

PLANNING AND DEVELOPMENT COMMITTEE AGENDA

Wednesday, 31 October 2018 at 10.00 am in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

Item	Business
2	Minutes (Pages 3 - 22) The Committee is asked to approve as a correct record the minutes of the meeting held 10 October 2018 (copy previously circulated).
11	Planning Obligations (Pages 23 - 24) Report Service Director, Communities and Environment

Contact: Helen Conway - Email: HelenConway@gateshead.gov.uk, Tel: 0191 433 3993,
Date: Tuesday, 23 October 2018

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Public Document Pack Agenda Item 2

GATESHEAD METROPOLITAN BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 10 October 2018

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): L Caffrey, S Craig, A Geddes, M Hall, L Kirton, J Lee, K McCartney, J McClurey, C McHugh, E McMaster, C Ord, I Patterson, A Wheeler, K Wood, S Dickie, M Henry and R Oxberry

IN ATTENDANCE: Councillor(s):

APOLOGIES: Councillor(s): M Hood, K Ferdinand, J Turnbull, N Weatherley and D Burnett

PD285 MINUTES

The minutes of the meeting held on 19 September were approved as a correct record and signed by the Chair.

PD286 DECLARATIONS OF INTEREST

Councillor Susan Craig declared a personal interest in application DC/18/00627/HHA as she knew the objector personally, and removed herself from the room during the consideration of the application and subsequent voting.

PD287 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.

PD288 DELEGATED DECISIONS

The applications determined since the last committee meeting in accordance with the powers delegated under part 3, schedule 2 were tabled for information.

PD289 ENFORCEMENT TEAM ACTIVITY

The Committee received a report advising of the Enforcement Team activity since the last Committee meeting. The team deal with proactive and reactive investigations in relation to Planning, Highway and Waste related matters.

Within the month commencing 26.08.18 and ending 26.09.18, the enforcement team has received 135 new service requests.

RESOLVED - that the information be noted

PD290 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.

PD291 PLANNING APPEALS

The Committee received a report that informed of the progress received and to report of the decisions of the Secretary of State received during the report period.

The Committee were advised that there have been two new appeals lodged since last Committee.

The Committee were advised that there have been two new appeal decisions received since last Committee.

The Committee were advised that there had been no appeal cost decisions awarded since last Committee.

RESOLVED - that the information be noted

PD292 PLANNING OBLIGATIONS

The Committee received a report advising of the completed Planning Obligations which have previously been authorised.

Since the last committee meeting there have been no new planning obligations.

Since the last committee there have been one new payments received in respect of planning obligations.

RESOLVED - that the information be noted

Chair.....

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Date of Committee: 10 October 2018

Application Number and Address:

DC/1800533/FUL
Blaydon Industrial Park
Chainbridge Road
Blaydon on Tyne

Applicant:

UK Land Investments Ltd

Proposal:

Mixed use retail/leisure development comprising of a discount foodstore (1767 sqm GIA), A1 retail store (2630 sqm GIA), A1 retail store (1170 sqm), A1 retail store (2160 sqm) with associated garden centre (700 sqm), Starbucks drive-thru (167 sqm GIA) and a drive-thru restaurant (250 sqm NIA) (amended 19/06/18)

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

Reason for Minor Update:

The application had been withdrawn.

Any additional comments on application/decision:

As the application had been withdrawn, it was not possible for Committee to determine this application.

Date of Committee: 10 October 2018

Application Number and Address:

DC/18/00542/HHA
6 Coalway Lane
Whickham
NE16 4BX

Applicant:

Mr Paul Churnside

Proposal:

First floor side extension and canopy to create covered car port, and Juliet balcony to rear (description amended 27.06.18, amended plans received 08.09.18)

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

None

Decision(s) and any conditions attached:

Committee agreed to overturn the officers recommendation and refuse the application for the following reasons:-

- 1) Impact on residential amenity
- 2) Impact on character of area
- 3) Over development

Any additional comments on application/decision:

A Member's site visit had taken place on Thursday 4 October.

The officer recommendation had been to grant permission however the Committee determined that the scale and design of the development resulted in harmful impacts on the occupiers of neighbouring properties due to loss of outlook, loss of privacy and that the development being overbearing; that the development would have a detrimental impact on the character of the area due to the terracing effect created; and that the proposed development, when considered cumulatively with previous extensions at the property, would amount to overdevelopment.

