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GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 4 October 2017

- PRESENT:** Councillor B Goldsworthy (Chair)
- Councillor(s): M Hood, P Dillon, K Ferdinand, A Geddes, M Hall, L Kirton, J Lee, K McCartney, J McClurey, C McHugh, E McMaster, I Patterson, J Turnbull, A Wheeler, K Wood, S Dickie and M Henry
- APOLOGIES:** Councillor(s): S Craig, P Mole, C Ord and N Weatherley

PD157 MINUTES

The minutes of the meeting held on 13 September 2017 were approved as a correct record and signed by the Chair, with the addition that Councillor Keith Wood submitted his apologies but these were not recorded in the minutes.

PD158 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD159 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.

PD160 DELEGATED DECISIONS

PD161 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.

PD162 PLANNING APPEALS

Consideration was given to a report detailing new appeals received and to report the decisions of the Secretary of State since the last meeting.

It was noted that since the last meeting one new appeal has been lodged.

It was noted that since the last meeting there have been no new appeal decisions received.

It was also noted that since the last meeting there had been no appeal cost decisions.

RESOLVED - that the information be noted

PD163 PLANNING OBLIGATIONS

An update report was provided with details of planning obligations which have previously been authorised.

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

Since the last Committee there has been no new payments received in respect of planning obligations.

RESOLVED - that the information be noted

Chair.....

Date of Committee: 4 October 2017

Application Number and Address:

DC/16/01346/FUL
Shibdon House
Shibdon Road
Blaydon on Tyne
NE21 5AE

Applicant:

Mr Tim Shearing

Proposal:

Change of use from office (use class B1) to ten flats (use class C3) including demolition of existing porch and creation of lightwell. Erection of four storey rear extension and provision of roof lights, replacement windows, bin store, smoking shelter, cycle store and associated parking (amended 10/07/17)

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:

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

Location Plan 16042-S100
1642-S101
16042-P101 rev A
16042-S102
R4182-P102 rev B

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 required the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

3. The development hereby permitted shall be constructed entirely of the materials detailed in the application form received 22.12.2016.

For the avoidance of doubt roof lights shall be flush fitting conservation style.

4. The development hereby approved shall not commence until the Local Planning Authority has been notified by the applicant of the date of commencement of the development.
5. The dwellings hereby approved shall not be occupied until final details of secure and weatherproof cycle storage within the site have been submitted for written approval of the Local Planning Authority.
6. The details approved under Condition 5 shall be implemented in full accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.
7. Notwithstanding the approved plans, the gates to the bin store shall not open out into the car parking area.
8. The development hereby approved shall not commence until a report of intrusive site investigations in relation to coal mining legacy including the results of any gas monitoring and where required, measures and timescales for remediation, monitoring, and verification reports has been submitted to and approved in writing by the Local Planning Authority.
9. The remediation and monitoring measures approved under condition 8 shall be implemented in full accordance with the approved timescales and the approved details.
10. Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally during development work, then operations shall cease and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been submitted to and approved in writing by the Local Planning Authority.

11. The remediation and monitoring measures approved under condition 10 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) maintained for the life of the development.

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

12. Where remediation is required (under conditions 8-11), following completion of the approved remediation and monitoring measure, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

13. No development/alterations hereby approved shall take place until a report of the results of a programme of archaeological building recording has been submitted to and approved in writing by the Local Planning Authority.

14. The development hereby approved shall not commence until a drainage assessment, exploring the potential for rainwater gardens within the new planted areas on site, has been submitted to and approved in writing by the Local Planning Authority.

15. The details approved under Condition 14 shall be implemented in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development

16. Where sustainable drainage components are installed, the dwellings hereby approved shall not be occupied until a management plan (including measures for maintenance and timescales) has been

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

17. Where required, the details approved under Condition 16 shall be implemented in accordance with the approved details and timescales, and retained as such for the lifetime of the development.

