

Committee Report

Application No:	DC/21/01302/FUL
Case Officer	Rebecca Norman
Date Application Valid	28 October 2021
Applicant	Mr Mohammed Saleem
Site:	13-15 Glynfellis Leam Lane Estate Felling NE10 8RH
Ward:	Windy Nook And Whitehills
Proposal:	Proposed first floor extension providing storage area and staff facilities (revised application) (amended plans 11.02.2022).
Recommendation:	REFUSE
Application Type	Full Application

1.0 The Application:**1.1 DESCRIPTION OF THE SITE**

The application relates to an existing hot food takeaway premises known as Saleems. The premises occupies the northernmost unit in a small parade of single storey shops within the residential neighbourhood of Leam Lane, Felling. The application site is not within an identified retail centre.

1.2 The unit is surrounded by two storey residential properties to the north, east and west and partly fronts south west onto an area of public open space, with adjoining commercial premises to the south. To the rear of the site is a cul-de-sac access road which serves the commercial units and the surrounding residential properties and garage block on Wealcroft, Beechway and Blackthorne. The surrounding residential properties face away from the application site with their vehicular access taken from the rear road.

1.3 The unit sits to the western side of the site, with an existing single storey extension approved under application DC/15/01138/FUL to the north elevation. To the side of this extension and part of the rear of the unit is a yard that is accessed from the adjacent road. To the rear (east) of the premises is a single storey extension approved under application DC/20/00424/FUL.

1.4 DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the construction of a first floor extension to provide a storage area and staff facilities. The proposed extension would be accessed via internal stairs proposed within the existing rear extension and would provide an office, a staff room and staff w/c, a meeting/staff training room and storage areas including a freezer and cold store.

- 1.5 The proposed floor plans also include internal alterations at ground floor level to convert the store to the east elevation and existing kitchen to create a kitchen, holding area and delivery dispatch area. The annotation of the extension to the north elevation also changes from 'Preparation' to 'Desserts'. The internal alterations shown do not form part of the development for which planning permission is sought; the application is for the first floor extension only.
- 1.6 This application follows application DC/21/00268/FUL which sought planning permission for the erection of a first floor extension to provide a storage area, staff facilities and manager's flat. Planning permission was refused for that application in August 2021 on the grounds that the proposal would lead to increased access to an unhealthy eating outlet and would afford an unacceptable standard of residential amenity for future occupiers of the proposed flat.
- 1.7 The existing floor plans for this application include an area of covered storage within the rear yard (approx. 30sqm) which was not shown on plans for application DC/21/00268/FUL. The proposed floor plans show that the remaining open yard (approx. 11sqm) would include a refuse store approx. 1.3sqm in size.
- 1.8 There are inaccuracies in the submitted plans which incorrectly show the location of the roller shutter within the rear boundary wall and do not include 2no. existing ground floor windows to the rear elevation of the premises and a boxed-in vent that has been installed above the covered storage area.
- 1.9 RELEVANT PLANNING HISTORY

Application site

DC/21/00268/FUL - Proposed first floor extension providing storage area, staff facilities and managers flat (amended plans 26.05.2021). Planning permission refused 20.08.2021.

DC/20/00424/FUL - Enclosure of rear yard to form extension, installation of roller shutter door and fire escape (amended plans 22.06.2020, 08.07.2020 and 11.11.2020). Planning permission granted 25.11.2020.

DC/15/01138/FUL - Single storey side extension and installation of ventilation equipment - Granted 22.03.2016.

DC/14/00560/ADV - Display of internally illuminated fascia sign size 6.55m x 1.29m on front elevation of hot food take-away shop. Temporary consent granted 07.07.2014.

DC/10/00307/FUL - Installation of new extraction system and ductwork on roof of hot food take-away shop (retrospective application). Planning permission granted 19.05.2010.

DC/09/01441/FUL - Installation of new extraction system and ductwork on roof of hot food take-away shop (retrospective application). Planning permission refused 15.12.2009.

Adjoining buildings

DC/08/00342/FUL - Erection of first-floor extension above existing dwelling (revised application). Planning permission refused 02.05.2008.

