



***PLANNING AND DEVELOPMENT COMMITTEE  
SUPPLEMENTARY INFORMATION***

**Wednesday, 31 August 2022 at 10.00 am at the Bridges Room - Civic Centre**

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Item	Business
4.1	No. 1 - Former Dunston Hill Community Primary School, Dunston Bank, Gateshead (Pages 3 - 8)
4.2	No. 2 - The Ark, Main Road, Barmoor, Ryton NE40 3UG (Pages 9 - 12)
4.4	No. 4 - Land to the west of Sainsburys Supermarket, Eleventh Avenue, Gateshead, Team Valley (Pages 13 - 18)

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# UPDATE

**REPORT OF THE  
SERVICE DIRECTOR, PLANNING, CLIMATE CHANGE AND STRATEGIC  
TRANSPORT**

**TO THE PLANNING AND DEVELOPMENT COMMITTEE ON  
31 August 2022**

Please note this document should be read in conjunction with the main report of the Service Director, Planning, Climate Change and Strategic Transport



**MINOR UPDATE**

<b>Application No:</b>	DC/19/00821/FUL
<b>Site:</b>	Former Dunston Hill Community Primary School Dunston Bank Gateshead
<b>Proposal:</b>	Demolition of existing school buildings followed by full redevelopment of the site to provide 35 dwellings, with associated parking and vehicle access onto Dunston Bank (amended plans received 21.04.2021, 06.05.2022, 08.06.2022, 28.07.2022 and 16.08.2022 and description amended to reflect increase in proposed amount of redevelopment and dwellings 12.05.2021 and 10.05.2022) (additional information received 04.08.21, 13.05.2022, 28.07.2022, 05.08.2022 and 09.08.2022).
<b>Ward:</b>	Dunston Hill And Whickham East
<b>Recommendation:</b>	Grant Permission
<b>Application Type</b>	Full Application

**Reason for Minor Update**

**Clarification of earliest decision date and condition(s) amended**

Paragraphs 3.12 and 7.0 of the Officer Report refer to the publicity period ending on 8 September 2022, however, this date is 15 September 2022. **No further representations have been received since the Officer Report was published.**

The description of existing accesses in paragraph 1.4 of the Officer Report should note that in total there is one main vehicular access point on Dunston Bank and two secondary vehicle access points, one on Ellison Road and one on the corner of Dunston Bank. There are also two pedestrian accesses on Dunston Bank and two on Ellison Road.

Condition wording is also recommended to be amended as follows:

32  
No dwelling hereby approved shall be occupied until final details of secure and weatherproof cycle parking have been submitted to and approved in writing by the Local Planning Authority.

**The details shall include an anchor point within the shed and a locking mechanism for the shed. The shed construction and all equipment should meet Secured By Design criteria.**

**Reason**

To ensure appropriate provision for cycle parking in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

**42**

No dwelling hereby approved shall be occupied until the following details (relating to off-site highways matters) have been submitted to and approved in writing by the Local Planning Authority:

- a) Making good of all redundant footway crossings on the site frontage along both Ellison Street and Dunston Bank.
- b) Dropped kerb arrangement for cyclists on Ellison Road
- c) Works associated with new accesses (vehicle and pedestrian).
- d) Relocation of the bus shelter on Dunston Bank.
- e) An independent Road Safety Audit.
- f) The removal of infrastructure associated with the previous school use on the site (ie guard rail, zig zag marking, signage - the guard rail removal being subject to a safety assessment)
- g) Final details of amendments to roadmarkings and relevant legal orders.
- h) Amendments to streetlighting following consultation with the Council's Adoption Engineer and Street Lighting team.
- i) Final details of amendments to or additional external highway drainage as a result of off-site highway works
- j) Final details of signage, further to the detailed highways design, as a minimum in relation to cyclists joining carriageway at Ellison Road, short section of the shared use path, and the 20mph zone.