18. The development hereby approved shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

19. The details approved under Condition 18 shall be implemented in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development.

20. Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Any additional comments on application/decision:

Committee requested that the parking bays be marked out for residents as per the approved plan and appropriately signed as such.

Date of Committee: 4 October 2017

Application Number and Address:

DC/17/00172/REM
Bensham and Saltwell Phase 2
Bensham
Gateshead

Applicant:

Mr John Collins

Proposal:

Approval of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to permission ref: DC/14/00906/FUL for Trilogy Phase 2 (Kelvin Grove – land bounded by Westminster St, Kelvin Grove, rear of 167-201 (Inc. Rawling Road, rear of Stirling House PH and rear of 170-194, Church of Christ, Rawling Road and to the side of 68-70 Dunsmuir Grove) (Amended 29.08.2017, includes amendments to the service parking area for the substation)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None.

Decision(s) and any conditions attached:

That 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 –

1509-P-201 Proposed Site Plan Revision M, 1509-P-HT-1470—01, 02, 1467—01,02, 1325—01, 02, 1185—01, 02 947—01, 0, 714 01, 02, 1509_P_301 Revision B, 1509_P_205 Revision B (Boundary Treatments Only), 1019_10_Softworks 1 and 2 (Landscape Layout Only) and 1019_01_Landscape Strategy Revision B (Landscape Layout Only).

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 2 years from the date of this approval of the reserved matters.

(N.B. if the reserved matters are approved on different dates, the two-year period is calculated from the approval of the last such matter to be approved.)

3. Development shall not commence above foundation level until 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.

4. The development shall be carried out in accordance with the materials approved under condition 4.
5. Notwithstanding the details approved on plan 1019_10_Softworks 1 and 2 and 1019_01_Landscape Strategy Revision B, prior to the development hereby approved being first occupied full details of the materials to be used and the planting schedules within the landscaped areas, including those areas which are to be retained as adopted highway, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for landscaping to be implemented.
6. The landscaping scheme shall be implemented in accordance with the timetable approved under condition 5.
7. Prior to properties hereby approved, adjacent the Stirling House Public House, being first occupied final details of the mitigation measures for these properties, as set out in the recommendations on pages 18 and 19 of the an submitted Noise Assessment for Kelvin Grove date May 2016 GRP/KG/001 update shall be submitted to and approved in writing by the Local Planning Authority. This includes details of boundary treatments and ventilation.
8. Notwithstanding the boundary treatments approved on plan 1509_P_205 Revision B the noise mitigation measures for the properties adjacent to the Stirling House Public House shall be implemented in accordance with the details approved under condition 7 prior to the first occupation of those properties.
9. The development hereby approved shall be implemented in full accordance with the Drainage Impact Assessment reference 16N618: Revision C and the drainage strategy as set out on plan 16N618-102 Rev P1, 103 Rev P1.

Any additional comments on application/decision:

None

Date of Committee: 4 October 2017

Application Number and Address:

DC/17/00465/FUL
764 Durham Road
Low Fell
Gateshead
NE9 7TA

Applicant:

Mr & Mrs Thomas Mather

Proposal:

Erection of detached bungalow and detached dwelling house in rear garden of existing dwelling house (amended 28/06/2017).

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None

Decision(s) and any conditions attached:

That permission be GRANTYED 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-
252 HE, 252 FFP, 252 GFP, 252 BE, 252 PSP

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 development above damp proof course shall commence until samples of all materials, colours and finishes to be used on all external surfaces, including the driveway, patio and footpaths, have been made available for inspection on site and are 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. The development hereby approved shall not be occupied 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 timing of hard landscaping, proposed trees and hedges, ground preparation and planting plans noting the species, plant sizes and planting densities

for all new planting.