DC/05/01152/FUL - Erection of part first-floor/part two-storey extension over existing shop and at rear to provide residential flat and garage (use class C3), change of use of living accommodation on ground floor to shop (use class A1) and installation of new shop fronts – Planning permission granted 04.10.2005 (NB permission not built).

2.0 Consultation Responses:

None undertaken

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in The Town and Country Planning (Development Management Procedure) Order 2015.

3.2 A petition of 22 signatures including Councillor Diston has been received in objection to the application which states that *“this is a petition of the residents to stop the above application going ahead”*. An accompanying covering letter raising the following points:-

- Loss of daylight to homes whose main entrance faces the site
- The works will cause a lot of trouble between Saleems and residents
- Residents have to put up with a lot of hassle from delivery drivers on a daily basis
- The back lane is like Brands Hatch at night
- Why was planning permission granted previously where the bins and storage container were located if there was no space to store them on the site
- Bins for the premises and a container are stored in the adjacent garden which has caused issues with rats
- The premises has taken over the back lane from residents
- The foundations of the building are not strong enough for the extension

3.3 A total of 8no. letters of objection have been received (including 4no. letters from 2no. individuals) which are summarised as follows:-

- Extension would be out of character with the surrounding area
- Visual amenity concerns
- Ductwork would be prominent when raised onto the new roof and would be required to be positioned through new rooms internally

- Overdevelopment
- Disturbance early mornings/late evenings
- Overbearing impact
- Loss of light
- Loss of privacy/overlooking
- Additional noise
- The proposals would exacerbate existing issues relating to delivery drivers and residential amenity
- Concerns relating to waste disposal and bin storage in the garden of the adjacent property
- Inadequate car parking
- Increase in traffic from delivery drivers
- Highways/traffic concerns
- Existing high traffic volumes are resulting in frequent potholes
- Drains are frequently blocked due to fat disposal
- The cul-de-sac is ruined and nearby houses are unsellable due to mess associated with the premises
- Vandalism concerns
- Disruption during building works
- Health concerns
- Cooking smells/odours
- The foundations of the building were built as a single storey, not to be built on top of
- Poor condition of roads due to vans and cars from the shop parking on the grass and kerbs
- The development is unnecessary and unwelcome
- There are inaccuracies in the application
- The business has become too successful and has outgrown its location in a residential setting, which has resulted in numerous complaints about vehicles and access issues for residents
- The application is out of character with the area, the premises is already struggling for space on the site
- The shop needs to relocate to a more appropriate business setting
- Why are more toilets needed if staff numbers are not increasing?
- Why is a training room needed?
- Does more storage mean more business and vehicles? There is more delivery business than in-person collections

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS7 Retail and Centres

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP24 Design Quality

MSGP48 Waste Management Facilities - New Dev

HFTSPD Hot Food Takeaway SPD

5.0 Assessment of the Proposal:

- 5.1 The main planning issues to be taken into consideration in the assessment of this application are the principle of the development, impacts upon visual amenity, impacts upon residential amenity, highway safety and parking, CIL, and any other matters.
- 5.2 **BACKGROUND**
The application site is an established hot food takeaway premises which is currently occupied by Saleems Takeaway.
- 5.3 Planning permission was granted for the erection of an extension to the north elevation of the premises under application DC/15/01138/FUL for storage for the takeaway premises. This extension provided approx. 22sqm floor space to the existing building, which plans showed to have a floor area of approx. 103sqm.
- 5.4 Planning permission was later granted under application DC/20/00424/FUL for the erection of an extension to the east elevation, to be used for storage. This extension provided approx. 34sqm additional floor space for the site. At the time of considering these applications Officers considered that it was not necessary to limit the use of these extensions for storage only and therefore conditions were not attached in relation to their use.
- 5.5 The submitted existing floor plans reflect internal changes which have been undertaken at the premises to convert the store to the north elevation to a food preparation area. It is understood that this area is currently being used in association with the business' takeaway desserts offer, as shown on the proposed floor plans. The existing plans also show that a telephone area has been created and the yard has been adapted to provide covered storage. These alterations were not shown on plans for the previous application (DC/21/00268/FUL).

