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## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 6 December 2017

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

Councillor(s): M Hood, L Caffrey, P Dillon, K Ferdinand, A Geddes, M Hall, L Kirton, K McCartney, J McClurey, C McHugh, E McMaster, P Mole, C Ord, I Patterson, J Turnbull, A Wheeler, N Weatherley and S Dickie

**APOLOGIES:** Councillor(s): S Craig, J Lee and K Wood

### **PD178 MINUTES**

The minutes of the meeting held on 15 November 2017 were approved as a correct record and signed by the Chair.

### **PD179 DECLARATIONS OF INTEREST**

There were no declarations of interest received.

### **PD180 PLANNING APPLICATIONS**

RESOLVED: i) That the full planning applications and householder 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.

### **PD181 ENFORCEMENT ACTION**

The Committee considered a report that informed of progress of enforcement action which had previously been authorised by the Committee.

RESOLVED: That the information be noted.

**PD182 ENFORCEMENT APPEALS**

The Committee considered a report that informed of new appeals against enforcement action received and which also updated on the decisions of the Planning Inspectorate since the last Committee.

RESOLVED - That the information be noted.

**PD183 PLANNING APPEALS**

The Committee considered a report that informed of new appeals received and the decisions of the Secretary of State since the last Committee.

RESOLVED - That the information be noted.

**PD184 PLANNING OBLIGATIONS**

The Committee considered a report that provided an update on the completion of Planning Obligations which have previously been authorised.

RESOLVED - That the information be noted.

**PD185 BROWNFIELD LAND REGISTERS AND PERMISSION IN PRINCIPLE**

The Committee were presented with a report to inform the Committee of the proposals for Brownfield Land Registers and Permission in Principle (PIP) and how they will apply in Gateshead.

The Council along with a number of other local authorities took part in a Government pilot scheme in 2016 to produce a Part 1 Brownfield Land Register. The pilot register incorporated 57 sites, a high proportion of which were Council owned. The pilot register has been published on the Council's website.

Taking sites that have already been identified either through a planning application or allocation in either the Core Strategy and Urban Core Plan (CSUCP) and those proposed in Making Spaces for Growing Places (MSGP) a revised Brownfield Land Register this will be published on 21 December. These sites have been discussed with appropriate ward members.

If a site is included on the Brownfield Land Register, the Town and Country Planning (Permission in Principle) Order 2017 (15<sup>th</sup> April 2017) allows an "in principle" permission to be granted on sites and would form Part 2 of the register. This means that these sites will be granted permission in principle for residential or residential-led development subject to the number and scale of development that the Council considers to be appropriate. The combination of a PIP and a subsequent Technical Details Consent (TDC) means that the site as an implementable planning permission. PIPs are intended to provide an alternative means of obtaining planning permission for housing development.

Once a PIP is granted the developer or landowner has 5 years (or alternative period

as agreed with the LPA) to seek TDC, the approval of which will mean that the site has an implementable planning permission.

The timescales for an LPA to determine a TDC application are 5 weeks for minor development and 10 weeks for major development which is three weeks less than for standard planning applications.

Given the regulations for Brownfield Land Registers and PIPs, the Council will need to adopt a legal framework for decision-making, firstly as to whether a site is included on Part 2 and granted PIP and secondly to determine any subsequent TDC.

In terms of the final decision as to whether PIP Is granted, this would either be under delegated authority by the service director of Development, Transport and Public Protection or by the Planning and Development Committee, similar to the Council's scheme of delegation for planning applications based on size of development and number of objections. The scheme of delegation in the Council's constitution is in the process of being amended to allow this.

For a subsequent TDC, it is recommended that an application for this would be made to the Development Management section and this would be considered in the same way as a planning application, albeit the principle of development and amount of housing would not be relevant considerations and the timescales for determination would differ. The application would either be determined under delegated powers or by the Planning and Development Committee in accordance with the Council's current scheme of delegation for all planning application.

RESOLVED - That the information in the report be noted.