6. The landscaping scheme approved under condition 5 shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

7. The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

8. The development hereby approved shall not be occupied until a fully detailed scheme for the boundary treatment of and within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

9. The boundary treatment details approved under condition 8 shall be implemented wholly in accordance with the approved details prior to the development being occupied and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

10. Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

11. 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.

Any additional comments on application/decision:

None

Application Number and Address:

DC/17/00574/COU
Karting North East Indoor Ltd
Forge Road
Dunston
Gateshead
NE8 2RB

Applicant:

Mr Mark Gardner

Proposal:

Change of use from Go Kart Track (Sui Generis- use class) to Indoor Trampoline Park (leisure use class – D2)

Declarations of Interest:

Name	Nature of Interest
None	

List of speakers and details of any additional information submitted:

Updated report – Highways England have stated that they have no objections.

Decision(s) and any conditions attached:

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

FL 10807/003	Site Location Plan	18/5/2017
FL 10807/002	Proposed Site Layout	18/5/2017
FL 10807/001	Proposed Parking Layout	18/5/2017

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. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

3. Notwithstanding the submitted drawings, prior to the car parking spaces being marked out on a site a

revised car parking which includes the following elements shall be submitted to and approved in writing by the Local Planning Authority:

- a - a plan drawn to a recognised scale
- b - provides 6% of the spaces for disabled parking
- c - provides a separate pedestrian access from Forge Road to the front of the building
- d - shows the location of the cycle parking provision
- e - shows the location, number and specification of secure motorcycle parking

4. The revised car parking layout approved under condition 3 shall be provided in accordance with the approved details prior to the trampoline park being brought into use.

5. Notwithstanding the submitted details, prior to the trampoline park being brought into use a detailed scheme (number, location, specification) for the provision of secure and weatherproof cycle parking facilities at the site for both staff and visitors shall be submitted to and approved in writing by the Local Planning Authority.

6. The cycle parking provision approved under condition 5 shall be provided on site in accordance with the approved details prior to the trampoline park being brought into use and thereafter retained.

7. Prior to the trampoline use being brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The revised Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the –

- 1 Reduction in car usage and increased use of public transport, walking and cycling
- 2 Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 3 More environmentally friendly delivery and freight movements;
- 4 A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan

Evidence of the travel plans implementation 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.

Any additional comments on application/decision:

None

Date of Committee: 4 October 2017

Application Number and Address: DC/17/00610/HHA 26 Hollinhill Lockhaugh Rowlands Gill NE39 1AZ	Applicant: Mr Russell Urwin
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Proposal:

Two storey side extension and dormer window to rear (amended plans received 03/08/2017)

Declarations of Interest:	
Name	Nature of Interest
None	

List of speakers and details of any additional information submitted:

Further representations made

Two further objections have been received from a resident raising the following concerns:

- That objections (including photographs) were ignored and not part of the Planning Committee presentation, and Planning Committee members were not made sufficiently aware of objections received;
- That objectors consider that the application conflicts with the Council’s Householder Alterations and Extensions SPD and that on the site visit on 28 September, Planning Committee members appear to have been mistakenly led to believe that it would not;
- That the proposal would not fully comply with the advice within the Council’s Householder Alteration and Extensions SPD and policy DC2 of the UDP, particularly in terms of:

overshadowing neighbouring properties,

loss of privacy at neighbouring properties,

an overbearing and oppressive effect on neighbouring properties, and

impact on visual amenity, specifically in reference to the proposed dormer. Dormers in the immediate area are primarily on bungalow and only one two storey property has a rear single dormer, which is incomparable to the “three storey” effect the proposed dormer would create. At Planning Committee on 13 September, the applicant referred to extensions at the Sherburn Park estate and objectors feel that given the location and size/character of this other estate the

comparison should not be used to justify this current proposal

A summary of the objections received is available within section 3.0 of the officers report and copies of the documents (and any other information/details) received as representations are required to be made publicly available by the LPA in any event.