These concerns outweighed the recommendation to grant and therefore Members refused the application.

Date of Committee: 10 October 2018

Application Number and Address:

DC/18/00566/FUL
Karbon Homes
Land adj Starling Walk
Sunniside
Newcastle upon Tyne

Applicant:

Karbon Homes

Proposal:

Erection of 10 dwellings with associated parking (amended 15/08/18)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Members were advised that due to new regulations that came into effect on 1 October 2018, the use of pre-commencement conditions must be first agreed with the applicant. Consequently, some of the trigger points in the conditions were liable to change.

Decision(s) and any conditions attached:

That planning permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment 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 –

01	Location Plan
07-L- Proposed Site Layout	Option F
HT-200-1-E-B1-2B3P Bungalow	M4(1)
HT-200-2-D-T2-2B4P House	M4(1)
HT-200-3-A-T3-3B5P House	M4(1)

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) No individual external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.
- 4) The development shall be completed using the materials approved under Condition 3, and retained as

such in accordance with the approved details thereafter.

- 5) Prior to the commencement of the development hereby approved, a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.
- 6) The construction control plan approved under condition 5 shall be implemented and complied with in full during all stages of construction, until completion.
- 7) Prior to commencement of the development hereby approved the final details of a pedestrian link between the application site and Gateshead Road (including timetable for implementation) shall be submitted for the consideration and written approval of the Local Planning Authority.
- 8) The details of the crossing location approved under condition 7 shall be implemented in full accordance with the approved details in accordance with the approved timetable.
- 9) The cycle parking facilities associated with each individual property (shown on approved plan 07-L-Proposed Site Layout-Option F) shall be implemented in full accordance with the submitted details prior to first occupation of each respective unit hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.
- 10) At the point of occupation of any unit hereby approved, a Travel Plan, or 'Welcome Pack' shall be provided to the occupants of each dwelling, to encourage the use of alternative modes of travel to the site other than by private vehicle. This must include local cycle maps, bus stop locations, bus timetables and maps showing pedestrian routes to local amenities.
- 11) No development shall take place until the final details of the drainage scheme has been submitted and approved in writing by the LPA. The scheme shall include detailed drainage drawings, electronic model, adoption arrangements, timetable for implementation and health and safety assessment in accordance with the Council's SuDS Guidelines.
- 12) The final drainage scheme shall be carried out in full accordance with the details approved under condition 11 (including timings for implementation).
- 13) No work in relation to any proposed drainage features shall take place until a long-term management plan for the drainage scheme approved under condition 11 has been submitted to and approved in writing by the LPA.
- 14) The drainage scheme approved under condition 11 shall be managed in full accordance with the management plan approved under condition 13 for the lifetime of the development.
- 15) No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under condition 11 has been submitted to and approved in writing by the LPA.
- 16) The drainage scheme approved under condition 11 shall be constructed in full accordance with the construction management plan approved under condition 15.
- 17) In the event of contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Planning Authority an investigation and risk assessment must be undertaken, and where a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority

Any additional comments on application/decision:

A Member's site visit had taken place on Thursday 4 October.

Date of Committee: 10 October 2018

Application Number and Address:

DC/18/00627/HHA
37 Grayling Road
Festival Park
Gateshead
NE11 9ND

Applicant:

Mr Steve Cunningham

Proposal:

Extension to existing detached garage.

Declarations of Interest:

Name

Nature of Interest

Councillor Susan Craig declared an interest in this application as she knew the objector personally, and removed herself from the room during the consideration of the application and subsequent voting

Personal

List of speakers and details of any additional information submitted:

Mr Robert Carruthers spoke against the application

Mr Steve Cunningham spoke in favour of the application

Decision(s) and any conditions attached:

That permission be GRANTED and that the Strategic Director of Communities and Environment be authorised to add, delete, vary, amend and finalise the wording of the planning conditions (as set as below as headings) as necessary:

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

Location Plan 1:1250
Proposed Site Plan 1:50
Proposed Ground Floor Plan 1:50
Proposed Roof Plan 1:100
Proposed Elevations 1:100

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) All external surface shall be completed in materials to match those of the existing detached garage. Where new materials would differ in any way from those of the existing building, no development shall commence until samples of the proposed material are made available for inspection on site and are subsequently approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with those details.

Any additional comments on application/decision

At Committee Mr Cunningham advised that :

- (i) There was no business being run from the premises
- (ii) There was no employee working in the detached garage.