**Chair.....**

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Date of Committee: 6 December 2017

<p><b>Application Number and Address:</b></p> <p>DC/17/00830/FUL          Stampley Moss Farm          Thornley Lane          Rowlands Gill          NE21 6LB</p>	<p><b>Applicant:</b></p> <p>Mrs Philippa Curry</p>
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**Proposal:**

Proposed Outdoor Equestrian Training Arena (Additional information received 20/09/17 and amended plan received 17)

**Declarations of Interest:**

Name	Nature of Interest
None	None

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

Steve Barker – Agent speaking on behalf of the applicant Chair allowed applicants agent to speak at his discretion in light of the resolution to approve this application and the additional work that planning officers have undertaken in wording the conditions now proposed for this application.

An update report was provided.

Further to discussions with the applicant, recommended conditions 4, 5 and 7 have been amended to read the following:

4  
 The arena and parking area hereby approved shall not be lit by artificial lighting at any time.

Reason  
 To ensure that the operation of the development would not result in the use of external lighting that would have an unacceptable ecological impact, in accordance with saved policies DC1(d), ENV46, ENV47, ENV48, ENV49 and ENV51 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

5  
 The development hereby approved shall be used for practise, training and exercise only, and shall not be brought into use until a management plan for individuals and horses using the arena (which allows for only one session of three horses and three riders in the arena at any one time and includes measures for managing this arrangement) has been submitted to and approved in writing by the Local Planning Authority.

A register detailing each session (including date, time, duration, the person using the arena, and the purpose of the session) shall be kept on site at all times. The current register and those relating to the two previous years shall be retained on site and be available for inspection by an authorised officer of the Local Planning Authority without appointment at any reasonable hour.

Reason

To prevent an intensification of the use that would result in an unacceptable impact on highway safety and the Green Belt, in accordance with saved policy ENV3 of the Unitary Development Plan, policies CS13, CS15 and CS19 of the Core Strategy and Urban Core Plan, and the National Planning Policy Framework.

7

The development hereby approved shall not be brought into use until a scheme showing:

- a parking area and demonstration that the parking provision would align with the management plan required under Condition 5;
- a turning area that would allow vehicles to enter and leave the site in a forward direction; and
- the vehicle access to the site (east of the gated entrance) widened further north to accommodate two-way traffic, for an appropriate length to accommodate the vehicles associated with the development hereby approved has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development would not have an unacceptable impact on highway safety and parking, in accordance with policy CS13 of the Core Strategy and Urban Core Plan, and the National Planning Policy Framework.

Informative

1

You are advised that an agreement under s.278 of the Highways Act 1980 is required for works within the adopted highway for alterations or improvements to, the highway to facilitate the development.

This is likely to include the widening of the vehicle access, improvements to signage, road markings, and traffic management during the works.

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

That the committee is MINDED TO GRANT subject to consultation with the Secretary of State for Communities and Local Government pursuant to the Town and Country Planning (Consultation) (England) Direction 2009 and that the Strategic Director of Communities and Environment be authorised, in the absence of call-in by the Secretary of State, to GRANT 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

Unless otherwise required by condition, the development shall be carried out in complete accordance with the approved plan(s) as detailed below -

P100 G

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 approved shall be constructed entirely of the materials as specified in paragraph 2.1 of the Supporting Statement (received 28.07.2017) with the exception of the arena surface material, which shall be sand only.

4

The arena and parking area hereby approved shall not be lit by artificial lighting at any time.

5

The development hereby approved shall be used for practise, training and exercise only, and shall not be brought into use until a management plan for individuals and horses using the arena (which allows for only one session of three horses and three riders in the arena at any one time and includes measures for managing this arrangement) has been submitted to and approved in writing by the Local Planning Authority.

A register detailing each session (including date, time, duration, the person using the arena, and the purpose of the session) shall be kept on site at all times. The current register and those relating to the two previous years shall be retained on site and be available for inspection by an authorised officer of the Local Planning Authority without appointment at any reasonable hour.

6

The details approved under Condition 5 shall be implemented and the development shall be operated in full accordance with the approved details and retained as such for the lifetime of the development.

