

Public Document Pack

GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 9 May 2018

PRESENT: Councillor B Goldsworthy (Chair)

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

APOLOGIES: Councillor(s): K Ferdinand and K Wood

PD231 MINUTES

The minutes of the meeting held on 18 April 2018 were approved as a correct record and signed by the Chair.

PD232 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD233 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.

PD234 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. The Committee were also advised the planning applications agreed at the last committee were included in this list in error.

RESOLVED - that the information be noted.

PD235 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.

PD236 PLANNING ENFORCEMENT APPEALS

The Committee were advised that there had been one appeal against enforcement action received since an update was provided to committee.

The Committee were advised that there had been one appeal decision received since the last committee.

RESOLVED - that the information be noted.

PD237 PLANNING APPEALS

The Committee were advised that there had been no new appeals lodged since the last committee.

The Committee were advised that there had been one new appeal decision received since the last committee.

The Committee were advised that there had been one appeal cost decision, in which the costs have been refused.

Details of outstanding appeals were appended to the main report.

RESOLVED - that the information be noted

PD238 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 no new payments received in respect of planning obligations.

RESOLVED - that the information be noted.

Chair.....

This page is intentionally left blank

Date of Committee: 9 May 2018

Application Number and Address:

DC/17/01267/FUL
Land North of Gullane Close
Bill Quay
Gateshead

Applicant:

Gentoo Homes Ltd

Proposal:

Erection of 30 dwellings (Use Class C3) and associated access, landscaping and associated engineering works (resubmission) (amended 04/04/18)

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

Councillor Ian Patterson spoke against the application.

Councillor Jill Green spoke against the application.

Mr Neil Humphrey spoke against the application.

Mr Rob Storey spoke against the application.

Councillor Mary Foy spoke on behalf of Stephen Hepburn MP against the application.

Amy Hordon from Gentoo Homes spoke in favour of the application.

Graeme Matthews Traffic consultant on behalf of Gentoo Homes spoke in favour of the application.

Reason for Minor Update:

Further consultation response received, further representations received, amendment to agenda wording and additional conditions proposed.

Additional Consultee Response:

South Tyneside Council –	Previous consultation response reiterated
	Object to the proposal based upon the severe adverse impact on the actual and potential movement of wildlife through the designated wildlife corridor effecting biodiversity within and beyond South Tyneside.

STC also raise comments in regard to parking and SuDS.

Additional Representations:

A further 44 individual letters of objection have been received, including a supplementary objection from a Ward Councillor (Councillor Ian Patterson). Councillor Patterson's objection is summarised as follows:

- The relocation of the SuDS feature would be detrimental to the residential amenity of properties on Marian Drive and;
- The amendment would result in an increased level of parking availability in the extended Gullane Close

The additional objections raised within the remaining Objections are summarised as follows:

- The area proposed route for the drainage is proposed to be in an area which has a history of sink holes;
- The proposed pond would result in a safety issue for children;
- The application site and adjacent gardens becomes waterlogged during wet weather;
- The proposal would impact on back gardens of existing properties;
- The proposed layout would result in issues for vehicles leaving driveways and;
- Any site compound would have an unacceptable impact on the wider area.

In addition to the above, a petition of 499 signatures objecting to the proposal has been received. The additional objections received are summarised as follows:

- Council Officers should act in community interest and not pander to big business;
- The proposal would impact upon horses in the area;
- Too many properties would be served via a single access;
- The proposal would result in the loss of an area used by residents;
- The building stage would impact on residents;
- Those living close to the proposal would need to give up land;
- The proposal would disrupt business and;
- The proposal would result in a loss of view

All materials considerations raised have been fully considered within the main agenda.

Amendment to Main Agenda:

Further to paragraph 3.5 of the main agenda, it has been confirmed that the letter received from Stephen Hepburn MP should read as an objection and not as representing the views of a constituent (as suggested in the agenda).

Additional Conditions:

Further to the Transport Issues section of the main agenda (paragraphs 5.42 – 5.56) it is considered necessary for officers to include additional conditions pertaining to:

- The final design of the proposed turning head (conditions 47 and 48) and;
- The final location and number of the proposed visitor parking bays within the site (conditions 49 and 50).