- 5.6 The proposed plans show further internal changes which would include the conversion of the existing kitchen and the store to the east elevation to create a holding area and delivery dispatch area and new kitchen. This would result in an increase in the size of the kitchen facility from 22sqm to 32sqm. These internal alterations do not form part of the development for which planning permission is now sought - the application relates to the proposed first floor extension only. Officers however consider that the proposed first floor extension would be necessary to facilitate the proposed ground floor alterations, as the extension would replace storage space that would be eliminated at ground floor level, and those lost as a result of the conversion of the extension to the north elevation.
- 5.7 In addition to the existing and proposed plans the applicant has provided supporting information with the application as to how the premises operates:
- Opening hours: Sunday – Thursday: 17:00-00:00, Friday – Saturday: 17:00 – 01:00
 - Existing staff numbers: 8no. full time, 18no. part time; proposed staff numbers: 10no. full time, 22no. part time
 - Maximum of 8no. delivery drivers per night
 - Ratio of delivery types: pre- and post-covid walk-in collections 40%, deliveries 60%, during covid walk-in collections 15%, deliveries 85%
- 5.8 Based on the proposed floor plans submitted, which include both the proposed first floor extension and internal changes at ground floor level including the current desserts preparation area, and the details provided setting out the nature of the operation, Officers are of the view that the proposed development would facilitate a material change of use from a Hot Food Takeaway (Sui Generis) to either a mixed use comprising a Hot Food Takeaway and Food Preparation, or a Food Preparation unit (Use Class B2) with ancillary Hot Food Takeaway use.
- 5.9 The applicant has been advised of the LPAs view and that the change of use requires planning permission. The applicant contests that a change of use has already occurred and that a change of use is being proposed. The applicant has cited a shift in the character and intensity of operations on the site since the beginning of the Covid-19 pandemic in March 2020, which has increased market demand and widened customer expectations of the hot food takeaway sector alongside the increased popularity and of online ordering tools such as 'Just Eat'. The applicant has provided photographs of the interior of the premises which they consider to be commensurate with a hot food takeaway operation. The applicant also considers that no intensification of use of the premises or change in character has occurred to amount to a change of use from a hot food takeaway.
- 5.10 The LPA has considered the arguments put forward by the applicant. Whilst changes resulting from the Covid-19 pandemic are recognised, the LPA are however of the view that the proposed development does amount to a change of use when having regard to the scale of operations at the premises as shown on the submitted plans and the nature of the delivery

arrangements, which currently comprises a larger proportion of deliveries (60%) than collections (40%). Whilst a change of use is not sought by the application, it is the view of the LPA that a proposed development would facilitate a change of use; this is considered to be relevant to Officers' assessment of the application and this is therefore set out below on this basis.

5.11 THE PRINCIPLE OF THE DEVELOPMENT

5.12 Health and wellbeing

Core Strategy policy CS14(3) states that: *"the wellbeing and health of communities will be maintained and improved by controlling the location of, and access to, unhealthy eating outlets"*.

5.13 Gateshead Council's Hot Food Takeaway Supplementary Planning Document (SPD) was adopted in June 2015 and an addendum was published in September 2020. The SPD sets out the Council's priorities and objectives in relation to the planning control of hot food takeaways and elaborates upon policies relating to health and wellbeing. The SPD can be afforded full weight in the decision-making process.

5.14 The Hot Food Takeaway SPD provides clarity on Core Strategy policy CS14 in respect of locations in which hot food premises are not appropriate. The Council recognises that one of the ways in which planning can promote a healthy community, in particular controlling the levels of obesity, is by restricting access to unhealthy eating outlets.

5.15 Planning consideration 2 states that *"planning permission will not be granted for A5 use in wards where there is more than 10% of the year 6 pupils classified as obese"*. The percentage of year 6 pupils in the Windy Nook and Whitehills ward who are classified as obese is 23% which is higher than the limit identified in the SPD. The application site is therefore not an appropriate location to increase access to an unhealthy eating outlet.

