

Public Document Pack

GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 29 August 2018

PRESENT: Councillor B Goldsworthy (Chair)
Councillor(s): M Hood, S Craig, A Geddes, M Hall, L Kirton, K McCartney, J McClurey, E McMaster, C Ord, J Turnbull, A Wheeler, K Wood, S Dickie, M Henry and D Burnett

IN ATTENDANCE: Councillor(s):

APOLOGIES: Councillor(s): L Caffrey, K Ferdinand, J Lee, C McHugh, I Patterson, N Weatherley and R Oxberry

PD269 MINUTES

The minutes of the meeting held on 1 August 2018 were approved as a correct record and signed by the Chair.

PD270 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD271 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.

PD272 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.

PD273 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.

PD274 PLANNING APPEALS

The Committee received a report advising of new appeals received and to report the decisions of the Secretary of State during the report period.

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

The Committee were advised that there had been no new appeal decisions received since the last committee.

The Committee were advised that there had been no appeal cost decisions received since the last committee.

RESOLVED - that the information be noted.

PD275 PLANNING OBLIGATIONS

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

Since the last Committee there has been one new planning obligation.

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

RESOLVED - that the information be noted.

PD276 CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK 2018 REVISION

The Committee received a report updating Councillors on the implications of changes in the revised National Planning Policy Framework which was published on 24 July 2018.

The Committee were advised that the revised document replaced the previous version as soon as it was published on 24 July, and as such this revised version would be a material consideration in all decisions made after 24 July 2018. The National Policy Guidance (NPPG) has not yet been revised and remains the same.

Key changes were highlighted to the Committee as follows:-

- Plan Making
- Decision Making
- Housing Delivery
- Vitality of Town Centres
- Healthy and Safe Communities
- Sustainable Transport
- High Quality Communications
- Efficient Use of Land
- Design
- Green Belt, and
- Natural Environment

Councillors were advised that there are some key changes in the way in which planning issues will be considered because of this revised framework and reports will continue to highlight the policies set out in the revised NPPF.

RESOLVED - that the information be noted.

Chair.....

This page is intentionally left blank

Date of Committee: 29 August 2018

Application Number and Address:

DC/18/00332/HHA
4 Clavering Way
Axwell Park
Blaydon
NE21 5NT

Applicant:

Mr Philip Todd

Proposal:

Addition of a first-floor to create a dormer bungalow, single story rear extension, raised patio to rear, and block paved driveway (description amended 25.05.18, amended plans received 25.06.18)

Declarations of Interest:

Name

Nature of Interest

None

None

List of speakers and details of any additional information submitted:

None

Any additional comments on application/decision:

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-

- 4 Clavering Way - Location Plan (1-1250)
- 4 Clavering Way - Location Plan with Topo (1-200)
- 4 Clavering Way - Dwg 01 – Ex Flr Plan
- 4 Clavering Way - Dwg 02 – Ex Elevations
- 4 Clavering Way - Dwg 03 (Rev B) – Proposed Site Plan (1-200)
- 4 Clavering Way - Revised Plans Elevations (Rev C – 2018.06.25)

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 permitted shall be constructed entirely of the materials details and shown on the submitted Application Form.

4. Prior to the commencement of works (including demolition) on site a Bat Method Statement will be submitted to and approved in writing by the Council. Thereafter the agreed Bat Method Statement will be implemented in full for the duration of the demolition (including in part) and construction phase(s) of the development.
5. Prior to occupation 1 no. Schwegler Bat Box will be installed under ecological supervision at a minimum height of 3m above ground level on the south facing elevation of the building. Thereafter the installed potential bat roost feature will be retained for the life of the development.

Date of Committee: 29 August 2018

Application Number and Address:

DC/18/00512/FUL
Meynell House
Dipwood Road
Rowlands Gill
NE39 1DA

Applicant:

Ms Irene Carmichael

Proposal:

Demolition of existing detached garage and shed buildings and erection of 5-bedroom detached house in garden of dwellinghouse with new vehicular and pedestrian access onto Derwent Avenue (description amended 14 June 2018)

Declarations of Interest:

Name	Nature of Interest
None	None.

List of speakers and details of any additional information submitted:

Councillor David Bradford spoke in favour of the application
Mr Gavin Knox (Agent) spoke in favour of the application

Any additional comments on application/decision:

Application was recommended for approval, subject to conditions. The application was deferred for a site visit.

Date of Committee: 29 August 2009

Application Number and Address:

DC/18/00565/FUL
Whickham School and Sports College
(Academy Trust)
Burnthouse Lane
Whickham
Newcastle upon Tyne
NE16 5AR

Applicant:

Bam Construction Limited

Proposal:

Demolition of existing school buildings and development of a replacement school building, along with car parking and hard and soft landscaping.