7

The development hereby approved shall not be brought into use until a scheme showing:

- a parking area and demonstration that the parking provision would align with the management plan required under Condition 5;
- a turning area that would allow vehicles to enter and leave the site in a forward direction; and
- the vehicle access to the site (east of the gated entrance) widened further north to accommodate two-way traffic, for an appropriate length to accommodate the vehicles associated with the development hereby approved has been submitted to and approved in writing by the Local Planning Authority.

8

The details approved under Condition 7 shall be implemented in full accordance with the approved details before the development hereby approved has been brought into use, and retained as such for the lifetime of the development.

9

The development hereby approved shall not commence until the final details of measures for drainage on site have been submitted to and approved in writing by the Local Planning Authority. This should include appropriate measures for pollution prevention during the site clearance and construction phase; and appropriate water treatment measures for surface water runoff, to ensure no adverse impact on groundwater and surface water quality.

10

The details approved under Condition 9 shall be implemented in full accordance with the approved details before the development hereby approved commences, and retained for the lifetime of the development.

11

Notwithstanding the information submitted, works associated with the development hereby approved shall not commence until a Biodiversity Method Statement has been submitted to an approved in writing by the Local Planning Authority. The Method Statement shall include (but not necessarily be limited to) the following details:

- timing of all works associated with the development (including site clearance);

- details of protective fencing, exclusion barriers and relevant warning notices to be provided during site clearance and construction;
- how arisings generated by the development would be dealt with (eg. handled, moved and managed);
- measures to avoid/minimise the risk of harm to protected and/or priority species;
- measures to avoid/control the spread of non-native invasive species;

12

All works associated with the development shall be implemented in full accordance with the details approved under Condition 11 at all times.

13

Notwithstanding the information submitted, the development hereby approved shall not commence until an ecological compensatory strategy to address the residual impact of the development on biodiversity including the direct loss of Local Wildlife Site has been submitted to an approved in writing by the Local Planning Authority. The Strategy shall include (but not necessarily be limited to) the following details:

- purpose and conservation objective for the proposed works
- Review of site potential and constraints
- Detailed design(s) and/or working method(s) to achieve stated objectives
- Extent and location/area of proposed works on appropriate scale maps and plans
- Type and source of materials to be used where appropriate, e.g. native species of local provenance
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
- Persons responsible for implementing the works
- Details of initial aftercare and long-term maintenance
- Details of monitoring and remedial measures
- Details of disposal of any wastes arising from works

14

The details approved under Condition 13 shall be implemented in full accordance with the approved details and timescales, and maintained as such for the lifetime of the development.

#### **Informative**

1

You are advised that an agreement under s.278 of the Highways Act 1980 is required for works within the adopted highway for alterations or improvements to, the highway to facilitate the development.

This is likely to include the widening of the vehicle access, improvements to signage, road markings, and traffic management during the works.

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



**Date of Committee: 6 December 2017**

**Application Number and Address:**

DC/17/00946/FUL  
Former Rowlands Gill Infant and Nursery School  
Sherburn Green  
Rowlands Gill

**Applicant:**

Gateshead Regeneration Partnership

**Proposal:**

Proposed erection of 23 dwellings with associated garages, parking, boundary details and landscaping (amended and additional information received 03/11/17).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

Councillor Dave Bradford – Ward Councillor speaking against the application

Derek Bell – Local Resident speaking against the application

Dr Peter James – Local Resident speaking against the application

Mike Axtell – Agent speaking on behalf of the applicant

An update in regard to ecology, amended plans received and further representations made was provided.

**ECOLOGY**

Paragraph 5.58 of the main report states Officers will offer an update in regard to ecological mitigation/compensation, this update it provided below.

Based on the nature of the development and the size of the site it is considered not possible to avoided biodiversity harm. It is considered that the proposal would have a harmful impact on the biodiversity and ecology of the area, without any compensation or mitigation measures.

The applicant has sought to mitigate for the proposed loss of habitat though the production of a Planting Strategy and Planting Plans, this plan comprises:

- The creation of an area of 'wildflower grassland';
- The creation of three discreet sections of 'native hedgerow' and;
- The provision of 5no. Schwegler 1SP house sparrow terrace nest boxes.