The Officer recommendation to committee remains unchanged in all other regards.

Any additional comments on application/decision:

The application was deferred for a site visit.

Date of Committee: 9 May 2018

Application Number and Address:

DC/18/00124/FUL
Swalwell and District Social Club
Brewery Bank
Swalwell
Whickham
NE16 3DP

Applicant:

Trojan Scaffolding NE Ltd

Proposal:

Demolition of existing buildings and residential development comprising 12 x 2 bed flats and 2 x 3 bed houses with associated landscaping, roads and parking areas.

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

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

THD17-026-01	Location Plan
THD17-026-03	Existing Topographical Survey
THD17-026-05	Existing Site Sections
THD17-026-10 Rev F	Proposed Site Plan
THD17-026-20 Red D	3B5P House Floor Plans
THD17-026-22 Rev B	2B3P House Elevations
THD17-026-24	2B3P Flat Floor Plans
THD17-026-26 Rev A	Flat Elevations
THD17-026-30	Proposed Site Sections
JCC17-357-100 Rev A	Proposed External Drainage Layout

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.

3. No development above ground shall commence 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 constructed in accordance with the details approved under condition 3.

5. Notwithstanding the submitted plans, no unit hereby approved shall 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 a fully detailed landscaping scheme (ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting), proposed timings for implementation and a scheme and maintenance of the landscaping (for a period of 5 years following planting)

6. The landscaping shall be implemented in accordance with the details approved under condition 5.

7. The approved landscaping scheme shall be maintained in accordance with the details approved under condition 5.

8. No individual hard landscaping material shall be used on site until samples of materials including a timescale of implementation has been submitted to and subsequently approved in writing by the Local Planning Authority.

9. The development shall be carried out in full accordance with the details approved under condition 8.

10. Prior to occupation, 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.

11. The boundary treatment scheme shall be implemented wholly in accordance with the details approved under condition 10 prior to development hereby permitted being occupied unless otherwise approved in writing by the Local Planning Authority.

12. Prior to commencement of works above ground, details of the number, type and location of bat and bird boxes (accordance with the recommendations set out in the bat survey by E3 and dated December 2017) shall be submitted to and approved in writing by the Local Planning Authority.

13. The mitigation measures required under condition 12 shall be implemented prior to the occupation of the development and retained as such in accordance with the approved details thereafter.

14. Prior to construction of the foundations of the southern block, details of the proposed foundation design for the southern block of flats shall first be submitted to and approved in writing.

15. The development shall be constructed in accordance with the details approved under condition 14.

16. Prior to demolition a scheme for the control of noise and dust shall be submitted to and approved in writing by the Local Planning Authority.

17. The development shall be carried out in accordance with the scheme approved under condition 16.

18. Prior to the commencement of the development above ground, 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.

19. The development shall be carried out in accordance with the details approved under condition 18.

20. The cycle parking (shown on approved plan THD17-026-10 Rev F- Proposed Site Plan) 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.

21. 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.

22. No development shall take place following the demolition of the Social Club, 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, construction method statement and a timetable for implementation in accordance with the Council's SuDS Guidelines.

23. The development shall be constructed in full accordance with the details approved under condition 22.

24. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2107 and ensure that surface water discharges to the combined sewer at manhole 2107. The surface water discharge rate shall not exceed the available capacity of 5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

25. 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 22 has been submitted to and approved in writing by the Local Planning Authority.

26. The drainage scheme shall be managed in full accordance with the details approved under condition 25.

27. On occupation of the development, the applicant shall ensure that the internal noise levels to bedrooms do not exceed 35dB LAeq, 16 hour between 07:00 – 23:00 (daytime); and 30 dB LAeq, 8 hour; 45 dB LMax between 23:00 – 07:00 (night time), in accordance with BS 8233:2014.

28. No development shall commence until following demolition of the social club; an intrusive site investigation is undertaken that covers the whole site, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation shall consist of a series of boreholes/trial pits, insitu testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design. The site investigation shall also assess the potential risks posed to the development by past shallow coal mining activity.

