

## Contents

<b>Application Number</b>	<b>Site Location</b>	<b>Ward</b>
1. DC/22/00051/COU	Woodmans Arms Fellside Road	Whickham South And Sunniside
2. DC/22/00345/HHA	18 Church Road Low Fell	High Fell

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning & Compulsory Purchase Act 2004 specifies that: 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The NPPF was published in 2019 by Ministry of Housing, Communities and Local Government (MHCLG) and is a material consideration in planning decisions. The NPPF is supported by Planning Practice Guidance (PPG), which provides further detail on how some policies of the NPPF should be applied.

## **LOCAL PLAN**

In 2015 Gateshead Council and Newcastle City Council adopted Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne 2010-2030 (CSUCP). This Development Plan Document (DPD) sets area-wide planning policies for Gateshead and Newcastle (including policies setting out the amount and broad distribution of new development) and provides more detailed policies for the Urban Core of Gateshead and Newcastle.

We have carried out a Review of the CSUCP and concluded that it remains up-to-date in that it continues to be in general conformity with the provisions of the NPPF and helps to deliver the key priorities and aims of both.

The Council adopted Making Spaces for Growing Places (MSGP) on 1<sup>st</sup> February 2021, and this part of the Local Plan complements the CSUCP by setting out non-strategic allocations, designations and development management policies for Gateshead.

In accordance with the Planning and Compulsory Purchase Act 2004 (as amended) the CSUCP and MSGP form part of the statutory development plan for Gateshead. The CSUCP and MSGP between them supersede and delete all of the saved policies remaining from the Unitary Development Plan (UDP). Lists of the respective deleted UDP policies are provided in Appendix 1 of the CSUCP and Appendix 19 of MSGP.

In the report for each application, specific reference will be made to those policies and proposals which are particularly relevant to the application site and proposed development.

The Council has published Supplementary Planning Documents to indicate the preferred approach to some types of development, and give greater detail on how some policies will be considered and applied. These continue to be revised and updated where appropriate.

## **UPDATES**

The agenda is formed and printed approximately a week prior to the Planning and Development Committee meeting. Information, correspondence and representations can sometimes be received in the intervening period. In such cases a written update report will be circulated to Members the day prior to the meeting and on occasion there may be further verbal updates to Members from officers, so that Members are aware of all material planning considerations when making their decision on applications.

## **SPEAKING AT COMMITTEE**

Gateshead Council seeks to be inclusive in its decision making process and therefore allows applicants, agents and interested parties to make verbal representation to Members at Committee in accordance with the Council's agreed speaking rights protocol; amongst other procedural requirements, a person must have submitted a request to speak in writing at least a week in advance of the meeting, and subsequently confirmed their intention to speak.

For further details of speaking rights at committee contact the Development Management Team on (0191) 433 3150 or please view the leaflet 'Having Your Say' available from Development Management.

## **SITE PLANS**

The site location plans included in each report are for illustrative purposes only. Scale plans are available to view on the application file or via Public Access.

## **PUBLICITY/CONSULTATIONS**

The reports identify the responses to site notices, press notices, consultations and/or neighbour notifications which have been undertaken. The reports include a précis of the comments received, full copies of letters are available to view on the application file. In all cases the consultations and publicity have been carried out in accordance with the appropriate procedure(s).

## **SITE VISITS**

On occasion the Committee will defer making a decision until they have viewed the application site themselves as a group. The visits are fact finding visits only and no debate or decision making will take place on the visit and no representations will be heard at these visits and therefore the Local Planning Authority will not invite applicants or third parties to attend unless for the sole purpose of arranging access to land and or/ buildings.

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION (AS AMENDED)**

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These papers are held on the relevant application file and are available for inspection on the Councils website or by appointment at the Civic Centre, Regent Street, Gateshead NE8 1HH.

## Generalised Guide to Use Classes Order 1987 (as amended September 2020)

<b>C1 Hotels</b>	Hotels, boarding and guest houses where no significant element of care is provided	<b>Class E - Commercial, Business and Service</b>	<p><b>E(a)</b> Display or retail sale of goods, other than hot food</p> <p><b>E(b)</b> Sale of food and drink for consumption (mostly) on the premises</p> <p><b>E(c)</b> Provision of:</p> <p style="padding-left: 20px;"><b>E(c)(i)</b> Financial services,</p> <p style="padding-left: 20px;"><b>E(c)(ii)</b> Professional services (other than health or medical services), or</p> <p style="padding-left: 20px;"><b>E(c)(iii)</b> Other appropriate services in a commercial, business or service locality</p> <p><b>E(d)</b> Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)</p> <p><b>E(e)</b> Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)</p> <p><b>E(f)</b> Creche, day nursery or day centre (not including a residential use)</p> <p><b>E(g)</b> Uses which can be carried out in a residential area without detriment to its amenity:</p> <p style="padding-left: 20px;"><b>E(g)(i)</b> Offices to carry out any operational or administrative functions,</p> <p style="padding-left: 20px;"><b>E(g)(ii)</b> Research and development of products or processes</p> <p style="padding-left: 20px;"><b>E(g)(iii)</b> Industrial processes</p>
<b>C2 Residential Institutions</b>	<p>Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres</p> <ul style="list-style-type: none"> <li>• <b>C2(a) Secure residential Institutions</b> - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks</li> </ul>		
<b>C3 Dwellings</b>	<ul style="list-style-type: none"> <li>• <b>C3(a)</b> covers use by a single person or a family, an employer and certain domestic employees, a carer and the person receiving the care and a foster parent and foster child</li> <li>• <b>C3(b)</b> covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems</li> <li>• <b>C3(c)</b> allows for groups of people (up to six) living together as a single household.</li> </ul>	<b>F1 Learning and non-residential institutions</b>	<ul style="list-style-type: none"> <li>• <b>1(a)</b> Provision of education</li> <li>• <b>F1(b)</b> Display of works of art (otherwise than for sale or hire)</li> <li>• <b>F1(c)</b> Museums</li> <li>• <b>F1(d)</b> Public libraries or public reading rooms</li> <li>• <b>F1(e)</b> Public halls or exhibition halls</li> <li>• <b>F1(f)</b> Public worship or religious instruction (or in connection with such use)</li> <li>• <b>F1(g)</b> Law courts</li> </ul>
		<b>F2 Local community</b>	<ul style="list-style-type: none"> <li>• <b>F2(a)</b> Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres</li> <li>• <b>F2(b)</b> Halls or meeting places for the principal use of the local community</li> <li>• <b>F2(c)</b> Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)</li> <li>• <b>F2(d)</b> Indoor or outdoor swimming pools or skating rinks</li> </ul>

<b>C4 Houses in Multiple Occupation</b>	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	<b>Sui generis – no class will always require permission</b>	Any use not included within any of the above use classes, such as theatres, nightclubs, taxi businesses, motor vehicle sales, betting shops Hot Food Take Away shops, Public Houses and drinking establishments with expanded food provision.
<b>B2 General Industry</b>	General industry not within class E(g).		
<b>B8 Storage and Distribution</b>	Wholesale warehouses repositories, including open air storage		

In many cases involving similar types of use, a change of use of a building or land does not need planning permission. Planning permission is not needed when both the present and proposed uses fall within the same 'class', or if the Town and Country Planning (Use Classes) Order 1987 says that a change of class is permitted to another specified class.