**Reason**

In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

44

**Notwithstanding the approved plans, following demolition, no further development shall commence until final details of footpath gradients and sections of footpaths 1 and 2 as shown on plan '003-01 -G- External Works', which shall include landings at regular intervals and the length of each landing being equal to at least the width of the footpath, has been submitted to and approved in writing by the Local Planning Authority.**

**Where the details would affect any information provided in the Flood Risk Assessment 'Dunston Hill - FRA - Report rev F', the details submitted in relation to this condition shall include an updated risk assessment and drainage strategy, with reference to Conditions 46-49.**

**Reason**

**To ensure appropriate accessibility at the site to provide users with opportunities to rest whilst moving through the site, and to prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy, in accordance with the NPPF and policies CS13, CS17, MSGP15 MSGP29 and MSGP30 of the Local Plan.**

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**The details approved under condition 44 shall be implemented in full accordance with the approved scheme prior to first occupation of the development and retained and maintained as such for the lifetime of the development.**

**Reason**

**To ensure appropriate accessibility at the site to provide users with opportunities to rest whilst moving through the site, and to prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy, in accordance with the NPPF and policies CS13, CS17, MSGP15 MSGP29 and MSGP30 of the Local Plan.**

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**No dwelling hereby approved shall be occupied until the following details, including reference to the details required under Condition 44, have been submitted to and approved in writing by the Local Planning Authority:**

- a) **As-built information relating to the principal elements of the final drainage scheme, demonstrating that design intent has been delivered.**

**b) Final details of Management and Maintenance, including timescales**

**Reason**

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan

**48**

Following demolition, no further development shall commence until a demonstration of a precise review of ground levels around plots 1-4 and final details of a preferential overland flood flow route, including reference to the details required under Condition 44, has been submitted to and approved in writing by the Local Planning Authority.

**Reason**

To minimise risk of flooding at the north east part of the site, in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan

**50**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting, substituting, amending, extending, consolidating replacing or modifying that Order), no enlargements, additions, incidental buildings, within Part 1, Classes A, AA, B and E of Schedule 1 shall be erected/installed on the land, except in the event that a further planning permission is expressly granted for that development.

**Reason**

To ensure the scheme would not have an unacceptable impact on the highway safety and visual and residential amenity, in accordance with the NPPF and policies CS14, CS15, MSGP15, MSGP17 and MSGP24 of the Local Plan.

**SEE MAIN AGENDA FOR OFFICERS REPORT.**





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**MINOR UPDATE**

<b>Application No:</b>	<b>DC/21/01203/COU</b>
<b>Site:</b>	<b>The Ark Main Road Barmoor Ryton NE40 3UG</b>
<b>Proposal:</b>	<b>Change of use from use class F1 to use class E(b) (Sale of food and drink for consumption (mostly) on the premises) and installation of extraction system with external flue to roof level. Installation of hardstanding along (south) elevation of building for new bin store. Erection of new 2 metre high boundary fence along (east) boundary of site. (Amended plans and additional information received on 19/07/22 and 01/08/22)</b>
<b>Ward:</b>	<b>Crawcrook And Greenside</b>
<b>Recommendation:</b>	<b>Refuse Permission</b>
<b>Application Type</b>	<b>Change of Use</b>

**Reason for Minor Update**

**Further representations made**

A further letter of objection has been received which raises the following matters:

- Residential amenity concerns
- Loss of privacy
- Additional noise
- Health concerns
- Cooking smells and odours
- Disturbance early mornings/late evenings
- Amendments made to proposals would not alleviate concerns relating to noise and odour
- Traffic/highways concerns
- Inadequate car parking which would exacerbate current lack of car parking by resulting in overspill into residential streets
- Increase in traffic would cause a danger to residents and people using roads and footpaths including children
- Potential for vandalism
- Lack of communication with residents about repercussions of drug operation found in the building

Officers are of the opinion that no new material planning issues have been raised within the latest representation received and the objections that have been raised have been addressed within the main officer report. Matters raised relating to communication with residents in relation to recent activity at the site are not a material planning issue.