It is considered by officers that the proposed mitigation is not adequate to conclude that the proposal would no net loss of biodiversity as the areas offered in compensation are inadequate. Furthermore the potential biodiversity value and functionality of those measures proposed may be limited owing to their scale, ecological connectivity and levels of disturbance to which they could be subject.

Based on the above, it is considered it that the proposal would fail to comply with the aims and objectives of the NPPF, saved policies DC1(d), ENV46 and ENV47 of the Council's UDP and policy CS18 of the Council's CSUCP.

Officers are of the view that the proposed development remains acceptable, while the proposal would not compensate entirety of the loss of biodiversity/ecology some level of on-site compensation is provided.

It is the view of officers that the benefits of the proposed development, namely the provision of 23 family properties (which exceed the Government's internal space standards and achieve wheelchair and lifetime homes standards), the economic benefits delivered by such a development, the re-development of an (allocated) brown field site which has been derelict following the demolition of the school and improvements to pedestrian connections to the wider area, would outweigh the harm to biodiversity/ecology.

#### AMENDED PLANS

The applicant has submitted amended plans proposing minor amendments to the internal layout of the proposed development. The alterations result in the reduction in size of the garages of Plots 9 and 10 and the provision of cycle storage sheds in the rear gardens of these properties.

The above changes are made in response to the potential impact caused by Plot 10 by these garages (Paragraph 5.31 of the main report). It is the view of officer that this alteration alleviates the harm to outlook, it is therefore recommended that Conditions 7 and 8 need not be applied.

#### FURTHER REPRESENTATIONS

Two objectors supplemented their letters of objection with further emails; the issues raised were as follows;

- The development would have an unacceptable impact in regard to loss of sunlight and daylight on 27 and 29 Sherburn Park Drive and;
- No sunlight/daylight assessment has been submitted as part of the application and;
- Separation distances between the above properties are less than 13 metres.

In response to issues raised in regard to sunlight/daylight impact the developer has submitted a 'Sun Path and Shading Report'. In the view of Officers, the assessment demonstrates that the proposed development would have limited impact on the amenity of 27 and 29 Sherburn Park Drive and that further assessment in regard to this matter is not necessary.

In regard to separation distances, it is acknowledged that the separation distance between the single storey rear offshot of 27 Sherburn Park Drive is less than 13 metres. It must be noted that a single storey garage (owned by the application) would be located between Plot 23 and number 27; it is considered any additional loss of outlook would not be unacceptable.

Further, while the rear of 29 Sherburn Park Drive would be less than 13 metres from the gable of Plot 23, this relationship is offset in nature and as such it is considered no unacceptable impact would occur.

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

That the application be DEFERRED for a Site Visit

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

Due to the objections raised in relation to the application, the Committee agreed that a Site Visit be undertaken to allow members of the committee to fully understand the topography of the site and its relationship with surrounding properties.

**Date of Committee: 6 December 2017**

**Application Number and Address:**  
DC/17/01010/FUL  
Gateshead Council Lyndhurst Community  
Education Centre  
Beacon Lough Road  
Beacon Lough  
Gateshead

**Applicant:**  
Mr Peter Udall

**Proposal:**

Erection of 36 Houses (C3 residential) and all associated service and infrastructure.

**Declarations of Interest:**

<b>Name</b>	<b>Nature of Interest</b>
None	None

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

Bob Boustead – speaking against the application  
Phil Gallagher – Applicant

An update report was provided in relation to the following conditions.

Removal of condition 28 - '1m footpaths for approval'

The condition worded... *Notwithstanding the submitted plans, prior to the first occupation of plots 14 and 36 of the development hereby approved, a plan showing the provision of a 1m wide footpath alongside bays 14 and 36 shall be submitted to and approved in writing by the Local Planning Authority* is no longer required because the applicant has amended the site layout plan to include the 1m wide footpaths alongside bays 14 and 36 and hence is now covered by condition 1 'In accordance with approved plans'.

Removal of condition 29 – '1m footpaths implemented'

The condition worded... *The details approved by condition 28 shall be provided on site prior to the first occupation of plots 14 and 36 and maintained as such thereafter* is no longer required, as it wholly relates to the implementation of condition 28 above.