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 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 recommendations for ground gas mitigation measures.

29. Prior to commencement of the development hereby permitted (after demolition), 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 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.

30. The details of remediation measures approved under condition 29 shall be implemented in accordance with the timetable approved and 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.

31. Following completion of the remediation measures approved under condition 29 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.

32. 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. In accordance with a timetable agreed with the Local Planning Authority, an investigation and risk assessment must be undertaken, and where remediation is necessary 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.

33. Should unsuspected contamination be found, the development shall be carried out in accordance with the details approved under condition 32.

Any additional comments on application/decision:

None

Date of Committee: 9 May 2018

Application Number and Address:

DC/18/00237/OUT
Follingsby Park South
Follingsby Lane
Gateshead
NE10 8YA

Applicant:

Follingsby International Enterprise Park Limited

Proposal:

Outline planning application for use class B8 (Storage and distribution) and B2 (general industry) along with associated offices, internal roads, car parks, infrastructure and landscaping with all matters reserved except access and landscaping of the green infrastructure zone.

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

Condition(s) amended

Conditions 34 and 35 which relate to the Travel Plans have been amended to read as follows:

34 Framework Travel Plan

No buildings hereby approved shall be occupied until a revised Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The revised Framework Travel Plan will include:

- (a) Details to employ or engage a site wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Framework Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.
- (b) Clearly defined objectives and indicators.
- (c) Indicative targets based on trip generation figures
- (d) Details of proposed measures to address the objectives.
- (e) Detailed timetable for implementing measures, travel surveys and monitoring
- (f) A summary of costs associated with the measures, monitoring and management of the Travel Plan

over its lifetime together with details on how this will be funded.

(g) Details of the governance that will be in place to ensure measures are implemented effectively.

(h) Commitment to use the Council's preferred monitoring system.

Evidence of the travel plans implementation over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

The travel plan will be in place for the lifetime of the development unless otherwise agreed in writing by the LPA. The Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

To promote sustainable travel choices to accord with the NPPF and policies KEA2 and CS13 of the Core Strategy and Urban Core Plan.

35 End Occupier Travel Plan

Three months after each building hereby approved being occupied or reoccupied either in part or in full the owner and/or occupier of each building shall submit a user specific travel plan to the Local Planning Authority for written approval.

The user specific travel plan shall demonstrate how they will engage with the measures set out in the Framework Travel Plan and accord in full with the details set out in the approved Framework Travel Plan at condition 34.

Evidence of each travel plan implemented over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

Each travel plan shall be in place for the full time the end user occupies either part or all of the buildings hereby approved. The Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

To promote sustainable travel choices with the NPPF and policies KEA2 and CS13 of the Core Strategy and Urban Core Plan.

Decision(s) and any conditions attached:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

The payment of £58,750 for off-site ecology compensation at Shibdon Meadow and the payment of £75,000 for the upgrade and modification of the signal equipment at the Lingey Lane/Leam Lane Junction.

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 set out below) as necessary.

4) And that the conditions shall include :-

1. The development hereby permitted in outline shall not be carried out other than in complete accordance with the plan(s) accompanying the application as listed below :-

Site Location	17072-0010 Rev B
Parameter Plan	17072 0014 Rev C
Green Infrastructure Zone	NT13312-100 Rev B
Green Infrastructure Fencing Plan	NT13312-101 Rev B
Detailed Sections Sheet 1 of 3	NT13312-102 Rev A
Detailed Sections Sheet 2 of 3	NT13312-103 Rev A
Detailed Sections Sheet 3 of 3	NT13312-104 Rev A
Typical Pond Sections	FOL BWB DDG XX DR C 560 S1 P5
Proposed Access Arrangements	2119-1500-P-001 Rev B
Access 1 General	2119-1600-P-001 Rev A
Access 1 Engineering	2119-1600-P-002 Rev A
Access 2 General	2119-1700-P-001 Rev B
Access 2 Engineering	2119-1700-P-002 Rev B
Access 3 General	2119-1800-P-001-Rev B
Access 3 Engineering	2119-1800-P-002 Rev B
Access 4 General	2119-2000-P-001 Rev A
Access 4 Engineering	2119-2000-P-002 Rev A
Access 5 General	2119-2000-P-001 Rev A
Access 5 Engineering	2119-2000-P-002 Rev A
Access 6 General	2119-2100-P-001 Rev A
Access 6 Engineering	2119-2100-P-002 Rev A

