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GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 31 October 2018

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): D Burnett, L Caffrey, S Dickie, K Ferdinand, A Geddes, M Henry, L Kirton, J Lee, J McClurey, C McHugh, E McMaster, C Ord, R Oxberry, I Patterson, J Turnbull, N Weatherley and A Wheeler

APOLOGIES: Councillor(s): M Hood, S Craig, M Hall, K McCartney and K Wood

PD293 MINUTES

RESOLVED - That the minutes of the meeting held on 10 October be agreed as a correct record subject to the amendments made by the Council's Principle Solicitor at the meeting on 31 October and reflected in the minutes of 10 October.

PD294 DECLARATIONS OF INTEREST

There were no Declarations of Interest recorded.

PD295 PLANNING APPLICATIONS

- RESOLVED:
- i) That the full planning applications and outline applications specified in the appendix to these minutes be granted, refused or deferred for a site visit 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.

PD296 PLANNING & DEVELOPMENT COMMITTEE SITE VISIT IN ADVANCE OF THE MEETING ON 21 NOVEMBER 2018 - WEST FARM, KIBBLESWORTH BANK, KIBBLESWORTH

The Committee received a report providing details of a planning application which will be brought to Committee at its meeting on 21 November. The Committee were

asked to consider a site visit on 15 November.

RESOLVED - That a site visit be agreed reference Application DC/16/01207/OUT.

PD297 PLANNING & DEVELOPMENT COMMITTEE SITE VISIT IN ADVANCE OF THE MEETING ON 21 NOVEMBER 2018 - LAND TO THE SOUTH OF WHICKHAM HIGHWAY

The Committee received a report to advise of a planning application scheduled to be brought to Committee on 21 November. Committee were asked to consider a site visit on 15 November.

RESOLVED - That a site visit take place reference Application Reference – DC/17/00170/FUL.

PD298 ENFORCEMENT TEAM ACTIVITY

The Committee received a report which provided details of enforcement activity undertaken since the last Committee. The team deal with a number of matters in relation to Planning, Highway and Waste and are both proactive and reactive in terms of investigations they undertake.

RESOLVED - That the information presented in the report be noted.

PD299 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 contained within the report be noted.

PD300 PLANNING APPEALS

The Committee received a report providing details of progress received and outcomes of decisions received from the Secretary of State during the report period.

The Committee were informed that there has been one new appeal lodged since the last Committee.

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

The Committee were informed that there have been no appeal cost decisions awarded since the last Committee.

RESOLVED - That the information within the report be noted.

PD301 PLANNING OBLIGATIONS

The Committee received a report to advise of completed Planning Obligations which have previously been authorised.

There have been no new planning obligations received since the last Committee.

There have been no payments received since the last Committee.

RESOLVED - That the information contained within the report be noted.

Chair.....

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Date of Committee: 31 October 2018

<p>Application Number and Address:</p> <p>DC/18/00727/OUT</p> <p>Grazing Land at Beda Hills West of Woodside Walk, Rowlands Gill</p>	<p>Applicant:</p> <p>Miss E Raymond</p>
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Proposal:

Erection of a four bedroom house

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

Mrs S Raymond speaking on behalf of the applicant.

Decision(s) and any conditions attached:

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

- 1 The development amounts to inappropriate development within the Green Belt and, without very special circumstances to outweigh the harm by reason of inappropriateness, and any other harm, it is contrary to the NPPF and CS19 of the CSUCP.
- 2 Insufficient information has been submitted to make a proper assessment of the appearance, landscaping, layout and scale of the proposed development. It is therefore contrary to the NPPF, policy CS15 of the CSUCP, and saved policy ENV3 of the UDP.
- 3 The proposal does not demonstrate that an adequate visibility splay of 2.4mx 210m can be achieved and, without supporting evidence to justify a relaxation of the splay, the proposed development is likely to have an adverse effect on highway safety, contrary to the NPPF and policy CS13 of the CSUCP.
- 4 The development is likely to have a significant adverse impact on

biodiversity, including, but not limited to, designated sites, priority habitats, protected species, priority species, and ecological connectivity. Insufficient information in the form of an ecological survey, assessment and mitigation report has been submitted, and the development is therefore contrary to the NPPF, ODPM Circular 06/2005: Biological and Geological Conservation, policy CS18 of the CSUCP, and saved policies DC1(d), ENV44, ENV46, ENV47, ENV49, and ENV51 of the UDP.

