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## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 14 June 2023

**PRESENT:** Councillor B Goldsworthy (Chair)

Councillor(s): J Turner, V Anderson, D Burnett, L Caffrey, S Dickie, P Elliott, A Geddes, T Graham, M Hall, L Kirton, K McCartney, E McMaster, J Mohammed, L Moir, C Ord, I Patterson, S Potts, K Walker, H Weatherley, D Welsh and K Wood

**APOLOGIES:** Councillor(s): P Burns

#### **PD792 CONSTITUTION**

The Constitution of the Committee for municipal year 2023-2024 was noted.

#### **PD793 MINUTES**

The minutes of the meeting held on 17 May 2023 were approved as a correct record and signed by the Chair.

#### **PD794 DECLARATIONS OF INTEREST**

Councillor L Moir, Councillor C Ord, Councillor A Geddes and Councillor K Wood declared a personal interest in application DC/23/00266/COU and removed themselves from the meeting for the duration of this item and did not take part in the subsequent discussion or voting.

Councillor J Turner and Councillor L Moir declared a personal interest in application DC/23/00253/FUL and removed themselves from the meeting for the duration of this item and did not take part in the subsequent discussion or voting.

#### **PD795 PLANNING APPLICATIONS**

**RESOLVED:** i) That the full planning applications and outline applications specified in the appendix to these minutes be granted, refused or referred to the Department for Communities and Local Government or deferred as indicated subject to the conditions, if any, as specified therein and to any other appropriate conditions of a routine or standard nature.

ii) That the applications granted in accordance with delegated powers be noted.

**PD796 ENFORCEMENT TEAM ACTIVITY**

The Committee received a report advising them of Enforcement Team Activity between 4 May 2023 and 30 May 2023.

The Enforcement Team has received 122 new service requests. The Enforcement Team currently has 630 cases under investigation, with 20 cases resolved and 0 pending prosecutions.

RESOLVED – That the information be noted.

**PD797 ENFORCEMENT ACTION**

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee.

RESOLVED – That the information be noted.

**PD798 PLANNING APPEALS**

The Committee received a report advising them of new appeals received and to report the decisions of the Secretary of State received during the period.

Since the last Committee there has been two new appeals lodged

Since the last Committee there has been one new appeal decision received.

Since the last Committee there has been no appeal cost decisions.

RESOLVED – That the information be noted.

**PD799 PLANNING OBLIGATIONS**

The Committee received a report advising them of completion of Planning Obligations which have previously been authorised.

Since the last Committee there have been no new planning obligations.

RESOLVED – That the information be noted.

**Chair.....**



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Date of Committee: 14 June 2023

**Application Number and Address:**

DC/23/00266/COU  
 Brumby  
 Barmoor Lane  
 Ryton  
 NE40 3AA

**Applicant:**

Action for Children

**Proposal:**

Change of use from residential dwellinghouse (Use Class C3) to residential Children's Home (Use Class C2). (Additional information received on 17/05/23 and 18/05/23)

**Declarations of Interest:**

<b>Name</b>	<b>Nature of Interest</b>
Councillor L Moir	Personal Interest
Councillor C Ord	Personal Interest
Councillor A Geddes	Personal Interest
Councillor K Wood	Personal Interest

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

Sandra Bell spoke in objection to the application

Aidan Lawson spoke in objection to the application

Jane Melrose Craven spoke in favour of the application

Oliver Suggate spoken in favour of the application

**Reason for Minor Update****Further representation received**

One further representation has been received from JT Planning, objecting to the development. The representation has been submitted on behalf of the occupiers of 4 households, all of whom have already made separate objections against the proposal.

The representation raises the following points, as summarised below:

- the proposal in principle is unacceptable as it would result in the loss of a high-quality family home, contrary to Policy CS9 of the Core Strategy
- the parking design along the frontage of the site would result in poor design through the removal of landscaping and the entire paving of the frontage. The site is also a short distance

from the western edge of the Ryton Conservation Area, therefore there is the potential for poor design to negatively impact upon the setting of the Conservation Area, contrary to heritage policies.