Date of Committee 10 October 2018

Application Number and Address:

DC/18/00704/FUL
Land west of Pennyfine Road
Sunniside
Newcastle upon Tyne
NE16 5EP

Applicant:

Avant Homes, Buckley Burnett Ltd and S and B T
Douglas

Proposal:

Construction of 89 residential dwellings, including access to Pennyfine Road and associated infrastructure and landscaping (amended 18/07/18, 28/08/18 and 04/09/18 and additional information received 31/07/18, 04/09/18 and 14/09/18)

Declarations of Interest

Name

None

Nature of Interest

List of speakers and details of any additional information submitted:

Members were given a verbal update that a further 7 objections and one representation of support have been received, bringing the total to 23 objections. It was not considered that any new issues had been raised, or where they had, these matters were already proposed to be covered by condition.

Members were advised that due to new regulations that came into effect on 1 October 2018, the use of pre-commencement conditions must be first agreed with the applicant. Therefore, some of the trigger points in the conditions were liable to change. A number of typos had also been identified and consequently, there will need to be some other changes made to the final wording of the conditions.

Decision(s) and any conditions attached:

GRANT SUBJECT TO CONDITIONS AND A SECTION 106 AGREEMENT

- 1) The agreement shall include the following obligations:
 - Affordable housing in perpetuity
 - Highway mitigation works
 - Biodiversity mitigation
 - Local workforce commitments
- 2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.
- 3) That the Strategic Director of Communities and Environment be authorised to add, delete, vary and amend the planning conditions as necessary.
- 4) And that the conditions shall include

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

Site Layout Plan 1013-AVA 100 Rev O
Boundary Treatment 1013-AVA 101 Rev C
Surface Treatment Plan 1013-AVA 102 Rev C
Adoption Plan 1013-AVA 103 Rev C
Landscape Strategy 1052_100 Rev C
Road Cross Sections N17197-903_P2
Long Sections N17197-210_P1
Long Sections N17197-211_P1
Long Sections N17197-212_P1
Long Sections N17197-213_P1
Construction Plan SUN_CP_01B
TPP. Pennyfine No. 1
TPP. Pennyfine South No. 1
TPP. Pennyfine North No. 1
Pre Development BS5837 Arboricultural Implications Assessment
Pennyfine Road 2018 prepared by Jim Richardson dated 18 June 2018

FRA N1719 Rev 2 July 2018 Dam Hodgson Patrick Parsons
Interim travel plan A089225-1 by David Groves of WYG dated 4 July 2018
LVIA Part 1, 2, 3, 4 and 5
Noise Impact Assessment LA Environmental "Proposed Residential Development of Pennyfine Road, Sunnyside, Assessment of Noise Levels and Noise Amelioration Measures" prepared by Louise Anderson dates 27 June 2018
Construction Method Statement Rev A
Flood Risk Assessment and Drainage Strategy Rev 2 (28.08.2018)
Landscape Strategy 1052_100 Rev A

West Boundary sections 1052_110
Drainage Strategy Plan N17197-901_P3

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 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. No development approved by this Planning Permission shall be commenced until a Phase 2 intrusive site investigation is undertaken, (based on the findings of the Patrick Parsons Phase 1 report dated April 2018), and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes/trial pits, insitu testing, groundwater and ground gas monitoring, soil sampling, chemical laboratory testing, and geotechnical testing of samples to assess potential contamination issues and to inform foundation design.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to the environment, future users of the site and construction workers. Reference should be made to CLR 11 – Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated

Sites – Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

Ground gas monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with, where relevant, recommendations for ground gas mitigation measures.

The site investigation and Phase 2 report should also include, where applicable, Permeability tests and an assessment of potential contamination issues in relation to any proposed/required SuDS features.

4. The recommendations of the intrusive site investigations and the Phase 2 Risk Assessment Report approved under condition 3 shall be implemented prior to commencement of the development hereby permitted.

5. Prior to commencement of the development hereby permitted, where require, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

NB The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in any proposed soft landscape areas.

6. The details of remediation measures approved under condition 5 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

The Local Planning Authority must be given two weeks written notification of commencement if the remediation scheme works.

7. Following completion of the remediation measures approved under condition 5 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of the development.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary by the Local Planning Authority. Following completion of measures identified in the approve remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

9. Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0800 hours an 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Internal works within dwellings shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0800 hours and 1700 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

10. Prior to commencement of the development hereby permitted (except for remediation works and tree protection measures) a Surface Water Drainage Scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and a Foul Water Drainage Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the scheme shall also include details of maintenance and management responsibilities for all components of the scheme for the design life of the development.