- 5 The application indicates that 3 trees will be removed to make way for the proposed dwelling. A further 7 trees lie in close proximity to the dwelling. Insufficient information has been submitted in the form of a tree survey, assessment and mitigation report to justify the removal of the 3 trees and determine the impact of the development on trees retained on-site. The application is contrary to the NPPF, policies CS15 and CS18 of the CSUCP, and saved policies DC1(d) and ENV44 of the UDP.

Any additional comments on application/decision:

None

Date of Committee: 31 October 2018

Application Number and Address:

DC/18/00972/HHA

4 Cleasby Gardens
Gateshead
NE9 5HL

Applicant:

Mr K Whing

Proposal:

Single Storey rear extension (retrospective) (amended 28.09.18)

Declarations of Interest:

Name

Nature of Interest

None

None

List of speakers and details of any additional information submitted:

Councillor R Beadle – speaking against the application
Mr Russell Perry – speaking against the application on behalf of the objector
Mr K Whing – speaking as the applicant

Decision(s) and any conditions attached:

The planning officer gave a verbal update to the committee and advised that the application now included a decked area beyond the proposed extension. The Council has consulted on the amended plan and no further representations have been received as a result.

It was agreed that consideration of the application be deferred for a site visit.

Any additional comments on application/decision:

None

Date of Committee: 31 October 2018

Application Number and Address:

DC/18/00396/FUL

21 Mill Road
East Gateshead
NE8 3AE

Applicant:

Primesite Development Ltd / 1Dom Ltd

Proposal:

Mixed Use Development consisting of 317 Apartments with two ground floor retail units (contained within a 20 storey block) and associated parking (amended 03/08/18 and associated parking (amended 03/08/18 and additional information received 04/10/18)

Declarations of Interest:

Name

Nature of Interest

None

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

Amended recommendation wording

The applicant has provided a further Viability Assessment (VA) to test the scheme based on providing a 5% off-site contribution towards affordable housing, as a comparison to the previously submitted VA that tested the scheme based on a 15% off-site contribution and providing no contribution at all.

This further VA follows the same format as the previously submitted document, using the same inputs, save for the percentage of off-site affordable housing contribution.

The results of this further VA show that requiring a 5% contribution towards affordable housing would result in a developer profit of 12.54%. This is considered to render the scheme unviable based on the understanding that the units would be for open market sale to individual investors, which creates a higher risk to the developer, and the embryonic nature of this type of high rise residential development in the North East.

Based on the level of risk this creates to the developer the specialist advice given to officers is that, in this case, requesting any contribution towards affordable housing would render the scheme unviable and thus unlikely to happen.

Therefore, officers suggest that the recommendation be changed from "Grant subject to S106" to "Grant subject to conditions" for the reasons set out above.

Decision(s) and any conditions attached:

That Permission be GRANTED subject to the conditions outlined below:

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

L-01, 100D, 101G, 102H, 103H, 104F, 105F, 106F, 107F, 108F, 109F, 110H, 111F, 112F, 113E, 114E, 115H, 116H, 117E, 118B, 200E, 201E, 202C, 203D, 204A, 317 Rev H, Car Park and Servicing Management Plan, dated October 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 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for the recycling/disposing of waste arising from construction works.

In addition all works and ancillary operations in connection with the remediation of the site and the construction of the new development, including the use of any equipment or deliveries to the site (except for internal works, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

- 4 The development shall be carried out in accordance with the Method Statement approved under condition 3.
- 5 No groundworks or construction of the development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.
- 6 The development shall not be first occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 5 has been submitted to and approved in writing by the Local Planning Authority.

- 7 No part of the development shall be occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.
- 8 Development shall not commence on the construction of the development until an intrusive land contamination assessment, to assess the nature and extent of any contamination on the site and whether or not it originates on the site has been submitted to and approved in writing of the Local Planning Authority. The report of the findings must include-
- (i) a survey of the extent, scale and nature of contamination.
 - (ii) an assessment of the potential risks to,
 - land stability
 - human health,
 - property (existing or proposed) including buildings, service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments,
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s) including a timeline and phasing for the implementation of the remediation scheme.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

- 9 The remediation and mitigation schemes must be carried out in accordance with the details approved under condition 8. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken and where remediation is necessary a revised remediation scheme must be prepared in accordance with the requirements of condition 8; (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9 (Implementation of Approved Remediation Scheme).

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.