As a consequence of the removal of the conditions above, conditions 30, 31 and 32 of the main agenda report should now read as conditions 28, 29 and 30.

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

That the application be deferred.

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

During consideration of the item an issue was raised about part of the site which is being used for an Amateur Football Club and the need for works to the pitches which would be hampered by the closure of part of the site. The application was deferred to allow further investigations to take place in relation to the operation of the site.

**Date of Committee: 26 October 2016**

**Application Number and Address:**

DC/17/01082/FUL  
Hillgate Quay  
Gateshead

**Applicant:**

Mr Diarmuid Gavin

**Proposal:**

Creation of temporary urban garden including the placing and stacking of 90 steel shipping containers for a mix of uses including retail (use class A1), cafes and restaurants (use class A3), bars (use class A4), offices and business units (use class B1), general industry (use class B2), galleries and performance space (use class D1) and leisure (use class D2), uses, tattoo artist/brewery/distillery/sale of motorcycles (sui generis uses) and landscaping (additional information 25/10/17 and 13/11/17 and amended 13/11/17)

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

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

Mr Diarmuid Gavin – the applicant was allowed to speak at the Chairs discretion due to the sensitive location of this key site at Gateshead Quays and the unusual nature of this application.  
An update report was submitted to confirm that The Coal Authority has confirmed that it has no objections to the proposal.

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

That permission be GRANTED on a temporary basis for a period of 5 years on expiry of the publicity period and 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 -

001-HG-003 Main Plan View dated 11/11/2017

001-HG-004 Elevation View dated 11/11/2017

001-HG-005 Plaza Area Plan View dated 11/11/2017

001-HG-006 Plaza Area Front Elevation View dated 11/11/2017

001-HG-007 Plaza Area Rear Elevation dated 11/11/2017

001-HG-008 Plaza Area 3D Projection dated 11/11/2017

001-HG-009 Main Garden Plan Area dated 11/11/2017

001-HG-010 Main Garden Front Elevation dated 11/11/2017

001-HG-011 Main Garden Rear Elevation dated 11/11/2017

001-HG-012 Main Garden Elevation dated 11/11/2017  
001-HG-013 Main Garden 3D Projection of Rear dated 11/11/2017

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

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with bringing containers to site, their positioning and any other processes related to the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays, 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

3

The permission hereby granted shall be for a limited period only of 5 year(s) from the date of this decision notice and within three months of the expiry of this permission or the cessation of the development for which permission is hereby granted whichever is the sooner, the site shall be cleared of all shipping containers, buildings, plant, machinery and all other structures and materials connected with the temporary use and the land returned to its former condition, or such alternative scheme as may be first submitted to and approved in writing by the Local Planning Authority.

4

Prior to commencement of the development hereby permitted and notwithstanding the approved drawings:

001-HG-003 Main Plan View dated 11/11/2017  
001-HG-004 Elevation View dated 11/11/2017  
001-HG-005 Plaza Area Plan View dated 11/11/2017  
001-HG-006 Plaza Area Front Elevation View dated 11/11/2017  
001-HG-007 Plaza Area Rear Elevation dated 11/11/2017  
001-HG-008 Plaza Area 3D Projection dated 11/11/2017  
001-HG-009 Main Garden Plan Area dated 11/11/2017  
001-HG-010 Main Garden Front Elevation dated 11/11/2017  
001-HG-011 Main Garden Rear Elevation dated 11/11/2017  
001-HG-012 Main Garden Elevation dated 11/11/2017  
001-HG-013 Main Garden 3D Projection of Rear dated 11/11/2017

the final layout and elevations, to include:

- location and cross sections of retaining walls;
- direction of the openings of containers, and
- internal sound absorption materials for each respective container

shall be submitted for the consideration and written approval of the Local Planning Authority.