11. Prior to first occupation of the development hereby permitted the details approved under condition 10 shall be wholly implemented in accordance with the approved details and retained for the life of the development thereafter.

12. No development approved by this Planning Permission shall be commenced until a drainage layout drawing with accompanying cross section(s) through the flood zone and basin has been submitted. This shall define the extents of surface water flooding as identified on the Gateshead Strategic Flood Risk Assessment and demonstrate that the extents of the drainage basin (and any other groundworks) lie outwith this zone.

13. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until an update drainage assessment has been submitted showing the final drainage scheme, with confirmation of final discharge rates and volumes and including full Microdrainage modelling results. The assessment shall contain existing culvert condition survey, proposed repair or replacement works, and evidence of agreement with landowner and Northumbrian Water of the acceptability of the maintenance proposal. The assessment shall demonstrate the drainage hierarchy has been followed with evidence of site investigation in accordance with the CIRIA SuDS Manual (C697) has been submitted to and approved in writing by the Local Planning Authority.

14. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until the culvert has been repaired and/or replaced to the satisfaction of the Lead Local Flood Authority, Northumbrian Water, and the Landowner.

15. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until an update drainage assessment has been submitted. This shall include:

Demonstration that the final drainage scheme conforms with the DEFRA Non-Technical Standards for SuDS, and that the drainage hierarchy has been followed with evidence of site investigation in accordance with the CIRIA SuDS Manual (C753).

An existing culvert condition survey, details of proposed repair or replacement works, and evidence of agreement with landowner and Northumbrian Water of the acceptability of the repair or maintenance proposals.

Detailed drawings of the drainage network showing clearly numbered pipes, falls, diameters, invert and cover levels that correspond with the submitted drainage model. Proposed contours, highway levels and finish floor levels should be submitted along with: existing and proposed site sections and levels; long and cross sections of the proposed drainage system; detailed drawings of all SuDS features and connections; detailed landscape plans showing proposed planting, seeding, hardworks and play features in and around SuDS features, including planting schedules.

SuDS Health and Safety Assessment where appropriate consideration and management of any health and safety issues relating to the SuDS system is required.

All necessary consents required for off-site works.

16. The details of SuDS measures approved under condition 15 shall be implemented wholly in accordance with the approved details prior to first occupation of the development hereby permitted and maintained for the life of the development.
17. The standalone drainage maintenance document is required that shall include confirmation of expected lifespan of underground storage, treatment device, and flow control, and detailed specification and methodology for their replacement if within the lifespan of the development. The maintenance document shall define the SuDS and drainage features, include specification of maintenance tasks; and schedule of tasks and inspections for the lifetime of the development. Confirmation of parties responsible for the system maintenance is required. The report shall include required maintenance to make the basin play area safe and useable after any inundation.
18. The details approved under condition 17 shall be wholly implemented prior to first occupation of any of dwellings hereby permitted in accordance with the approved details and retained thereafter for the life of the development.
19. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until a drainage construction method statement has been submitted containing:

Consideration of any construction phasing, demonstrating that adequate interim drainage and surface water pollution protection measures are in place.

Description of any construction methodologies to protect the SuDS functionality including the provision of any required temporary drainage systems, and methods for temporary protection of infiltration features, permeable surfaces, erosion prevention, pollution control, and de-silting prior to completion of works.
20. To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17
21. The development hereby permitted shall be undertaken wholly in accordance with the Construction Method Statement prepared by Amy McFaulds dated 25 September and construction plan SUN_CP_01 Rev B for the duration of the construction period.
22. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until the developer has provided a positive response to the requirements of policy GV7.9.iii. by submission of details for the formalisation of drainage along the former railway line to mitigate flood risk to Burdon Park for the consideration and written approval of the Local Planning Authority.
23. The details approved under condition 22 shall be wholly implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and retained for the life of the development thereafter.
24. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until full details of finished floor level and finished ground levels have been submitted for the consideration and written approval of the Local Planning Authority.
25. The details approved under condition 24 shall be implemented wholly in accordance with the approved details prior to the first occupation of the relevant plot and retained thereafter for the life of the development.
26. Notwithstanding the drawings SUNN/CRD/001 and ASN/001 full details of the elevations of the housetypes Ashton and Cranford shall be submitted for the consideration and written approval of the

Local Planning Authority. The details shall include comparable architectural embellishments similar to those seen on other house types.