- the proposal would result in significant amenity issues for residents who live nearby, including through noise and disturbance and a fear of anti-social behaviour
- Adding a 7-bedroom care home which caters for up to 6 children and employs 14 full-time staff will result in further amenity issues in terms of traffic movements; noise from vehicles (doors opening/closing etc.); and children and staff congregating within the grounds and playing in the rear garden area, though it is understood that no more than 4 children and 5 staff would be on the site at any one time.
- the current layout does not provide adequate and safe parking and access for 5 vehicles and will lead to vehicles parking on the public highway
- The public highway is already congested, severely so during school pick-up and drop-off times. Therefore, it seems clear that the proposals are unacceptable and would lead to further highway safety concerns.
- Residents understand that the Applicant has a similar property providing care for 4 children in Fenham at '14 West Acres'. At this site it is understood that an additional 7 car parking spaces have been provided on top of the original 4. Residents believe that this is clear evidence that they require far in excess of the parking arrangements that Brumby can offer.

Officers are of the opinion that no new material planning issues in relation to the application site have been raised within this representation and that the points made are addressed within the main officer report.

### **Additional information received**

An updated 'Existing Floor Plan' has been submitted by the agent for the application because the original existing floor plans incorrectly identified 7 bedrooms at the property. While the dwelling benefits from additional living accommodation in its roof space, the updated 'Existing Floor Plan' confirms that it only has 5 bedrooms.

In addition, an updated 'Proposed Floor Plan' has been submitted by the agent, improving the visual clarity of the original drawing and clarifying that no new bedrooms are proposed to be created as a result of the change of use.

As set out within the submitted Planning and Transport Statement(s), which have formed the basis of the assessment of the development, the children's home would have 5 bedrooms, accommodating a bedroom each for no more than four children and one member of staff.

### **Condition(s) amended**

Taking into account the additional information received, the following recommended conditions are proposed to be amended, in order to insert the updated Existing and Proposed Floor Plan drawing numbers:

1

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

-Drawing Number 1000 Revision P2 Site Location Plan

- Drawing Number 0400 Revision P3 Existing Plans
- Drawing Number 3000 Revision P3 GA Plans
- Drawing Number JN2653-Dwg-0001A Proposed Site Access Arrangement
- Drawing Number J034-001 Measured Survey

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.

8  
The secure and weatherproof cycle storage as detailed on the approved plan '**Drawing Number 3000 Revision P3 GA Plans**' shall be implemented wholly in accordance with the approved details prior to the first use/occupation of the property as a children's home. The cycle parking provision shall be retained as such thereafter for the life of the development.

**Decision(s) and any conditions attached:**

GRANT permission

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

- Drawing Number 1000 Revision P2 Site Location Plan
- Drawing Number 0400 Revision P3 Existing Plans
- Drawing Number 3000 Revision P3 GA Plans
- Drawing Number JN2653-Dwg-0001A Proposed Site Access Arrangement
- Drawing Number J034-001 Measured Survey

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  
Prior to the first occupation of the use hereby permitted final details of a noise management plan shall be submitted to and approved in writing by the Local Planning Authority.

4  
The development hereby approved shall be implemented in accordance with the details approved under condition 3 at all times and retained and maintained as such for the lifetime of the development.

5

Prior to the first occupation/ use of the children's home hereby approved the works to the driveway and front boundary treatment as detailed on the approved plan 'Drawing Number JN2653-Dwg-0001A Proposed Site Access Arrangement' shall be completed in full and the retained front boundary treatment made good. The front boundary treatment shall be maintained as such thereafter for the lifetime of the development. The maximum height of the retained front boundary treatment within the pedestrian visibility splay as detailed on the approved plan 'Drawing Number JN2653-Dwg-0001A Proposed Site Access Arrangement' shall not exceed 0.6 metres and shall be maintained as such thereafter for the lifetime of the development.