- 11 Construction of the development hereby approved shall not commence until a scheme of further intrusive investigations to establish the coal mining legacies present on the site has been submitted to and approved in writing by the Local Planning Authority.
- 12 The intrusive investigations shall be carried out in accordance with the details approved under condition 11 prior to the construction of the development hereby approved commencing.
- 13 Construction of the development hereby approved shall not commence until a report of findings arising from the intrusive site investigations approved under condition 11, and a scheme of remedial works if necessary, including the phasing of any remedial works, has been submitted to and approved in writing by the Local Planning Authority.
- 14 Any remediation works approved under condition 13 shall be implemented in accordance with the timetable approved under that condition.
- 15 Prior to the commencement of construction on the development, a method statement for crane operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport.
- 16 The development shall be carried out in accordance with the crane method statement approved under condition 15.
- 17 Construction of the new development hereby approved shall not proceed beyond 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.
- 18 The materials used shall be in accordance with the details approved under condition 17 unless otherwise approved in writing by the Local Planning Authority.
- 19 The construction of the development hereby approved shall not proceed beyond foundation level until a detailed drainage assessment and SuDS scheme, in accordance with the CIRIA SuDS Manual (C697) and Update has been submitted to and approved in writing by the Local Planning Authority. The assessment and scheme shall consider the DEFRA Non-Technical Standards for SuDS and shall include: infiltration testing, detailed designs of the SuDS components (green roof, soakaways, rainwater harvesting), flow controls; health and safety risk assessment; construction method statement (refer to CIRIA guidance - Construction Method Statements RP992/22)); a maintenance plan (refer to CIRIA guidance on maintenance plan RP992/21), electronic drainage model, evidence to demonstrate that there is adequate foul and surface water public sewerage capacity based on NWL's agreed discharge volumes and rates before connecting to the public sewerage system and a timetable of implementation for the approved SuDS components.

The maintenance plan should include the arrangements to secure the operation of the drainage scheme (including tanks, pumps, flow control, soakaways and green roof) throughout the lifetime of the development.

- 20 The SuDS scheme shall be implemented in accordance with the details approved under condition 19, prior to the development hereby approved being first occupied and shall be retained as such thereafter.
- 21 No part of the development shall be occupied until an emergency flood warning and evacuation plan for the development which includes:
- i- details of the flood warning procedures
 - ii- details of the emergency flood access and egress routes
 - iii- identified places that people could be evacuated to
 - iv- flood response procedures

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

- 22 Any flood evacuation shall be carried out in accordance with the plan approved under condition 21.
- 23 Construction of the new development hereby approved shall not proceed beyond foundation level until an updated sustainability statement which demonstrates the sustainable measures that will be implemented in the development and how the development will comply with policy CS16 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and a timetable for implementation has been submitted to and approved by the Local Planning Authority.
- 24 The sustainable energy measures shall be implemented in accordance with the details and timetable, submitted and approved under condition 23.
- 25 Construction of the green/brown roofs shall not commence until full details of the roofs and the area that they will cover, have been submitted to and approved in writing by the Local Planning Authority. Details shall include a timetable for implementation and a maintenance plan.
- 26 The green/brown roofs shall be implemented in full accordance with the details approved under condition 25.
- 27 No part of the development hereby approved shall occupied until final details of the two new bus shelters to be installed on Mill Road have been submitted to and approved in writing by the Local Planning Authority.
- 28 No part of the development hereby approved shall be occupied until the two new bus shelters have been installed on Mill Road in accordance with the details approved under condition 27 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 29 No part of the development hereby approved shall be occupied until final details of all works within the adopted highway have been submitted to and approved in writing by the Local Planning Authority. This shall include surface materials to be

used for the layby and footways around development (including Hawks Road), street lighting, signs and road markings.

- 30 No part of the development hereby approved shall be occupied until the off-site highway works have been implemented in accordance with the details approved under condition 29 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 31 No part of the development hereby approved shall be occupied until final details of the feature to be constructed at the back of the footpath at the lower end of the development on Mill Road, has been submitted to and approved in writing by the Local Planning Authority. The feature (eg. planter, wall or other structure) shall be designed and positioned in order to prevent indiscriminate parking.
- 32 No part of the development hereby approved shall be occupied until the details approved under condition 31 have been implemented. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority
- 33 Notwithstanding the details on the submitted plans, final details of the secure enclosure for the cycle parking facilities in the upper car park, shall be submitted to and approved in writing by the Local Planning Authority, prior to the development hereby approved being first occupied.
- 34 No part of the development hereby approved shall be occupied until the secure cycle parking facilities have been implemented in accordance with the details approved under condition 33 and the plans approved as part of the application. The approved facilities shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 35 Notwithstanding the details on the submitted plans, a Car Park and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the development hereby approved being first occupied.
- 36 The car parks shall be operated in full accordance with the Car Park and Servicing Management Plan approved under condition 35 for the life of the development.
- 37 The servicing and refuse collection for the development shall take place in full accordance with the Car Park and Servicing Management Plan approved under condition 35 for the life of the development.
- 38 A minimum of two charging points for electric vehicles shall be provided within the development, prior to the development being first occupied.
- 39 No part of the car parks hereby approved shall be brought into use until details of the barrier/entrance systems to the car parks have been submitted to and approved in writing by the Local Planning Authority.
- 40 No part of the development hereby approved shall be occupied until the barrier/entrance systems have been implemented in accordance with the details approved under condition 39. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