It is not usual procedure to formally present images submitted within representations at Planning Committee. In terms of drawings/indicative drawings submitted in representations, there is no certainty as to whether these would accurately portray the proposal. In terms of photographs, photographs were presented that showed the application site and relationships with neighbouring properties.

Further, objectors had the opportunity to speak to highlight their concerns at Planning Committee on 13 September and Committee members visited the application site and the neighbouring property at no. 24 on 28 September.

Whilst a summary of the objections received is provided in the main report, this is expanded below:

There is a conservatory and a single storey extension to the garage at the rear of neighbours at no. 24. Objections raised particular concern regarding the impact of the proposal in terms of loss light/overshadowing, loss of privacy, an overbearing and oppressive effect and impact on the visual amenity of the area in relation to the conservatory at no. 24.

The main report also addresses the proposal's potential impact on residential amenity at paragraphs 5.10 to 5.15. Saved policy DC2 of the UDP and policy CS14 of the CSUCP require that residential amenity is protected. The Householder Alterations and Extensions SPD provides more detailed advice to these policies, and advises that proposed extensions should not dominate neighbouring properties or significantly alter a neighbour's existing level of sunlight, daylight or privacy.

As in the main report, it is considered that the proposal would not result in an unacceptable loss of light or privacy, or an overbearing impact at neighbouring properties, and would comply with the relevant policies and the Householder Alterations and Extensions SPD in terms of impact on residential amenity.

In respect of the proposed dormer, the Householder Alterations and Extensions SPD discourages dormer extensions appearing as more than a small addition to the roof and having a "top heavy" appearance. It also provides that flat roofed or box dormers will generally be discouraged. Both issues are relevant to the proposal

However, it is considered that the proposal would be typical of a rear elevation in the area and would not result in an unacceptably top heavy appearance having an unacceptable impact on the visual amenity of the locality that would warrant refusal of the application.

Most dormers in the immediate locality are at bungalows (both on rear and principal elevations). There is at least one rear dormer at a two storey property in the local vicinity, at 4 Deneway. Whilst it is acknowledged that this existing dormer is smaller than the dormer proposed in this application at 26 Hollinhill, it is considered that the proposal would not result in the appearance of overdevelopment and would not set an undesirable precedent on this street.

Examples of alterations and extension at the Sherburn Park Estate are not referenced in the officer report and the recommendation is not made on the basis of the appearance of dwellings at this other estate.

Committee members made a site visit on 28 September and were able to view rear elevations at Hollinhill from the rear gardens of the host property at no. 26 and the neighbouring property at

no. 24.

As referenced in the main report, there is a strong fall-back position that permitted development rights allow for dormers on dwelling houses that would not necessary be considered a small addition.

Therefore, Council officers consider that members of the Committee have sufficient information before them to base a decision.

Decision(s) and any conditions attached:

That 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 –

Location Plan 1518/AG(00)01
1518/AG(02)02 revB
1518/AG(02)06
1518/AG(03)03 revA
1518/AG(03)04 revD
1518/AG(03)05 revC
1518/AG(03)07 revC
1518/AG(03)08 revD

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 surfaces shall be completed in materials to match those of the existing building. Where new materials would differ in any way from those of the existing building, no development shall commence until samples of the proposed materials 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:

None

Date of Committee: 4 October 2017

Application Number and Address:

DC/17/00847/HHA
2 Church Rise
Whickham
NE16 4BU

Applicant:

Mr William Hopper

Proposal:

Erection of fence to front and side of property (retrospective)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None.

Decision(s) and any conditions attached:

That 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. Notwithstanding the submitted plan and existing development on site, within 30days of this application decision, amended plans shall be submitted to the Local Planning Authority which provide for an adequate visibility splay for vehicles egressing from the driveway of 2 Church Rise.
2. The existing development on site shall be altered in accordance with the details approved under condition 1 within 3 months of the submitted details being approved.

Any additional comments on application/decision:

None