6

Notwithstanding the details of the submitted application, prior to the first occupation/ use of the property as a children's home hereby approved final details of the electric vehicle charging point(s) shall be submitted for the consideration and written approval of the Local Planning Authority.

7

The electric vehicle charging point(s) approved under condition 6 shall be implemented wholly in accordance with the approved details prior to the first occupation/ use of the property as a children's home. The electric vehicle charging point(s) shall be retained thereafter for the life of the development.

8

The secure and weatherproof cycle storage as detailed on the approved plan 'Drawing Number 3000 Revision P3 GA Plans' shall be implemented wholly in accordance with the approved details prior to the first use/occupation of the property as a children's home. The cycle parking provision shall be retained as such thereafter for the life of the development.

9

Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) the permitted development rights of the development are removed in relation to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure along the front boundary of the site adjacent to Barmoor Lane.

10

The property shall be used solely as a children's home under Use Class C2 (Residential Institutions) of the Use Classes Order 1987 (as amended) with a maximum occupancy of no more than four children at any time and staffing levels at the property to not exceed those detailed within the submitted Planning Statement reference: JP/LH/ER/5120NE/R001 at any time.



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

The application was granted.

**Date of Committee: 14 June 2023**

**Application Number and Address:**

DC/23/00253/FUL  
Council land adjacent to St Agnes Primary  
School  
Gateshead

**Applicant:**

Engineering Services (Highways)

**Proposal:**

Construction of new highway (footpath) on existing Council land.

**Declarations of Interest:**

Councillor L Moir	Personal Interest
Councillor J Turner	Personal Interest
Councillor A Geddes	Personal Interest

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

Peter Rodgers spoke in objection to the application.

**Further representations made**

Following the publication of the Committee Agenda, a single further letter of support has been received.

The letter is summarised as follows:

The path is very much needed as it's used by hundreds of people on a daily basis and can become dangerous during autumn and winter.

**Decision(s) and any conditions attached:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport 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 -

TS-0572-002 - Proposed New Footpath (adjacent St Agnes Primary School).

TS-0572-001 - Footpath Works

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 development hereby permitted shall be constructed entirely of the materials detailed and shown on plan number TS-0572-001 - Footpath Works.

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

The application was granted.

**Date of Committee: 14 June 2023**

**Application Number and Address:**

DC/22/01336/FUL  
Land at Highfield Road  
Rowlands Gill

**Applicant:**

DAMF (NE) Ltd

**Proposal:**

Variation of Condition 1 of application DC/20/00069/REM to introduce amended plans as approved plans and documents, resulting in changes to layout and house types (additional information received 17/01/23, 19/01/23, 22/02/23 and 12/04/23 and amended plans received 18/01/23, 22/02/23 and 12/04/23).

**Declarations of Interest:**

**Name**

**Nature of Interest**

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

**Reason for Minor Update**

**Condition(s) added/deleted/amended**

Further to the recommendation set out in Paragraph 7.1 of the main report, Officers are of the view that four further planning conditions (Conditions 6 to 9), pertaining to boundary treatments and drainage during construction are required.

The proposed condition wording is set out in full below;

6

No boundary treatment(s) shall be provided until final details of all boundary treatments and a timetable for implementation have been submitted to and subsequently approved in writing by the LPA.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

7

All boundary treatments shall be installed in accordance with approved details and timetable for implementation approved under Condition 6.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

8

Notwithstanding the approved Drainage Assessment, within one month of the approval of planning permission, the details and specification of temporary measures to be employed during each construction phase for the management of runoff from site areas that have not yet received final soft landscaping or have not yet been connected to the new development drainage system shall be submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or to adversely affect the permanent drainage system for the development in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

9

Construction shall take place in full accordance with the temporary drainage measures approved at condition 8 prior to any of the houses hereby approved being occupied.

Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or to adversely affect the permanent drainage system for the development in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

**Decision(s) and any conditions attached:**

The Committee requested that the application be deferred in order for further information to be provided.

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

The application was deferred.