And with such further details for each phase of the development that shall be submitted to prior to the commencement of development on that phase for the Council's approval in writing in relation to the Following reserved matters, namely:

- (1) appearance
- (2) landscaping
- (3) layout
- (4) scale

2. Application for approval of the reserved matters referred to in condition 1 above shall be made to the Local Planning Authority within 5 years of the date of this permission.

3. The development to which this permission relates shall be begun not later than two years from the approval of the reserved matters referred to in condition 1 above.

(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).

4. The buildings on the site shall not exceed a maximum height of 28 metres above the finished floor level with the maximum finished floor level being 55 metres (above AOD)

5. No development shall commence on site until a phasing plan which includes details of the elements of the development which are included in each phase and the order of the phases has been submitted to and approved in writing by the Local Planning Authority.

6. The development shall be carried out in accordance with the phasing plan approved under condition 5 unless otherwise subsequently updated and first approved in writing by the Local Planning Authority.

7. The development hereby approved shall not provide more than 225,000 m² gross external floor space and shall only be used/occupied for the following uses and for no other purpose:

(a) B2 general industry (which shall not exceed more than 27,000 m² of gross external floor space)

(b) B8 storage and distribution

Of the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification).

8. No development shall commence on each phase of the development until details of the existing and proposed site levels for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

9. Each phase of the development shall be implemented in accordance with the site levels approved for that phase at condition 8.

10. Notwithstanding the submitted drawings, no development shall commence on the wildlife observation area until a revised scheme for the wildlife observation area including its location, design, size and materials has been submitted to and approved in writing by the Local Planning Authority.

11. The wildlife observation area on the site shall be provided in accordance with the scheme approved under condition 10.

12. A Landscape and Ecology Monitoring and Management Strategy (LEMS) for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to that phase of the development being brought into use. The Landscape and Ecology Monitoring and Maintenance Strategy shall include the following:-

(a) description and evaluation of features to be managed

(b) ecological trends and constraints on site that influence management

(c) aims and objectives of the management

(d) appropriate management options for achieving aims and objectives

(e) details of initial aftercare

(f) details of long term maintenance

(g) a work schedule including annual work plan

(h) details of the body or organisation responsible for implementation of the plan

(i) ongoing monitoring and remedial measures

13. Each phase of the development shall be monitored and managed in accordance with the Landscape and Ecology Monitoring and Management Strategy for that phase of the development approved at

condition 12.

14. The landscaping scheme for the green infrastructure zone hereby approved as shown on drawing (NT 13312-100 Rev B) shall be carried out in accordance with the approved details prior to the first unit on the site being occupied or the first available planting season thereafter.

15. No building hereby approved shall be occupied until a detailed car park management plan (CPMP) for that building has been submitted to and approved in writing by the Local Planning Authority. The CPMP should follow the principles set out in the framework CPMP (reference: 23584/FCPMP) approved as part of this application, providing suitable detail to demonstrate how the use of the final car park zones together with the individual access points will be utilised to minimise the impact on the local highway during the peak periods including shift change over.

16. All buildings within the site shall operate in accordance with the Car Park Management Plan approved at condition 15.

17. No building hereby approved shall be occupied until a servicing management plan for that building has been submitted to and approved in writing by the Local Planning Authority. The servicing management plan shall provide a strategy on how the use of the servicing areas together with the individual access points will be utilised to manage inbound HGV movements to minimise the impact on the local highway.

18. All buildings within the site shall operate in accordance with the servicing management plan approved at condition 17.

19. HGV's shall only use access points 1, 4, 5 and 6 as shown on the approved access drawing (2119-1500-P-001 Rev B).

20. No building hereby approved shall be occupied until a public transport strategy has been submitted to and approved in writing by the Local Planning Authority.