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**MINOR UPDATE**

<b>Application No:</b>	<b>DC/21/01368/FUL</b>
<b>Site:</b>	<b>Land To The West Of Sainsburys Supermarket Eleventh Avenue Gateshead Team Valley</b>
<b>Proposal:</b>	<b>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 and 1 August 2022 and amended description 19 August 2022).</b>
<b>Ward:</b>	<b>Lamesley</b>
<b>Recommendation:</b>	<b>Refuse Permission</b>
<b>Application Type</b>	<b>Full Application</b>

**Reason for Minor Update****Amended Plans**

Amended plans were submitted by the applicant on Thursday 25 August seeking to change the red line boundary of the application site to the southern side of proposed pedestrian crossing over the vehicle access. This change is intended to bring the pedestrian visibility splay to this side of the crossing within the applicants control, meaning vegetation could potentially be cut back and attempt to improve sight visibility to users of the crossing.

Given the very late submission of the amended plans there has been insufficient time to consult with the transport officers ahead of the Planning Committee meeting on these revised details, which would usually take up to 21 days. As such officers are unable to comment on whether the visibility splay proposed is adequate and would address the highway safety concerns with respect to this issue in refusal reason 2.

As officers have not had the opportunity to adequately assess the amended plans given their late submission 3 working days before Planning Committee, these have not been added to the planning application file or referred to in the application description.

**Late Representations Received**

A late representation with respect to the planning application has been received on 26 August 2022 from Sainsbury's who own the application site, raising the following points:

- They have owned the site since 2004, it was retained in case additional car parking for the adjacent supermarket was required. However have sought to find an alternative use since 2017 when they considered the land was no longer needed.
- Previous proposals have been put forward on the site but were withdrawn following advice from the Council that the land should be reserved for employment uses.
- It is noted a Tree Preservation Order (TPO) has been served on all category A and B trees identified in the Tree Quality Assessment submitted in support of the planning application. A letter of objection to the TPO has been submitted by Ground Control, an arboriculturalist acting on behalf of Sainsbury's, which considers the TPO is unfounded, unnecessary and inaccurate.
- Sainsbury's have marketed the site for employment uses and are disappointed the policy compliant application is being recommended for refusal.
- They do not recognise the description of the site in the committee report, which suggests it is an essential part of the setting of a heritage park and garden. Team Valley Trading Estate is a busy employment and retail focussed trading estate. Owing only to light touch maintenance, the site has become overgrown with scrub vegetation and self-seeded trees, but that does not elevate it beyond its true status as a brownfield development site sitting between Kingsway South and our supermarket car park.
- Whilst some of those employed at the builders' merchant might arrive by bicycle, and should be encouraged to do so, no customers are likely to cycle to a builder's merchant. Each week, more than 26,000 customers visit the adjacent Sainsbury's store by car, bicycle and on foot. Complaints have not been received from colleagues or customers that they are unable to access the store easily or safely. As such Sainsbury's cannot accept that such a small additional number of people using the footpath and cycle network to work at a builders' merchant could justify a request from officers to upgrade a 210m stretch of cycleway, or justify the refusal of the application without it.
- When Sainsbury's agree disposal of their sites with potential purchasers, they thoroughly review proposals to ensure that they have a realistic chance of achieving planning permission within a reasonable timescale so that the sale can complete. Of all the schemes they have reviewed over recent years, they considered that the current proposals should have been a low risk in planning terms because of the policy compliant nature of the scheme and, in their view, the good quality design.
- As a significant investor in the local economy, Sainsbury's want to see Gateshead Council promoting development, delivering jobs and supporting communities. The officer's report stands in stark contrast to that and we hope that Members will not follow the officer's recommendation when the application is considered at committee on 31st August.



As mentioned above a further letter has been received from Ground Control (arboriculturalist acting on behalf of Sainsburys) making separate representation with regards the TPO that has recently been served on the trees along the western boundary with Kingsway. They object to the TPO on the following grounds:

- The Order has not been made in accordance with best practice.
- The Order's First Schedule is unenforceable, duplicating one tree as two different species.
- Trees do not merit protection as they have low estimated remaining contributions, based on an assessment of their age, condition and historical management.
- Tree Preservation Orders should not be used to obstruct development.

These comments relate to the separate legal process relating to the serving of a TPO and will be taken into account as part of that process.

Further representation on the TPO will be provided by Ground Control following a site inspection.

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