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Councillor Marilyn Ord spoke against the application.

Mr Robert Dibden spoke in favour of the application.

Reason for Minor Update

Amended report wording

The reference to conditions 17 and 18 at paragraph 5.23 of the main agenda should read condition 18 and 19.

Conditions added/deleted/amended

Further to paragraphs 5.33 – 5.35 additional information has been provided by the Applicant regarding land stability and coal mining legacy issues. The information is considered acceptable, therefore is recommended that Conditions 34 and 35 become compliance conditions (not requiring the submission of any further information).

Further to paragraphs 5.28 – 5.32 an additional consultee comment has been received regarding land contamination. Based on the comments, it is considered further information is required in regard to the submitted remediation strategy for 'Phase 1' of the development. It is therefore recommended that condition 27 should be amended to require the submission of further information.

In all other regards the report and recommendation remains unchanged.

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 –

137360-ONE-Z0-XX-DR-L-1003-D5-P01	Landscape General Arrangement
137360-ONE-Z0-XX-DR-L-1006-D5-P01	Existing & Proposed Playing Fields Arrangement
137360-ONE-Z0-XX-DR-L-1007-D5-P01	Existing Block Plan
137360-ONE-Z0-XX-DR-L-1008-D5-PO1	Proposed Block Plan
137360-ONE-Z0-XX-DR-L-1401-D5-P01	Proposed Indicative Landscape Levels
137360-ONE-Z0-XX-DR-L-1402-D5-P01	Existing and Proposed Site Sections
137360-ONE-ZZ-XX-DR-L-0002-D5-P01	Proposed Site Plan
137360-RYD-00-00-DR-A-30001-D5-P03	GA Plan – Level 00
137360-RYD-00-01-DR-A-30002-D5-P03	GA Plan – Level 01
137360-RYD-00-02-DR-A-30003-D5-P03	GA Plan – Level 02
137360-RYD-00-03-DR-A-30004-D5-P03	GA Plan – Level 03
137360-RYD-00-RF-DR-A-30005-D5-P05	GA Roof Plan
137360-RYD-00-ZZ-DR-A-36002-D5-P04	GA Elevations Sheet 1
137360-RYD-00-ZZ-DR-A-36004-D5-P03	GA Elevations Sheet 3
137360-RYD-00-ZZ-DR-A-36005-D5-P03	GA Elevations Sheet 4

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 replacement courts and Artificial Grass Pitch shall be provided in full accordance with submitted specification (A specification for the construction of block of tennis courts and an artificial grass pitch at Whickham School, Gateshead. July 2018) and shall be available for use within 12 months of the commencement of use of the new school building.
4. Use of the proposed school building and associated sports facilities shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the proposed tennis courts and small-sided artificial grass pitch and include details of pricing policy, hours of use, access by non-school users management responsibilities and a mechanism for review.
5. The sports facilities shall not be used otherwise than in strict compliance with the community use agreement approved under Condition 4.
6. The development shall be undertaken using the material specified within the submitted materials Schedule (Whickham School: Building External Finishes Schedule, July 2018).
7. All landscaping shall be undertaken in accordance with the details on approved plan 137360-ONE-Z0-XX-DR-L-1003-D5-P01 – Landscape General Arrangement and in accordance with a schedule of implementation which shall be submitted to and approved in writing by the Local Planning Authority.
8. The landscaping scheme shall be maintained in accordance with British Standards 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.

9. No development shall commence on site until the tree protection measures shown at Appendix 1 of the submitted pre-development tree constraints assessment (prepared by E3 Ecology, January 2018) have been installed. The approved scheme shall remain in situ until completion of the development.
10. The approved tree protection plan (Appendix 3 of Arboricultural Impact Assessment (prepared by All About Trees, October 2017) shall be displayed at all times outside the site office or in a location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of daily checks being kept on file in the site office. The record shall include the date, time and name of the person carrying out the checks together with any problems identified and action taken. If at any time tree protection with any problems identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the Local Planning Authority being obtained all construction operations should stop until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.
11. All external lighting shall be installed in full accordance with approved plan TLZ-H-01946788-EX-RO-160218 – “External Lighting”.
12. The construction/demolition (other than the laying out of the temporary car park) shall be undertaken in full accordance with the submitted construction control plan (Project Management Plan, June 2018).
13. The number of pupils attending the school shall not exceed 1,925.
14. Notwithstanding the submitted information, no development shall take place until final details of the temporary construction phase car park has been submitted to and approved in writing by the Local Planning Authority.
15. The temporary construction phase car park details approved under condition 14 shall be implemented in full and retained as approved until the permanent car park is operational.
16. Notwithstanding the submitted information, the use of the extension hereby approved shall not commence until final details of the permanent car park has been submitted to and approved in writing by the Local Planning Authority.
17. The permanent car park details approved under condition 16 shall be implemented in full and retained as approved unless otherwise approved in writing by the Local Planning Authority.
18. Prior to the occupation of the extension hereby permitted a Travel Plan (including timescales for implementation) shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following:
 - 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) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
 - 4) Timescales for implementation of the travelplan
19. The Travel Plan approved in Condition 18 shall be implemented in full within the timescales approved Condition 18. At all times thereafter, the Travel Plan shall be implemented in accordance with the

approved details of any changes made under the review process.