The Public Transport Strategy shall include details of the duration, routing, frequency, and delivery of bus services serving the development together with any review mechanisms as may be appropriate and how these tie in with the shift patterns of the occupier of the building. It should also consider the needs of the other buildings already occupied at the site.

21. The public transport strategy approved at condition 20 shall be provided in accordance with the approved details and approved timetable for implementation and retained thereafter.

22. No development hereby approved shall commence on site until a detailed scheme for the improvement of the Follingsby Lane/Follingsby Avenue junction (as illustrated in principle on Fore drawing 2500-100-P001 revision D dated 3 April 2018) has been submitted to and approved in writing by the Local Planning Authority.

The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The Audit shall be carried out in accordance with DMFB HD/19/15 and shall be submitted to and approved in writing by the Local Planning Authority.

23. The Follingsby Lane/Follingsby Avenue junction improvement scheme approved at condition 22 shall be provided in accordance with the approved details prior to any building on the site being occupied.

The completed works shall be subject to a Stage 3 (completion of construction) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority.

24. No building hereby approved shall be occupied until an Operational Management Plan for that building has been submitted to and approved in writing by the Local Planning Authority. Each operational

Management Plan shall specify the proposed shift patterns and predicted trip generation for the building giving full consideration to the figures within the Transport Assessment which have been assessed and accepted. It shall also consider the trip generation of all buildings already in operation on the site.

25. All buildings within the site shall operate in accordance with the approved Operational Management Plan approved at condition 24. No deviation shall be made from the approved Operational Management Plans, including shift patterns, without the prior written approval of the Local Planning Authority.

26. No buildings hereby approved shall be occupied until a detailed scheme for the following highway works and improvements along with a timetable for their implementation has been submitted to and approved in writing by the Local Planning Authority:

- (a) widening of Follingsby Lane with associated works including lighting, drainage and signage details
- (b) site access including details of gradients and visibility
- (c) shared footway/cycleway detail to tie in with existing infrastructure and site access's
- (d) the provision of a new signalised crossing across Follingsby Lane east of access 2
- (e) the provision of a new bus stop and layby along the southern side of Follingsby Lane east of access 5
- (f) the provision of a new bus stop and layby along the southern side of Follingsby Lane east of access 1
- (g) the provision of loading/waiting restriction along both sides of Follingsby Lane
- (h) Reduction in the speed limit along Follingsby Lane from 60mph to 40mph

The design for the above highway works and improvements shall include the consideration and inclusion of measures to minimise impacts on biodiversity and enhance ecological connectivity (principally for amphibians including the great crested newt and foraging and commuting bats).

27. The off-site highway works approved at condition 26 shall be provided in accordance with the approved details and approved timetable for implementation unless otherwise approved in writing by the Local Planning Authority.

28. No cycle parking facilities shall be provided on each phase of the development until a scheme for the provision of cycle parking facilities for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall include:

- Secure cycle parking provision for visitors
- Secure and weatherproof cycle parking provision for staff
- Secure motor cycle parking for staff and visitors

29. The cycle parking facilities approved at condition 28 shall be provided on each phase of the development in accordance with the approved details prior to that phase of the development being brought into use and/or the buildings on that phase being occupied and be retained thereafter.

30. No electric vehicle charging points shall be provided on each phase of the development until details of the number; location and specification of the charging points for that phase of the development have been submitted to and approved in writing by the Local Planning Authority.

31. The electric vehicle charging points approved at condition 30 shall be provide on each phase of the development in accordance with the approved details prior to that phase of the development being occupied and be retained thereafter.

32. No development shall commence on each phase of the development until a Construction Management Plan (CMP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include:

- a dust management plan
- a noise management plan
- pollution prevention measures
- contractor parking
- details of delivery arrangements
- measures to limit and manage transfer of debris on the highway

33. Each phase of the development shall be implemented in accordance with Construction Management Plan (CMP) measures approved for that phase of the development at condition 32.

