

**MINOR UPDATE**

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| <b>Date Application Valid</b> | <b>12 October 2023</b>                                                                                                             |
| <b>Applicant</b>              | <b>Mr Shaun Bays</b>                                                                                                               |
| <b>Site:</b>                  | <b>Ferry House<br/>Ryton Willows<br/>River Lane<br/>Ryton<br/>NE40 3QF</b>                                                         |
| <b>Ward:</b>                  | <b>Ryton Crookhill and Stella</b>                                                                                                  |
| <b>Proposal:</b>              | <b>Change of use of part of existing dwelling to form self-contained holiday let (Additional Information received 24.01.2024).</b> |
| <b>Recommendation:</b>        | <b>REFUSE</b>                                                                                                                      |

**Reason for Minor Update:**

Updates to Planning History and Planning Assessment in relation to Highway Safety and Parking.

**PLANNING HISTORY**

Members should be aware of an additional application relating to Ferry House, that was overlooked and omitted from the agenda reports.

DC/07/01198/FUL - Conversion of single dwellinghouse into two dwellinghouses (use class C3). Granted under delegated powers on 05.02.2008.

This consent has lapsed and cannot be implemented.

**ASSESSMENT****HIGHWAY SAFETY AND PARKING**

Officers acknowledge that planning permission was granted (under application ref DC/07/01198/FUL) to subdivide Ferry House into two dwellings, as is currently proposed. However, while this is a material consideration that Members need to be aware of, it is considered that the decision from 2008 (some 16 years ago) should not act as a precedent in this case.

The main difference between the two applications is the location for car parking associated with the new dwelling. The 2007 scheme had car parking within the curtilage of Ferry House, in the area closest to Tyne View, that is proposed to be used as outdoor space and where the bin and bike stores for the new dwelling are proposed to be located. In the current application, the car parking is proposed to the south of the railway lines.

Information provided by the applicant (in a letter from their agent dated 22 January 2024) advises that their preference would be to have the parking adjacent to the new dwelling but that further discussions have confirmed that

Network Rail would object to this proposed parking location and consequently, the application submitted for determination does not propose in-curtilage parking.

While there has always been a presumption that new development should be able to operate safely, the National Planning Policy Guidance (first published in 2012) places a requirement on Local Planning Authorities that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

While it is a material consideration, the approval of planning application ref DC/07/01198/FUL should not prevent the Local Planning Authority coming to a different conclusion on the current application. It is important that every application is considered on its own merits and determined accordingly. The developments are different and there is no fallback position as the planning permission granted has now lapsed. As the proposed scheme would result in an unacceptable impact on highway safety, in accordance with the NPPF, it is recommended that permission should be refused.

**SEE MAIN AGENDA FOR OFFICERS REPORT.**