27. The details approved under condition 27 shall be wholly implemented in accordance with the approved details prior to first occupation of the relevant dwelling of the development hereby permitted.
28. The noise amelioration measures detailed at Section 6 of a report entitled "Assessment of Noise Levels and Noise Amelioration Measures" by LAEnvironmental dated 27 June 2018 shall be wholly implemented prior to the first occupation of the relevant plot and retained for the life of the development.
29. The development hereby permitted shall not progress above damp proof level, until final details of kerb edging materials, colours and finishes to be used have been submitted for the consideration and subsequent written approval by the Local Planning Authority.
30. The surface materials approved under condition 30 shall be fully implemented prior to first occupation of the relevant part of the development and retained thereafter for the life of the development.
31. Prior to the development hereby permitted progressing above damp proof course on the first dwelling commenced full details of the link between the sub station adjacent to plot 8 and the Open Space to the west connecting the site access road to the Tanfield Railway Path shall be submitted for the consideration and written approval of the Local Planning Authority.
32. The details approved under condition 32 shall be wholly implemented in accordance with the approved details prior to first occupation of the first dwelling hereby permitted and retained thereafter for the life of the development.
33. Prior to the commencement of construction (except for tree protection measures and site investigations) details of a scheme to maintain a 20 MPH speed limit shall be submitted for the consideration and written approval. The proposals should allow for legal orders, signs and road markings.
34. The details approved under condition 34 shall be fully implemented prior to first occupation of the development hereby permitted and retained thereafter.
35. Each driveway shall have a minimum visibility splay of 2m x 2m with no obstruction above 600mm.
36. Prior to the first occupation of any dwelling hereby permitted final details of Electric Vehicle charging points for a minimum of 100% of the dwellings hereby permitted for the consideration and written approval of the Local Planning Authority.
37. The details approved under condition 37 shall be implemented wholly in accordance with the approved details prior to the first occupation of each relevant dwelling and retained for the life of the development.
38. Prior to the first occupation of any dwelling hereby permitted final details of cycle storage for each plot to include details of the locking mechanism and anchor point to be located in each garage or shed shall be submitted for the consideration and written approval of the Local Planning Authority.
39. The details approved under condition 39 shall be implemented wholly in accordance with the approved details prior to the first occupation of each relevant dwelling and retained for the life of the development
40. Notwithstanding the house types hereby permitted, full details of two plots that meet Wheelchair

Housing Standards, and nine plots that meet the Lifetime Homes Standards shall be submitted prior to the construction of foundations of any of the dwellings hereby permitted for the consideration and written approval of the Local Planning Authority.

41. The details approved under condition 41 shall be wholly implemented in accordance with the approved details prior to occupation of the relevant dwellings and retained for the life of the development.

42. Prior to commencement of construction (except for tree protection measures and site investigations) details of:

a scheme to introduce traffic calming measures on Pennyfine Road including improvements where the where the Tanfield Railway path crosses Pennyfine Road;

visibility splay details;

footway connection along the western edge of Pennyfine Road;

together with a timetable for delivery shall be submitted for the consideration and written approval;

The proposals should allow for legal orders, signs and road markings.

43. The details approved under condition 43 shall be wholly implemented in accordance with the approved details prior to the new access being brought into first use and retained thereafter for the life of the development.

44. No dwellings hereby approved shall be occupied until the submission of a final Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.

Clearly defined objectives, targets and indicators

Details of proposed measures

Proposals for maintaining momentum and publicising success

A programme for continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Evidence of the implementation of the hereby approved Framework Travel Plan over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

45 The Travel Plan approved under condition 45 shall be wholly implemented in accordance with the approved details for the life of the development

46 The development hereby permitted shall not commence (except for intrusive site investigations) until samples have been made available for inspection and subsequent approval in writing by the Local Planning Authority.

47 The development hereby permitted shall be undertaken wholly in accordance with the details approved under condition 50 and retained for the life of the development thereafter.

48 All vegetation clearance works will be undertaken outside the bird breeding season (March to August inclusive), and in accordance with the agreed careful working method as recommended in the Mount Pleasant Road, Birtley Extended Phase 1 Ecology Survey report dated January 2015. Where this is not possible a checking survey will be undertaken by a suitably qualified person immediately prior to the commencement of works on site. Where active nests are present these will remain undisturbed until the young have fledged and the nest is no longer in use.