5

The details approved under condition 4 shall be implemented in full accordance with the approved details prior to first occupation of the development hereby permitted

6

No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved

Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials, with particular reference to the Quay Wall
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for the recycling/disposing of waste arising from construction works
- viii. to control the phasing of the development so that construction works undertaken in close proximity to the Tyne Bridge abutment/towers and steelwork are carried out prior to the return of kittiwakes in March 2018
- ix. to ensure deconstruction of the site following expiry of this permission does not impact upon kittiwakes

7

The details approved under condition 6 shall be fully implemented in full accordance with the approved details for the duration of construction and deconstruction of the development hereby permitted

8

Prior to first occupation of any part of the development hereby permitted an emergency flood warning and evacuation plan for the development/site which includes:

- a- details of the flood warning procedures;
- b- details of the emergency flood access and egress routes;
- c- identified places that people could be evacuated to; and
- d- flood response procedures.

has been submitted to and approved in writing by the Local Planning Authority.

The evacuation plan shall be kept up to date for the lifetime of the development.

9

The emergency flood warning and flood evacuation measures approved under condition 8 shall be implemented on first occupation or use of any part of the development hereby permitted and retained as such in accordance with the approved details thereafter.

10

The development hereby permitted shall not be commenced until a detailed drainage assessment (including a timetable for implementation, management and maintenance plan) for the provision of surface and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority.

11

The detailed drainage strategy approved under condition 10 shall be implemented prior to the development hereby permitted being brought into use/occupied and retained as such in accordance with the approved details thereafter.

12

The development hereby permitted shall not be commenced until full details of the disposal of the excavated materials shall be submitted for the consideration and written approval of the Local Planning Authority.

13

The details approved under condition 12 shall be implemented prior to first occupation of any part of the development hereby permitted and retained as such in accordance with the approved details thereafter.

14

Full details of the method of illumination of the external areas of the site to include:

Light/lux levels,  
Plan of light spillage  
appearance/location of light fittings  
hours that the site is illuminated

shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied/ brought into use.

The reinstatement/replacement of column lighting along the River frontage should aim to avoid/minimise the amount of 'up light' and light spill onto the river in order to avoid/minimise impacts on breeding kittiwakes and maintain the value and function of the Local Wildlife Site and Wildlife Corridor.

15

The lighting scheme approved under condition 14 shall be implemented prior to the development hereby permitted being brought into use/occupied and retained as such in accordance with the approved details thereafter.

16

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. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared 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, and submitted for the consideration and 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.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

17

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

18

Prior to occupation of each respective container of the development hereby permitted details of samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

19

The materials used shall be in accordance with the details approved under condition 18 unless otherwise approved in writing by the Local Planning Authority.

20

Should the water connections for the development hereby permitted require new groundworks two working days prior to such groundworks taking place written notice shall be given to the Local Planning Authority and County Archaeologist.

21

Prior to first occupation of the development hereby permitted details relating to cycle/pedestrian access including gradients and access routes to elevated containers shall be submitted for the consideration and written approval of the Local Planning Authority.

22

The details approved under condition 21 shall be implemented in full accord with the approved details and retained for the life of the development

23

Prior to first occupation of the development hereby permitted details of how the site links to public transport infrastructure and the national cycle network shall be submitted for the consideration and written approval of the Local Planning Authority

24

Prior to first occupation of any part of the development hereby permitted details of secure and weatherproof cycle parking shall be submitted for the consideration and written approval of the Local Planning Authority

25

The details approved under condition 24 shall be implemented in full accordance with the approved details and retained for the life of the development

26

Prior to first occupation of the development hereby permitted, full details of a Servicing and Deliveries Strategy shall be submitted for the consideration and written approval of the Local Planning Authority..

The Strategy shall demonstrate how the site will be serviced to include:

- details and hours of refuse and recyclables storage and collection facilities and arrangements for each container; and
- details and hours of deliveries and collections only to take place between 07:30 and 22:00 Monday to Friday, and between 08:00 to 22:00 Saturdays and Sundays 11:00-16:00.

Delivery vehicles waiting on or adjacent to the site outside of the times outlined above must switch engines/ refrigeration units off to protect noise sensitive receptors.

27

The Servicing and Deliveries Strategy approved under condition 26 shall be wholly implemented upon first occupation/use of any part of the development and thereafter maintained for the life of the development.