5.16 The plans submitted with application DC/21/00268/FUL included both previously approved extensions (DC/15/01138/FUL and DC/20/00424/FUL) which were annotated as 'Stores'. Supporting correspondence to the application however stated that the stores were being used for food preparation due to Covid-19 regulations. In the absence of conditions preventing the extensions from being used for purposes other than storage, Officers were concerned that the addition of the proposed first floor storage would allow the retention of the ground floor food preparation areas, which would in turn amount to facilitating increased access to an unhealthy eating outlet through an increase in the availability of takeaway food by virtue of allowing an increase in the amount of food preparation that could take place on the premises. This therefore represented one of the reasons for the refusal of application DC/21/00268/FUL.

5.17 The submitted existing floor plans reflect internal changes that have subsequently been undertaken at the premises including the conversion of

the northern store to a food preparation area, which is understood to currently be in use in association with the business' takeaway desserts activities.

- 5.18 The proposed floor plans show further internal changes which would include the conversion of the existing store to the east elevation and kitchen to create a holding area and delivery dispatch area and new kitchen, which would increase in size from approximately 22sqm to 32sqm.
- 5.19 Supporting information provided with the application sets out that the applicant has operated a successful hot food takeaway business on the site for some time, and that changes triggered by the Covid-19 pandemic have altered consumer habits, prompting customers to seek an enhanced choice of food including healthier and specialist options such as vegan and gluten free. The information states that whilst there is reconfiguration at ground floor level no additional floor space is proposed, and the proposals would have a limited impact in terms of intensification of use at the site and would instead facilitate the sale of an increased range of takeaway goods from the premises, with the additional floor space proposed relating predominately to administration and staff facilities and the storage of an increase range of foods. The information states that the increased food preparation space is to allow the introduction of healthier, organic, vegetarian and vegan options in line with emerging customer preference. It is stated that by facilitating healthier options, the application would provide scope for improved health and wellbeing, thus contributing towards achieving the objectives of the HFTSPD.
- 5.20 As with application DC/21/00268/FUL, Officers consider that the proposed creation of storage and staff facilities associated with the takeaway business is, in principle, not unacceptable. In the absence of conditions restricting the ground floor areas Officers are however concerned that the addition of the proposed first floor storage areas would facilitate the use of the ground floor stores for food preparation, which could not reasonably be prevented through the imposition of conditions upon this application. Officers consider that the submitted plans provide evidence which support these concerns, as the proposed extension would be necessary to facilitate the proposed ground floor alterations to convert the existing store and kitchen to create a larger kitchen and delivery dispatch and holding areas by providing replacement storage facilities on the site. Furthermore, the conversion of the northern store to food preparation has already been undertaken and Officers consider that the proposed extension is also likely to be necessary to provide storage facilities to replace those lost through this conversion. Whilst this is currently being used for food preparation for takeaway desserts, there is no mechanism to prevent the type of food being prepared in this area by the current or any future occupier.
- 5.21 Officers have had regard for the supporting information provided by the applicant however consider that there is no evidence that the suggested food options proposed would be healthy; there is also no reasonable mechanism

through which to limit or tie the additional kitchen or food preparation space to additional or healthy menu items only.

