

Date of Committee: 30 January 2019

**Application Number and Address:**

DC/18/00715/FUL  
Former Stadium Service Station  
Park Road  
Gateshead  
NE10 9XF

**Applicant:**

Mr Frank Craney

**Proposal:**

Erection of a two storey building for Motorbike Sales (Sui Generis Use) and two ground floor units with uses to include A1 (retail), A3 (food and drink) and/or mixed A1/A3 drive-thru facility, with associated car parking, access and landscaping (amended and additional information received 12/11/18).

**Declarations of Interest:****Name****Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

Reason for Minor Update

Condition 16 – Landscaping scheme for approval

Within the main agenda report condition 16 is written as a “pre-commencement condition”:

The development hereby approved **shall not be commenced until** a fully detailed scheme for the landscaping of the site ....

In retrospect, it is considered a “pre-commencement” trigger is unnecessary and a “prior to occupation” Trigger would be sufficient. It is recommended the wording of the condition 16 be revised as follows:

The development hereby approved **shall not be occupied until** a fully detailed scheme for the landscaping of the site ...

**Any additional comments on application/decision:**

That permission be GRANTED subject to a SECTION 106 AGREEMENT

- 1) The agreement shall include the following obligations:
  - £7944.00 for off-site ecological mitigation works
- 2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.
- 3) That the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary.
- 4) That the conditions shall include

1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below -  
SK-SI-001; ADTL-SBA-XX-FF-DR-A-A301; ADTL-SBA-XX-01-DR-A-A101; ADTL-SBA-XX-FF-DR-A-A401
2. The development to which this permission relates must be commenced not later than 3 years from the date of this permission
3. No vegetation clearance works shall be undertaken during the bird breeding season (ie March to August inclusive). Where this is not possible a breeding bird checking survey will be undertaken by a suitably qualified ecologist immediately prior (ie no more than 48hrs) to the commencement of works on site. Where active nests are confirmed these must be retained undisturbed until the young have fledged and the nest(s) is no longer in use.
4. Development shall not commence on the construction of the development until an intrusive land contamination assessment, to assess the nature and extent of any contamination on the site and whether or not it originates on the site has been submitted to and approved in writing of the Local Planning Authority. The report of the findings must include-
  - (i) a survey of the extent, scale and nature of contamination.
  - (ii) an assessment of the potential risks to,
    - land stability
    - human health,
    - property (existing or proposed) including buildings, service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments,
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s) including a timeline and phasing for the implementation of the remediation scheme.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.
5. The remediation and mitigation schemes must be carried out in accordance with the details approved under condition 4. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
6. 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 updated investigation and risk assessment must be undertaken and where remediation is necessary a revised remediation scheme must be prepared in accordance with the requirements of condition 4: (Land contamination assessment), which is subject to the approval in wiring of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5 (Implementation of Approved Remediation).

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.

7. Construction of the development hereby approved shall not commence until a detailed SuDS scheme and detailed drainage assessment (including modelling results) has been submitted to and approved in writing to the Local Planning Authority. The scheme and assessment shall include detailed drainage layout and detail designs of the SuDS components in accordance with the Gateshead Council Interim SuDS Guidelines (V2); drainage maintenance plan for the lifetime of the development; drainage construction method statement; and evidence to demonstrate that there is adequate foul and surface water public sewerage capacity based upon NWL's agreed discharge volumes and rates before connecting to the public sewerage system.
8. The details approved under condition 7 shall be implemented prior to the first occupation of the development and maintained as such for the life of the development.
9. No part of the "showroom" shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Neither "Unit 1" or "Unit 2" shall be occupied until the submission of a Travel Plan for each occupier(s) and successive occupier(s) has been submitted to and approved in writing by the Local Planning Authority.

Each Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with the National Planning Policy Framework and Council Policy CS13;
- 3) More environmentally friendly delivery and freight movements;
- 5)