20. No development shall take place until the final details of the drainage scheme has been submitted and approved in writing by the Local Planning Authority. The scheme shall include detailed drainage drawings, electronic model, adoption arrangements, timetable for implementation and health and safety assessment in accordance with the Council's SuDS Guidelines.
21. The final drainage scheme shall be carried out in full accordance with the details approved under Condition 20 (including timings for implementation).
22. 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 20 has been submitted to and approved in writing by the Local Planning Authority.
23. The drainage scheme approved under Condition 20 shall be managed in full accordance with the management plan approved under Condition 22 for the lifetime of the development.
24. No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under Condition 20 has been submitted to and approved in writing by the Local Planning Authority.
25. The drainage scheme approved under Condition 20 shall be constructed in full accordance with the construction management plan approved under Condition 24.
26. No part of the development hereby approved shall be brought into use until a sprinkler suppression system has been installed within the development hereby approved in accordance with BSEN 12845 incorporating TB221 for schools from the LPCB.
27. Phase 1 of the development shall take place in full accordance with the approved remediation statement (Phase 3 Remediation Statement, February 2018) and shall be maintained for the life of the development.
28. Following completion of the remediation measures approved under remediation statement (Phase 3 Remediation Statement February 2018) a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of the development.
29. No development pertaining to Phase II of the development (other than demolition) shall commence until an additional Phase 2 intrusive site investigation has been undertaken by a suitability qualified person(s), to investigate the potential for contamination to exist within the whole site area or within each phase and subsequent phase, as part of an agreed timetable. A Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

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

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and Possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to 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 should 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

30. Prior to the commencement of development pertaining to Phase II of the development (other than demolition), where required, a detailed remediation scheme to remove 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.
31. The remediation measures shall be carried out in full accordance with the details approved under condition 30 and shall be maintained for the life of the development.
32. Following completion of the remediation measures approved under condition 30 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of development.
33. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local 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 variation report shall be submitted to and approved in writing by the Local Planning Authority.
34. Prior to the commencement of the development hereby approved intrusive site investigation works shall be undertaken in order to establish coal mining legacy issues on site. The findings of the intrusive site investigations works in relation to coal mining legacy issues along with details of any remedial works (and timescales) required shall be submitted and approved by the Local Planning Authority prior to the commencement of the development hereby approved.
35. Any remedial works identified under Condition 34 shall be implemented in accordance with the timescales set out in the approved findings.
36. All works, including demolition, shall be undertaken in accordance with section E3.1 of the submitted Bat Survey Report (Dendra Consulting Ltd, August 2017). A copy of the report will be retained on site for the duration of the demolition/construction phase of the development.

Any additional comments on application/decision:

None

Date of Committee: 29 August 2018

Application Number and Address:

DC/18/00610/COU
Storage Lane
Forge Road
Dunston
Gateshead
NE8 2QU

Applicant:

Mr Satiar Arif

Proposal:

Change of use from amenity land to car wash and erection of canopy, portakabins and fencing

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Councillor Brenda Clelland spoke against the application.

Ms Kelly Webster (on behalf of the applicant) spoke in favour of the application

Reason for Minor Update

Further representations made

A further 17 letters of support have been received, they are summarised as follows:

- The proposal would support local businesses;
- The facility would be used by local residents;
- The proposal would not impact on local residents and;
- The development would be located in an accessible location;

In the view of officers, the matters raised in support of the application are not sufficient to outweigh the harm caused. As such, the recommendation to committee remains unchanged.

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. By virtue of its location and design, the proposed development would cause an unacceptable visual impact on the application site and wider area. As a result the development is contrary to the National Planning Policy Framework, policy CS15 of the Core Strategy and Urban Core Plan and saved policy ENV3 of the Unitary Development Plan.
2. A carwash business in this location is considered likely to require mitigation to prevent any adverse effect on nearby operations. The applicant has not provided any form of noise assessment, noise mitigation information or any details of the equipment proposed for use. Therefore, it is considered that insufficient information has been submitted to say that the development would safeguard amenity and thus it is contrary to the NPPF, saved policy ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.

Any additional comments on application/decision:

None