- 5.22 Officers therefore consider that the proposed development would amount to facilitating increased access to an unhealthy eating outlet through an increase in the availability of unhealthy takeaway food by virtue of allowing an increase in the amount of food preparation that could take place on the premises. It is therefore considered that the proposed development would not support, maintain or improve the health and wellbeing of local communities and would therefore be contrary to the NPPF, policy CS14 of the Local Plan for Gateshead and the Hot Food Takeaway SPD.
- 5.23 **VISUAL AMENITY**
Policy CS15 of the Local Plan for Gateshead requires development to contribute to good place making. Policy MSGP24 additionally states that the design quality of proposals will be assessed with regards to criteria including: the proposal's compatibility with local character including scale, massing, proportions and form; layout and access; and materials.
- 5.24 The application site currently consists of a single storey flat roof commercial unit positioned to the northern end of a small parade of shops (including a single residential property at the southern end), which is surrounded by predominantly two storey residential dwellings with dual-pitched roofs and straight gable ends.
- 5.25 On the previous application at this site (DC/21/00268/FUL) Officers acknowledged that the proposed extension would be widely visible however it was considered that the proposed dual-pitched roof design, form and scale of the extension would be directly reflective of the surrounding dwellings, and that this would therefore essentially appear as a continuation around the corner of the adjacent property (11 Glynfellis). As such, Officers considered the proposed extension to be acceptable in respect of design and visual impact and that this would be compatible with local character and scale.
- 5.26 The proposed first floor extension would cover the same footprint as the extension previously proposed (DC/21/00268/FUL) however would feature a mono-pitch roof with extensive areas of blank brickwork to all sides. Whilst Officers acknowledge the flat roof design of the existing parade, it is considered that the overall design and form of the proposed extension would fail to reflect the established character and appearance of two storey buildings within the locality or make a positive contribution to the character and quality of the area and would constitute poor design, contrary to the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.27 **RESIDENTIAL AMENITY**
NPPF Paragraph 130 states that developments should, amongst others, create places that afford a high standard of amenity for existing and future users. Local Plan policies CS14 and MSGP17 additionally require that new development does not have an unacceptable impact upon the amenity of nearby residents.

- 5.28 A number of objections have been received to the application on the grounds that the proposed extension would have a harmful impact upon residential amenity.
- 5.29 In terms of the proposed extension, this would be positioned around 23m from the closest properties to the north/north east along Blackthorne which face towards the site. Having regard for this separation distance and use proposed, Officers consider that the proposed extension would not result in unacceptable harm to the living conditions of adjacent residents including through any loss of light or overshadowing, loss of privacy/overlooking, overbearing impact or loss of outlook/visual intrusion.
- 5.30 To the west of the application site is the property 11 Glynfellis which is separated from the site by a pedestrian walkway and contains doors and a first floor window within its gable elevation. Part of the blank front elevation of the proposed first floor extension would be positioned directly adjacent to the gable of this property. Whilst acknowledging the proximity of the sites, having regard to the relationship between the properties Officers consider that the proposed extension would not result in an unacceptable impact upon the amenity of this neighbouring occupier. Were planning permission to be granted, conditions could be imposed in respect of any future windows to be installed in this elevation.
- 5.31 It is considered that the proposed extension would not have a detrimental impact upon the amenity of existing occupiers of the units to the south of the application site or other surrounding residential occupiers. Were planning permission to be granted conditions could be imposed in respect of the proposed extraction system to ensure that this would not give rise to unacceptable impacts in terms of noise and odour.
- 5.32 A number of objections received also relate to impacts from the use of the premises upon residential amenity.
- 5.33 Residential properties to the north, east and west of the site on Wealcroft, Beechway and Blackthorn share the vehicular access to the rear of the application site, which is understood to be used by delivery drivers to access the premises from the rear. The LPA acknowledge that the premises is an established hot food takeaway business which generates a level of activity associated with its operation. Given the very close relationship between the application site and surrounding residential properties, which is intensified by the properties sharing the cul-de-sac, consideration must therefore also be given to the potential impacts resulting from the proposed development upon these occupiers.
- 5.34 The letters of objection and petition from local residents refer to issues currently experienced by residents relating to noise, disturbance and issues with access being restricted along the road, particularly from delivery drivers using and apparently overwhelming the rear access road. Residents have raised concerns that the proposed development would exacerbate existing

amenity concerns and would result in an increase in disturbance and in traffic from delivery drivers. Officers consider that the representations received provide evidence that the current operation of the premises is resulting in disturbance to nearby residents.