A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

10. The Travel Plans shall be implemented in accordance with the details and timescales approved under condition 9 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.
11. A minimum of two charging points for electric vehicles shall be provided within the development, prior to any part of the development being first occupied.
12. Notwithstanding the details on the submitted plans, final details of secure and weatherproof cycle parking facilities for staff, as well as separate cycle parking facilities for visitors shall be submitted to and approved in writing by the Local Planning Authority, prior to any part of the development hereby approved being first occupied.
13. No part of the development hereby approved shall be occupied until the cycle parking facilities have been implemented in accordance with the detailed approved under condition 12 and the plans approved as part of the application. The approved facilities

shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

14. Construction of the new development hereby approved shall not proceed beyond foundation level 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.
15. The materials used shall be in accordance with the details approved under condition 14 unless otherwise approved in writing by the Local Planning Authority.
16. The development hereby approved shall not be occupied until a fully detailed scheme for the landscaping of the site, has been approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard and soft landscaping, proposed trees and hedges, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.
17. The landscaping scheme approved under condition 16 shall be implemented in accordance with the timescale approved through condition 16.
18. The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.
19. The bin storage and collection facilities and arrangement shown on plan reference SK-SI-001 and ADTL-SBA-XX-00-DR-A-A100 shall be provided on site prior to the first occupation of the relevant part of the development and maintained as such thereafter.
20. No unit shall be occupied until the opening hours of that unit have been submitted to and approved in writing by the Local Planning Authority.
21. The opening hours approved under Condition 20 shall be implemented before each unit is first occupied and retained as such thereafter.
22. Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.
23. No part of the development shall be occupied until full details of the method of illumination of the external areas of the site have been submitted to and approved in writing by the Local Planning Authority.
24. The external lighting scheme approved under Condition 23 shall be implemented before the development is first occupied and retained as such thereafter.

**Date of Committee: 30 January 2019**

**Application Number and Address:**

DC/18/00860/OUT  
Land West of Follingsby Way  
Follingsby Park  
Gateshead

**Applicant:**

Legal & General UK Property Fund

**Proposal:**

Erection of business/industrial development (within Use Classes B1(c) and/or B2 and/or B8) with associated car parking and hard landscaping, with access to be considered and all other detailed matters reserved (description amended 18.09.2018)

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

**Any additional comments on application/decision:**

That permission be GRANTED subject to:

1) Where required, subject to an agreement under Section 106 of the Town and Country Planning Act 1990 to deliver ecological mitigation/compensation;

2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement, where required.

3) That the Strategic Director of Communities and Environment be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include;

1. Application for approval of the reserved matters (appearance, landscaping, layout and scale) shall be made to the Local Planning Authority within three years of the date of this permission.
2. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

3. The development hereby approved shall not commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority.
4. The details approved under Condition 3 shall be implemented before the use hereby approved is brought into operation and retained in accordance with the approved details for the lifetime of the development.
5. A minimum 1.15m thick proven clean cover above buried asbestos shall be provided in all soft landscaping areas on site.
6. Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

7. The amended remediation and monitoring measures approved under condition 6 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.
8. Where remediation is required, following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.
9. The development hereby approved shall not commence until a Biodiversity Method Statement, addressing the potential residual impacts on amphibians (including great crested newt and common toad) and reptiles resulting from the construction phase of the development, has been submitted to and approved in writing by the local planning authority.
10. The details approved under condition 9 shall be implemented at all times during the construction phase in full accordance with the approved details.
11. No new external lighting shall be installed on the application site until an ecological lighting strategy has been submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity; and
  - b) show how and where external lighting would be installed (through the provision of lighting contour plans and technical specifications).
12. The external lighting scheme shall be implemented in full accordance with the strategy approved under condition 11, and shall be maintained as such for the lifetime of the development.
13. The development hereby approved shall not commence until a fully detailed scheme for the landscaping of the site (including establishment, aftercare, long term management, and timescales for delivery) has been submitted to and approved in writing by the Local Planning Authority.

14. The landscaping scheme shall be implemented in full accordance with the details and timescales approved under condition 13.

The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

15. The development hereby approved shall not commence until details of a visibility splay associated with the site access (considering existing landscaping and including timescales for delivery) have been submitted to and approved in writing by the Local Planning Authority.
16. The details approved under condition 15 shall be implemented in full accordance with the approved details and timescales, and retained as such for the lifetime of the development.
17. The use(s) hereby approved shall not be brought into operation until a full Travel Plan has been submitted to and approved in writing by the local planning authority.

The Travel Plan shall include:

- (a) Details to employ or engage a site-wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Framework Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority
  - (b) Clearly defined objectives and indicators.
  - (c) Indicative targets based on trip generation figures.
  - (d) Details of proposed measures to address the objectives. Focus should be given to public transport and cycling and may include:
    - Salary sacrifice cycle scheme
    - Public Transport annual ticket scheme
    - Public transport taster tickets for employee's. Or perhaps pre-loaded Pop cards
  - (e) Detailed timetable for implementing measures, travel surveys and monitoring.
  - (f) A summary of costs associated with the measures, monitoring and management of the Travel Plan over its lifetime together with details on how this will be funded.
  - (g) Details of the governance that will be in place to ensure measures are implemented effectively.
  - (h) Commitment to use the Council's preferred monitoring system
18. The Travel Plan approved under condition 17 shall be implemented in full accordance with the approved details and timescales (including any changes made under the review process), and shall be in place for the lifetime of the development