34. No buildings hereby approved shall be occupied until a revised Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The revised Framework Travel Plan will include:

(a) details to employ or engage a site-wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Framework Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority

(b) clearly defined objectives and indicators

(c) indicative targets based on trip generation figures

(d) details of proposed measures to address the objectives

(e) detailed timetable for implementing measures, travel surveys and monitoring

(f) a summary of costs associated with the measures, monitoring and management of the Travel Plan over its lifetime together with details on how this will be funded

(g) details of the governance that will be in place to ensure measures are implemented effectively

(h) commitment to use the Council's preferred monitoring system

Evidence of the travel plans implementation over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

The travel plan will be in place for a minimum of 5 years after occupation of the final building on the site.

At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

35. Three months after each building hereby approved being occupied either in part or in full the owner and/or the occupier of each building shall submit a user specific travel plan to the Local Planning Authority for written approval.

The user specific travel plan shall demonstrate how they will engage with the measures set out in the Framework Travel Plan and accord in full with the details set out in the approved Framework Travel Plan

at condition 34.

Evidence of the travel plans implementation over a minimum period of 12 months from first implementation 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.

36. All external works in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays, only between 0800 hours and 1400 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

37. The operational noise levels from the site at free field locations representing nearby sensitive properties shall not exceed absolute levels of LAeq (1 hour) 45 dB during the daytime hours of 0700 – 2300 and LAeq (5 minute) 40 dB or LAFmax of 55 dB (15 minute period) during the night time hours of 2300 – 0700.

38. No development or any other operations shall commence on each phase of the development until a scheme for the protection of the existing trees and hedges that are to be retained on that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the trees/hedges to be retained and the location and specification of the protective fencing to be used.

39. The tree protective fencing for each phase of the development approved at condition 38 must be installed prior to the commencement of development for that phase and thereafter retained intact for the full duration of the construction works on that phase of the development and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

40. In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted in that part of the site affected by the unexpected contamination.

When required by the Local Planning Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and implemented. 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.

41. Any buildings on the site shall only be located within flood zone 1, as defined by drawing number 0014 of the submitted Flood Risk Assessment (dated March 2018) by BWB consultancy.

42. No development shall commence on site until a scheme for the provision of a 10 metre safeguarding zone alongside the River Don (within the application site boundary) and its protection has been submitted to and approved in writing by the Local Planning Authority.

The River Don safeguarding zone scheme shall be free from built development including lighting and formal landscaping and shall include

(a) scaled plans showing the extent and layout of the 10 metre safeguarding zone measured horizontally from the top of the bank on the landward side of the river

(b) details demonstrating how the safeguarding zone will be protected during all development works except river restoration works.

(c) a maintenance strategy

43. No development shall commence on site until the scheme for the safeguarding of the River Don approved at condition 42 has been provided in accordance with the approved details. Thereafter the River Don safeguarding scheme shall be retained, and maintained in accordance with the details approved at condition 42 unless otherwise approved in writing by the Local Planning Authority.

44. No buildings hereby approved shall be occupied until a river restoration scheme to restore the River Don (within the application site boundary) has been submitted to and approved in writing by the Local Planning Authority.

The river restoration scheme shall include:

(a) a restoration/mitigation plan including proposals for the River Don

(b) details of habitat linkages between the river restoration scheme and the wildlife/ecology/SuDS buffer zone features

(c) measures to safeguard/conservate existing ecology

(d) demonstration that the river restoration scheme will not compromise the intended hydrological performance of the SuDS scheme serving runoff from the development site.

(e) a construction management plan including programme schedule, pollution control measures and timetable of works

(f) a monitoring strategy

(g) a maintenance and management strategy

45. The river restoration scheme approved at condition 44 shall be provided in accordance with the approved details and the approved timetable of works, unless otherwise approved in writing by the Local Planning Authority.

Thereafter the river restoration scheme shall be monitored, maintained and managed in accordance with the details approved at condition 44.

46. No development shall commence on each phase of the development until a foul and surface water drainage scheme including a detailed assessment and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall comprise surface level vegetated SuDS components wherever possible, shall provide a variety of functioning aquatic and riparian habitats within the wildlife buffer, sensitively designed outfall(s) arrangements, and shall be in compliance with DEFRA Non-Statutory Technical standards for SuDS, Local and National Policy, and the Water Framework Directive. The surface water drainage shall also comprise of measures to protect existing utilities (pylons and gas pipe network) and Leamside Line.