- 5.35 The application does not propose to extend the existing opening hours of the premises (currently 00:00 Sunday – Thursday and 01:00 Friday – Saturday) or detail an increase in their existing 8no. delivery drivers, however proposes to increase staff numbers, with 2no. additional full time staff and 4no. additional part time staff. Officers also understand that the current ratio of delivery types of would remain at 40% collections and 60% deliveries.
- 5.36 Officers consider that the intensified scale of business operation at the site as shown on the proposed plans and level of activity associated with the premises which would be facilitated by the proposed development, and result in a change of use occurring, has the potential to impact unacceptably upon neighbouring residential occupiers.
- 5.37 As proposed, the proposed plans show an increase in the size of the kitchen which Officers consider would increase the amount of food that could be prepared on the premises, and thus dispatched to customers. The proposed plans also include a holding area and delivery dispatch area towards the rear of the premises which Officers consider corroborates that the majority of the food prepared on the premises is delivered to customers rather than collected. Whilst the number of delivery drivers employed by the business is not proposed to increase, online ordering tools such as ‘Just Eat’ typically include a delivery option which is delivered by an employee of that online service.
- 5.38 The increase in activity arising from the comings and goings of delivery drivers to the rear of the premises is likely to give rise to additional noise and disturbance, including through higher levels of traffic and congestion. The impact of the intensified operation of the premises would be exacerbated by the location of the site along a cul-de-sac within a residential area.
- 5.39 Whilst Officers accept that the site is an established hot food takeaway premises, it is considered that the proposed development would have an unacceptable detrimental impact on the amenity of existing residents due to the disturbance arising from the intensification of activity at the site, having regards to the predominantly residential character of the area and the close relationship between the premises and neighbouring residential dwellings around the cul-de-sac. The proposed development would therefore be in conflict with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.40 HIGHWAY SAFETY AND PARKING
NPPF Paragraph 111 states 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”*.

- 5.41 The rear access road is shared between a number of residential properties and commercial units. Officers note that the road is constrained in width and that pavement bollards at the rear of the application site indicate that there have previously been issues with parking or driving on the pavement which resulted in the installation of the bollards, which are likely to be as a result of the tight nature of the street. It is understood that deliveries to and from the premises occur from this rear access road, rather than from Glynfellis to the front of the premises.
- 5.42 Again, Officers acknowledge that the premises is an established takeaway business however, in view of the location of the site and existing parking and traffic issues which are evidenced by the tightness of the road and bollards, it is considered that the intensified scale activity at the site which would be facilitated by the proposed development (and resultant change of use) and the increase in staff numbers and deliveries would exacerbate the current traffic and parking issues along the rear access road. Whilst Officers consider that there may be scope for collections to instead be made from Glynfellis, this has not been proposed by the applicant and insufficient information has been submitted with the application to determine the acceptability of this arrangement. Officers therefore consider that it cannot be concluded that the development would not have an unacceptable impact upon highway safety and that the application would comply with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.
- 5.43 **COMMUNITY INFRASTRUCTURE LEVY (CIL)**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not housing or retail related and therefore this proposal would not be charged.
- 5.44 **OTHER MATTERS**
The positioning of internal ductwork required as part of the proposed development would not represent a reason for refusal of the application as it is considered that this would not detrimentally impact upon amenity, given the proposed use of the first floor rooms for storage and staff facilities.
- 5.45 Concerns raised regarding the structural stability of the foundations of the building are not planning matters and would be addressed under the Building Regulations regime. Matters relating to issues with the existing drainage system also do not fall within the remit of matters to be considered by this application.
- 5.46 Matters raised in relation to the devaluation of property and area, the condition of roads and the need for the development are not material planning considerations. There is no evidence that the proposed development would result in vandalism or significant health impacts.

- 5.47 The LPA are aware of inaccuracies in the submitted plans however consider that these do not preclude determination of this application. In the event that planning permission were to be granted then such details could be corrected as part of any approval.
- 5.48 Comments made in the letter accompanying the petition query why planning permission was granted for the rear extension (DC/20/00424/FUL) which resulted in the displacement of the bins and a storage container. Based on the plans submitted with this application, which proposed the use of the extension for storage and did not include a covered yard area, the LPA was however satisfied that replacement storage space would be provided and that sufficient space would be provided within the site for the storage of bins.
- 5.49 It is considered that all other material planning considerations have been addressed within the main body of the report.