28

Prior to first occupation/use of any part of the development hereby permitted an autotrack of the delivery compound shall be submitted for consideration and written approval of the



Local Planning Authority to demonstrate that service and delivery vehicles can access and egress the delivery compound in a forward gear

29

The area required for the manoeuvring of delivery vehicles within the delivery compound established by the approval of condition 28 shall be kept clear at all times for use only by delivery and servicing vehicles.

30

Prior to first occupation of any part of the development hereby permitted details of safety and security measures shall be submitted for the consideration and written approval of the Local Planning Authority. The measures shall include:

- measures to deter vehicle entry other than those connected with deliveries and servicing or staff,,
- treatment of riverside barriers; and
- the materials proposed for the decked area

31

The measures approved under condition 30 shall be implemented in full prior to first occupation of any part of the development hereby permitted and be retained for the life of the development

32

Six months prior to first occupation of any part of the development a travel plan shall be submitted for consideration and written approval of the Local Planning Authority. The Travel Plan should focus on how visitors and staff will arrive at and leave the development hereby permitted, including links to available car parks in the area. Publicity of available options will be a key element.

The Travel Plan shall be implemented three months prior to first occupation of any part of the development hereby permitted.

33

No hard or soft landscaping shall commence on site until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed hard and soft landscaping, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

34

The landscaping scheme approved under condition 33 shall be implemented in full accordance with the approved details prior to first occupation of the development hereby permitted.

35

Prior to first occupation/use of any part of the development hereby permitted a detailed Landscape Management and Maintenance Plan shall be submitted for the consideration and written approval of the Local Planning Authority.

36

The approved Landscape Maintenance and Management Plan approved under condition 35 shall be wholly implemented from first occupation/use of any part of the development hereby permitted and maintained for the life of the development.

37

Prior to first occupation of the development hereby permitted a scheme for public art shall be submitted to and approved in writing by the Local Planning Authority.

38

The public art shall be implemented in accordance with the scheme approved under condition 37, prior to the development hereby permitted being first occupied/brought into use. The approved artwork shall be retained for the life of the development hereby permitted

39

Prior to first occupation of the development hereby permitted a plan to indicate the containers to be occupied by A3 uses shall be submitted.

Prior to first occupation of each container identified on the A3 containers plan a scheme of odour suppression shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of proposed flues, all proposed cooking processes, a plan of the proposed ventilation systems and odour abatement measures including the locations and details of the filters, fans and flues and the manufacturers recommendations concerning frequency and type of maintenance.

40

The equipment approved under condition 39 shall be installed in full accordance with the approved details prior to the first use/occupation of the respective container(s) hereby approved commencing and shall thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions. A written record of any maintenance shall be retained on site and be made available for inspection by the Local Planning Authority.

41

Live entertainment on the stage and within containers hosting live or amplified music shall only perform up to 22:00 hours on Sunday to Thursday and 23:00 hours on Fridays and Saturdays.

42

The music noise level must not exceed the background noise level by more than 15dB(A) over a 15 minute period at the nearest noise sensitive receptor.

43

Emptying of glass bottles into any recycling storage area shall not take place between the hours of 22:00 - 08:00.

44

Prior to the relevant container being occupied/brought into use, full details of any external plant or equipment (but excluding kitchen extraction equipment), including its design, materials and noise generation levels shall be submitted for the consideration and written approval of the Local Planning Authority.

45

The details approved under condition 44 shall be fully implemented prior to first occupation of the relevant container and retained for the life of the development

46

Prior to occupation of the development hereby permitted details of a public engagement strategy in partnership with the Tyne Kittiwake Partnership shall be submitted for the consideration and written approval of the Local Planning Authority

47

The public engagement strategy approved under condition 46 shall be implemented upon first occupation/use of any part of the development hereby permitted and shall continue to be implemented in accordance with the approved details for the lifetime of the development.

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

The Committee heard from Mr Gavin on his plans for the development, how excited he was to be involved in the project. He advised the Committee that the scheme ties in with the Great Exhibition of the North. The scheme has been developed, building on the North East's industrial heritage with the use of shipping containers in an inventive way to create an exciting development which he hopes will be visited and used by all generations in Gateshead.

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