All phases of the development shall discharge the foul flows to the existing foul sewer at manhole 0202 and discharge the surface water directly to the River Don watercourse via an indirect connection into the surface water sewer close to either manhole 3801 or 3802.

47. Each phase of the development shall be implemented in accordance with the foul and surface water drainage scheme for that phase of the development and the timetable for implementation approved at condition 46.

48. No development shall commence on each phase of the development until a Drainage Construction Method Statement (DCMS) for that phase of the development has been submitted to and approved in

writing by the Local Planning Authority.

The Drainage Construction Method Statement shall include:

(a) details of how construction site runoff will be detained and treated to avoid risk of flooding and/or pollution or sedimentation to the River Don.

(b) details of how SuDS components will be protected during construction to ensure correct functioning without sediment build up at completion of the works.

(c) consideration of access for inspections

49. Each phase of the development shall be implemented in accordance with the Drainage Construction Method Statement for that phase of the development approved at condition 48.

50. Prior to each phase of the development being brought into use and/or the buildings on that phase being occupied (whichever comes first) a Drainage Management Plan (including the SuDs features) for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

The Drainage Management Plan shall co-ordinate with the Landscape Management Plan and shall include:

(a) confirmation of who will be responsible for the maintenance of the drainage system

(b) description of the system and how each element is expected to work

(c) management objectives for the site

(d) inspection and maintenance schedules and specification

(e) confirmation of maintenance access points, easements and outfalls

(f) health and safety guidance for maintainers of drainage and landscape, and also utility companies.

51. The drainage scheme including SUDS features provided for each phase of the development in accordance with the NPPF, saved policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

52. No development shall commence on each phase of the development until an Ecology Method Statement (EMS) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The EMS shall include the following measures and a timetable for their provision, implementation and retention:

(a) details (local and specification) of the protective fencing to be installed on site to avoid impacts on habitats and species

(b) the timings of works

(c) proposed working methods

(d) measures to prevent the spread of invasive species on site

(e) details of how excavations will be covered during construction

(f) details of how materials will be safely stored during construction

(g) the provision of an ecological clerk of works

53. The ecology method statement approved at condition 52 shall be provided for each phase of the development in accordance with the approved details and the approved timetable for implementation and retention.

54. No development shall commence on each phase of the development until an Ecology Enhancement Plan (EHP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The EHP shall include details of the on site habitat creation, restoration and enhancement measures including bird boxes, bat boxes and barn owl boxes with a timetable for their provision.

55. Each phase of the development shall be implemented in accordance with the Ecology Enhancement Plan and timetable for implementation approved for that phase of the development at condition 54.

56. No external lighting shall be provided until details of the number, type, position, design, dimensions and lighting levels of the lighting has been submitted to and approved in writing by the Local Planning Authority.

57. The external lighting at the site shall be implemented in accordance with the external lighting details approved at condition 56.

Any additional comments on application/decision:

None

Date of Committee: 9 May 2018

Application Number and Address:

DC/18/00248/HHA
43 Hillcrest Drive
Dunston Hill
Gateshead
NE11 9QS

Applicant:

Mr Jon Hunt

Proposal:

Retrospective rear balcony

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Decision(s) and any conditions attached:

That permission be REFUSED for the following reason(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the refusal reasons as necessary

1. The balcony, by virtue of its scale, is considered to be detrimental to the residential amenity of the occupants in the properties to the rear. It would cause an unacceptable level of visual intrusion, as well as being overbearing. The development is therefore contrary to the NPPF, policy DC2 of the UDP, policy CS14 of the CSUCP, and the adopted HAESPD.

2. The balcony is a disproportionate addition that does not appear subordinate and dominates the rear elevation of the property to the detriment of the property and the wider area. The balcony therefore fails to respect the scale and design of the house, contrary to policy ENV3 of the UDP, policy CS15 of the CSUCP, and the adopted HAESPD.

Any additional comments on application/decision:

None