6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account including representations made by local residents it is considered that the proposed development is unacceptable as it would lead to an increased access to an unhealthy eating outlet, which would be detrimental to the health and wellbeing of the local community. The proposed development would also result in harm to visual amenity through poor design and would facilitate a level of activity at the premises which would conflict with and detrimentally impact upon the established residential use of the surrounding area.
- 6.2 It is therefore considered that the proposed development is unacceptable and is contrary to the aims and objectives of both national and local planning policies and it is therefore recommended that planning permission be refused.

7.0 Recommendation:

That permission be REFUSED for the following reason(s):

1

The proposal would represent inappropriate development as it would lead to increased access to an unhealthy eating outlet and is therefore contrary to the NPPF, policy CS14 of the Local Plan for Gateshead and the Hot Food Takeaway SPD.

2

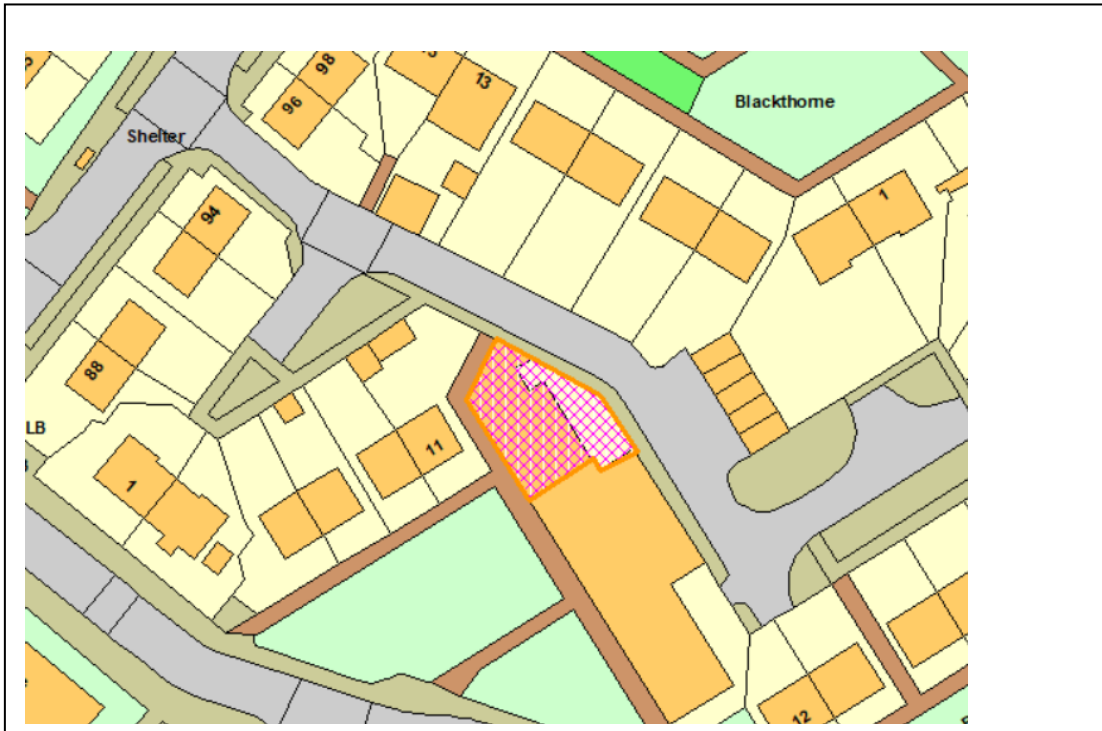
By virtue of its design and form the proposed first floor extension would represent poor design which would not reflect the character or appearance of the locality. The proposed development is therefore contrary to the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.

3

The proposal would have an unacceptable detrimental impact on the amenity of existing residents due to disturbance arising from the increase in activity at the site which would conflict with the established residential use of the locality. The proposed development is therefore contrary to the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

4

Insufficient information has been submitted to allow the Local Planning Authority to consider the proposed development and its impact on highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.



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