19. Within 18 months from the Travel Plan's first implementation, evidence of the travel plan's implementation over a minimum period of 12 months from first implementation shall be submitted to the Local Planning Authority for consideration.
20. The development hereby approved shall not commence until final details of parking at the site (including accessible bays, cycle parking, motorcycle parking, electric vehicle charging provision, access control, service yard layout including vehicle tracking) have been submitted to and approved in writing by the local planning authority.
21. The details approved under condition 20 shall be implemented in full accordance with the details approved before the use(s) are brought into operation and retained/maintained as such for the lifetime of the development.

**Date of Committee: 30 January 2019**

**Application Number and Address:**

DC/18/01009/FUL  
Land on North Side of Lead Road (Penny Hill)

**Applicant:**

Enso Energy Ltd

**Proposal:**

Construction of gas powered standby generation plan (as amended 11.01.2019).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

A minor update report was submitted.

Further Representations and Amended Recommendation

One additional objection has been received (bringing the number received to three). The further objections relate to

- Increased traffic during construction
- The development is not in keeping with the local area
- The technology proposed is becoming outdated
- Insufficient information in relation to noise
- Other sites are available
- The restoration strategy is inadequate.

Officers are of the view that the Committee report explains the site selection process, and that the traffic, visual and noise impacts have been properly assessed. Furthermore, a condition is recommended (no. 13) to secure details of a suitable restoration scheme.

**AMENDED RECOMMENDATION**

It is recommended that Members are MINDED TO GRANT a temporary (25 year) planning permission, subject to planning conditions and referral of the application to the Secretary of State.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the local planning authority has resolved to grant planning permission for certain types of development that are set out in paragraphs 3-8 of the Direction.

The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to 'call in' an application under section 77 of the Town and Country Planning Act 1990. The use of the call-in power requires that the decision be taken by the Secretary of State rather than the local planning authority.

Paragraph 4 of the Direction states that "Green Belt development" means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes:

- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

Paragraph 11 of the Direction stipulates that where a Local Planning authority is required to consult the Secretary of State, it shall not grant planning permission on the application until the expiry of a 21-day period after the Secretary of State acknowledges receipt of the referral.

It is therefore recommended that the application be referred to the Secretary of State, in accordance with the requirements of The Town and Country Planning (Consultation) (England) Direction 2009 on the basis that the proposal would have a significant impact on the openness of the Green Belt.

**Any additional comments on application/decision:**

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- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

Paragraph 11 of the Direction stipulates that where a Local Planning authority is required to consult the Secretary of State, it shall not grant planning permission on the application until the expiry of a 21-day period after the Secretary of State acknowledges receipt of the referral.

It is therefore recommended that the application be referred to the Secretary of State, in accordance with the requirements of The Town and Country Planning (Consultation) (England) Direction 2009 on the basis that the proposal would have a significant impact on the openness of the Green Belt.

1. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority.

The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors;
  2. A Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during construction;
  3. Storage of plant and materials used in constructing the development;
  4. The erection and maintenance of security hoarding;
  5. Wheel washing facilities;
  6. Measures to control the emission of dust and dirt during construction; and
  7. A scheme for recycling/disposing of waste resulting from construction works.
2. The Construction Method Statement approved under condition 1 shall be adhered to throughout the construction period for the development.
  3. Prior to their use on-site, details and samples of the materials to be used in the construction of the structures hereby approved shall be submitted to and approved in writing by the local planning authority.
  4. The materials used shall be in accordance with the details approved under condition 3.
  5. Prior to the development hereby approved being brought into use for the first time, details of any external lighting shall be submitted to and approved in writing by the local planning authority.
  6. The illumination of the external areas shall be in accordance with the details approved under condition 5.
  7. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
  8. The development shall be carried out in complete accordance with the approved plans and documents as detailed below -

911-PL-01 Rev 3 dated 10.07.2018  
911-PL-02 Rev 9 dated 31.08.2018  
911-PL-03 Rev 9 dated 02.07.2018  
911-PL-04 Rev 7 dated 10.07.2018  
911-PL-06 Rev 2 dated 31.08.2018  
911-PL-07 Rev 1 dated 15.10.2018  
CRM.349.008.L.D.001 dated 31.08.2018  
CRM.349.008.L.D.002 dated 17.12.2018  
CRM.349.008.L.D.003 dated 17.12.2018  
CRM.349.008.L.D.004 dated 17.12.2018  
1750103/01 R2018/004 Rev A dated 29.08.2018  
CRM.349.008.EC.R.001 dated 05.09.2018  
CRM.349.008.GE. R.006.A dated April 2018  
Acoustic Report Rev D dated 19.09.2018

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.