49 Notwithstanding the information submitted and avoiding a duplication with any activities and mitigation subject to licensing; a Biodiversity Method Statement covering:-

habitats/ecological features to be retained on site

protected and priority species including bats, breeding birds, hedgehog, badger and common lizard, and

invasive non-native species

shall be submitted to and approved in writing by the Council prior to the commencement of works on site. The content of the method statement shall include details of measures to be implemented to avoid/minimise the residual risk of harm to individual species during the construction and operation phases of the development; and to ensure where possible, local populations are maintained at or above their current levels.

51 The Biodiversity Method Statement approved under condition 55 shall be implemented in full and retained thereafter for the life of the development.

52 Prior to first occupation of the development hereby permitted, a lighting strategy for biodiversity for the proposed development site shall be submitted to and approved in writing by the local planning authority. The strategy shall

identify those areas/features on site that are particularly sensitive for biodiversity, including bats; and

show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly be demonstrated that areas to be lit will not prevent bats and other wildlife using their territory or having access to their resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any external lighting be installed without prior consent from the local planning authority.

53 The details approved under condition 53 shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

54 The development hereby permitted shall not above progress above damp proof level, until final details of a fully detailed scheme for the play on the way equipment and its location has been submitted for the consideration and written approval of the Local Planning Authority.

55 The details approved under condition 57 shall be implemented in full prior to first occupation of the dwellings on plots 6, 17, 30 and 31 hereby permitted.

56 The development hereby permitted shall only be carried out within strict accordance with the submitted document entitled "Flood Risk Assessment and Drainage Strategy Revision" dated 1 July 2018.

57 Prior to commencement of the development hereby permitted details of measures to improve the visibility splay of the access to Linniefine House shall be submitted for the consideration and written

approval of the Local Planning Authority.

58 The details approved under condition 58 shall be wholly implemented prior to commencement of construction including site remediation

59 Development hereby permitted shall not above progress above damp proof level, until final details of a fully detailed scheme for the landscaping of the site detailing the retention, creation, enhancement and management of biodiversity and wildlife habitats within the site has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (except for the erection of tree protection measures, site security hoardings and site investigation) on site.

The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

60 The details approved under condition 22 shall be fully implemented in accordance with the approved details within the first available planting season following the approval of details.

61 No groundworks or development shall commence until a programme of archaeological fieldwork (strip, map and record) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

62 The dwellings hereby permitted shall not be first occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance to condition 62 has been submitted to and approved in writing by the Local Planning Authority.

63 The dwellings hereby permitted shall not be first occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Any additional comments on application/decision:

A Member's site visit had taken place on Thursday 4 October.



REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

31 October 2018

TITLE OF REPORT: **Planning Obligations**

REPORT OF: Anneliese Hutchinson, Service Director, Communities and Environment

Purpose of the Report

1. To advise the Committee of the completion of Planning Obligations which have previously been authorised.

Background

2. To comply with the report of the District Auditor "Probity in Planning" it was agreed that a progress report should be put before the Committee to enable the provision of planning obligations to be monitored more closely.
3. Since the last Committee meeting there have been **no** new planning obligations.
4. Since the last Committee there have been **no** new payments received in respect of planning obligations.
5. Details of all the planning obligations with outstanding covenants on behalf of developers and those currently being monitored, can be found at Appendix 2 on the Planning Obligations report on the online papers for Planning and Development Committee for 31 October 2018.

Recommendations

6. It is recommended that the Committee note the report.

Contact: Emma Lucas Ext: 3747

1. FINANCIAL IMPLICATIONS

Some Section 106 Agreements require a financial payment when a certain trigger is reached and there is a duty on the Council to utilise the financial payments for the purposes stated and within the timescale stated in the agreement.

2. RISK MANAGEMENT IMPLICATIONS

Nil

3. HUMAN RESOURCES IMPLICATIONS

Nil

4. EQUALITY AND DIVERSITY IMPLICATIONS

Nil

5. CRIME AND DISORDER IMPLICATIONS

Nil

6. SUSTAINABILITY IMPLICATIONS

Nil

7. HUMAN RIGHTS IMPLICATIONS

Nil

8. WARD IMPLICATIONS

Monitoring: Various wards

9. BACKGROUND INFORMATION

The completed Planning Obligations