

TITLE OF REPORT: Planning Appeals

REPORT OF: Anneliese Hutchinson, Service Director, Climate Change, Compliance, Planning and Transport

Purpose of the Report

1. To advise the Committee of new appeals received and to report the decisions of the Secretary of State received during the report period.

New Appeals

2. There have been **two** new appeals lodged since the last committee:

DC/22/01392/CDPA – The Glasses Factory, 32 Wesley Court, Blaydon, NE21 5BT
 DETERMINATION OF PRIOR APPROVAL: Conversion of first floor commercial unit to create 4 flats - mix of 1 and 2 bed.

This was a delegated decision refused on 14 April 2023

DC/23/00148/ODPA - Shoefayre Ltd, 4 Wesley Court, Blaydon, NE21 5BT
 DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E premises to C3 residential (2no. 1 bedroom flats).

This was a delegated decision refused on 14 April 2023

Appeal Decisions

3. There have been **three** new appeal decisions received since the last Committee:

DC/21/00595/TPO - 42 Woodlands Park Drive, Axwell Park, Blaydon, NE21 5PQ
 Tree works at 42 Woodlands Park Drive (amended 11/06/21).

This was a delegated decision granted on 19 May 2023

Appeal allowed 15 June 2023

DC/21/00977/FUL - Pear Trees, Orchard Road, Rowlands Gill, NE39 1DN
 Demolition of existing bungalow and garage and construction of two new dwelling with vehicular and pedestrian access (Resubmission)

This was a delegated decision refused on 27 October 2021

Appeal dismissed 2 June 2023

DC/21/01368/FUL - Land To The West Of Sainsburys Supermarket, Eleventh Avenue, Team Valley, Gateshead

Construction of a building for flexible employment-based development for B8 (Storage and Distribution) or as a Builders' Merchant (Sui Generis), with associated hardstanding, parking and landscaping (amended/additional information received 25 May 2022, 1 August 2022, 31 August 2022, 8 September 2022, 15 September 2022,

30 September 2022 and 14 October 2022 and amended description 19 August 2022).

This was a committee decision refused on 27 October 2022

Appeal dismissed 23 June 2023

Appeal Costs

4. There have been **no** appeal cost decisions.

Outstanding Appeals

5. Details of outstanding appeals can be found in **Appendix 3**.

Recommendation

6. It is recommended that the Committee note the report

Contact: Emma Lucas Ext: 3747

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

HUMAN RESOURCES IMPLICATIONS

Nil

EQUALITY AND DIVERSITY IMPLICATIONS

Nil

CRIME AND DISORDER IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

HUMAN RIGHTS IMPLICATIONS

The subject matter of the report touches upon two human rights issues:

The right of an individual to a fair trial; and
The right to peaceful enjoyment of property

As far as the first issue is concerned the planning appeal regime is outside of the Council's control being administered by the First Secretary of State. The Committee will have addressed the second issue as part of the development control process.

WARD IMPLICATIONS

Various wards have decisions affecting them in Appendix 3.

BACKGROUND INFORMATION

Start letters and decision letters from the Planning Inspectorate

APPENDIX 3

OUTSTANDING APPEALS

Planning Application No	Appeal Site (Ward)	Subject	Appeal Type	Appeal Status
DC/21/00595/TPO	42 Woodlands Park Drive Written Axwell Park Blaydon NE21 5PQ	Tree works at 42 Woodlands Park Drive (amended 11/06/21)	Written	Appeal allowed
DC/21/00977/FUL	Pear Trees Orchard Road Rowlands Gill NE39 1DN	Demolition of existing bungalow and garage and construction of two new dwelling with vehicular and pedestrian access (Resubmission)	Written	Appeal allowed
DC/21/01368/FUL	Land To The West Of Sainsburys Supermarket Eleventh Avenue Team Valley Gateshead	Construction of a building for flexible employment-based development for B8 (Storage and Distribution) or as a Builders' Merchant (Sui Generis), with associated hardstanding, parking and landscaping (amended/additional information received 25 May 2022, 1 August 2022, 31 August 2022, 8 September 2022, 15 September 2022, 30 September 2022 and 14 October 2022 and amended description 19 August 2022).	Written	Appeal dismissed
DC/22/00635/CPE	Allotment Gardens West Of Pelaw Youth Centre Shields Road	CERTIFICATE OF LAWFULNESS FOR EXISTING USE OR DEVELOPMENT: Use of	Written	Appeal in Progress

	Felling Gateshead NE10 0YH	land as private general amenity space (Sui Generis). (Additional information received on 15/07/2022 and 10/08/2022)		
DC/22/00900/FUL	The Cottage 18 Talbot Terrace Birtley Central Birtley Gateshead DH3 2PQ	Erection of canopy over front entrance and glass balustrade around front boundary to create seating/waiting area, including alterations to stepped frontage (part retrospective).	Written	Appeal in Progress
DC/22/01392/CDPA	The Glasses Factory, 32 Wesley Court, Blaydon, NE21 5BT	DETERMINATION OF PRIOR APPROVAL: Conversion of first floor commercial unit to create 4 flats - mix of 1 and 2 bed.	Written	Appeal in Progress
DC/23/00148/ODPA	Shoefayre Ltd 4 Wesley Court Blaydon NE21 5BT	DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E premises to C3 residential (2no. 1 bedroom flats).	Written	Appeal in Progress
DC/23/00211/ADV	Land Adjacent Blaydon Railway Staff Social Club, Tyne Street, Blaydon, NE21 4JB	Display of 1No freestanding 48-sheet LED advertisement display	Written	Appeal in Progress