9. Construction works shall take place only between 0730 and 1800 Mondays to Fridays, and between 0900 and 1700 Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
10. The noise rating level from the operation of the plant hereby approved shall not exceed the daytime background noise level, as measured at the façade of any noise sensitive receptor identified in section 5.4 of the Acoustic Report Rev D dated 19.09.2018. The measurements and assessment shall be made in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.
11. The implementation of the approved landscaping details shall be carried out in the first planting and seeding season (October to March) following the completion of the development, and any trees, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
12. The ecological mitigation measures in Section 5.2 of Ecological Appraisal report CRM.349.008.EC.R.001 dated 05.09.2018 shall be adhered to and carried out in full during any site preparation works and the construction of the development hereby approved.
13. Within 25 years of the date of this permission or 6 months of the end of the operational life of the standby generation plant hereby approved (whichever is soonest) the plant shall be decommissioned, all items, structures, hardcore and any underground apparatus or concrete shall be removed from the site within the red line application site identified on drawing 911-PL-04 Rev 7 dated 10.07.2018 and the land shall be subsequently restored to its undeveloped state in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority.

**Date of Committee: 30 January 2019**

**Application Number and Address:**

DC/18/01180/COU  
Granby Stables Opposite Streetgate Farm  
Gateshead Road  
Sunniside  
Whickham  
NE16 5LE

**Applicant:**

Mr Robert Swan

**Proposal:**

Change of use of one block from livery stable to indoor daycare facility for dogs, including alterations to doors and fenestration (amended 06/12/18) and additional information received 08/01/19).

**Declarations of Interest:**

<b>Name</b>	<b>Nature of Interest</b>
None	None

**List of speakers and details of any additional information submitted:**

No additional information submitted.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

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

Pp0000000Granby Stables Existing and Proposed Site Layout (received 06.12.2018)

AD01: Existing and Proposed Layout

AD02: Existing and Proposed Front Profile

AD03: Existing and Proposed Back Profile

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.

2. The development to which this permission relates must be commenced not later

than 3 years from the date of this permission.

3. The day care business shall not care for more than ten dogs on site at any given time.
4. The use hereby approved, including picking up and dropping off of dogs, shall only operate between the hours of 07.00-21.00 on any day.
5. The use hereby approved shall not be brought into operation until a noise management plan, providing details of mitigation of potential noise generation and including timescales for implementation, has been submitted to and approved in writing by the local planning authority.
6. The details approved under condition 5 shall be implemented in full accordance with the approved details and timescales and retained/maintained on site for the lifetime of the development.

**Date of Committee: 30 January 2019**

**Application Number and Address:**

DC/18/01213/FUL  
Land to West of 10 Beverley Gardens  
Ryton  
NE40 3BD

**Applicant:**

Mr Garry Brikett

**Proposal:**

Proposed single dwelling (revised application) (additional information received).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

Mr Peter Lawson spoke against the application.

Mr Roger Bell spoke against the application.

Further representations made.

Councillor Buckley has submitted further comments in addition to the original objection, raising the following concerns:

- impact on the Green Belt and the strategic gap between Ryton and Crawcrook;
- question whether the site is previously developed;
- highway safety impacts;
- out of character with the surrounding area.

Additionally, one further objection has been received from a resident, raising concerns regarding:

- development on a greenfield site;
- existing access issues;
- question whether the site is previously developed;
- potential precedent for further development in the area;
- the height of the proposed dwelling.

The above points area addressed within the main body of the officer's report.

**Any additional comments on application/decision:**

That permission be REFUSED for the following reason:

1. The proposal would be inappropriate development in the Green Belt and no very special circumstances exist that would clearly outweigh this harm to the Green Belt. Therefore, the proposal is contrary to the aims and requirements of policy CS19 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

**Date of Committee: 30 January 2019**

**Application Number and Address:**

DC/18/01215/COU  
572A Durham Road  
Gateshead  
NE9 6HX

**Applicant:**

Miss Jade Barrass

**Proposal:**

Change of use from solicitor's office (A2 use) to beautician's salon (sui generis).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

No additional information submitted.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below –  
Site Location Plan and Site Layout 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.

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