bulk of the buildings would predominantly screen any potential noise egress from the extended pub and terrace. Consequently it is not considered that there would be any significant further loss of residential amenity to the properties to the north than at present to warrant refusal.

Impact upon Traffic and Highway Safety

The Council's Traffic and Road Safety team have raised no objection to the proposal. The proposal is located within a highly sustainable town centre location. It is not considered that the proposal would result in any significant adverse impact upon Highways Safety and so the proposal is considered to be acceptable in this regard.

Land Contamination Issues

The Council's Environmental Health team was consulted regarding land contamination and do not consider there a need for any further information in the way of a desktop survey or site investigation to be submitted. The proposal in its current form would not be impacted upon adversely by contaminated land.

Other Matters

The proposed new windows to the northern elevation and southern elevation of the existing public house and the proposed new entrance door to the northwestern corner would be acceptable. The proposal is acceptable in terms of community safety and from the point of view of Northumbria Police. The Council's Licensing team consider the proposal to be acceptable. The site would require a new license but that would be dealt with under separate legislation. The Council's Environmental Health team do not consider that the site is at risk from flooding.

Summary

In conclusion the proposal would comply with all relevant local and national planning policy. The application is therefore recommended for approval subject to conditions.

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 plan(s) as detailed below
Dwg No. F1933-103 Rev B received 05/09/2018
Dwg No. F1933-104 Rev A received 05/09/2018
Dwg No. F1933-105 Rev E received 05/09/2018
Dwg No. F1933-106 Rev C received 28/06/2018

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 as set out on the application form and as set out on the approved plans as listed in condition 2, 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 South Tyneside LDF Development Management Policy DM1.

Informatives

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework 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

Case officer: Seán Gallagher

Signed:

Date: 06/09/2018

Authorised Signatory:

Date:

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