- 41 No part of the car park accessed off Hawks Road shall be brought into use until details of the measures to improve visibility for vehicles exiting the car park have been submitted to and approved in writing by the Local Planning Authority.
- 42 The measures to improve visibility for vehicles exiting the upper car park onto Hawks Road shall be implemented in accordance with details approved under condition 41 prior to that car park being brought into use.
- 43 No part of the car parks hereby approved shall be brought into use until final details of the disabled car parking bays have been submitted to and approved in writing by the Local Planning Authority. This includes the final location of the bays and the positioning of the transfer zones.
- 44 No part of the car parks hereby approved shall be brought into use until the disabled bays have been implemented in accordance with the details approved under condition 43. The approved bays shall be retained as such thereafter.
- 45 No part of the residential accommodation shall be occupied until a Travel Plan for those elements has been submitted to and approved in writing by the Local Planning Authority. None of the retail units shall be occupied until the submission of a Travel Plan for each occupier(s) and successive occupier(s) has been submitted to and approved in writing by the Local Planning Authority

Each Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
 - 2) Minimal operational requirements for car parking in accordance with the National Planning Policy Framework and Council Policy CS13;
 - 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.
- 46 The Travel Plan(s) shall be implemented in accordance with the details and timescales approved under condition 45 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.
 - 47 The lower car park accessed off Mill Road shall not be brought into use until final details of the internal, ramped pedestrian link from that car park to the reception area have been submitted to the Local Planning Authority.
 - 48 The ramped pedestrian link shall be implemented in accordance with the details approved under condition 47 prior to the lower car park accessed off Mill Road being brought into use.
 - 49 No part of the development hereby approved shall be occupied until a scheme for public art has been submitted to and approved in writing by the Local Planning Authority.

- 50 The public art shall be implemented in accordance with the scheme approved under condition 49, prior to the development hereby approved being first occupied. The approved artwork shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 51 No part of the development hereby approved shall be occupied until full details of the method of illumination of the external areas of the development have been submitted to and approved in writing by the Local Planning Authority.
- 52 Any external lighting shall be implemented in accordance with the details approved under condition 51 and shall be retained as such unless otherwise approved in writing by the Local Planning Authority.
- 53 No plant, machinery or equipment shall be installed on or attached to the exterior of the development until details have first been submitted to and approved in writing by the Local Planning Authority.
- 54 Any plant, machinery or equipment installed on or attached to the exterior of the development shall be implemented in accordance with details approved under condition 53 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 55 Prior to the installation of any windows serving residential properties, in accordance with the submitted noise assessment, final details of the glazing and ventilation for the flats shall be submitted to and approved in writing by the Local Planning Authority. The details for the glazing and ventilation for the windows in the east elevation facing the hotel shall be informed by an updated noise assessment as specified in the submitted noise assessment.
- 56 The development shall be carried out in accordance with the glazing and ventilation details approved under condition 59.
- 57 A minimum of 2% of the residential units shall be built to wheelchair home standards and 10% of the residential units shall be built to lifetime homes standards and shall be retained as such thereafter.

Any additional comments on application/decision:

None

Date of Committee: 31 October 2018

Application Number and Address:

DC/18/00846/OUT

Sentinal Sheds
St Cuthberts Way
Blaydon
NE21 5QD

Mr & Mrs Patterson

Proposal:

The demolition of existing buildings and erection of an apartment building up to three storeys comprising up to twelve residential dwellings (description amended 18.10.2018)

Declarations of Interest:

Name

None

List of speakers and details of any additional information submitted:

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 1:1250

Proposed Elevations 1:50 (received 28.09.18)

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 hereby permitted shall be constructed entirely of the materials detailed and shown on the Existing and Proposed Plans and Elevations plan apart from the roof of the extension which will be finished in clay Marley modern flat roof

tiles of a colour to match the existing roof tiles of the house.

Any additional comments on application/decision:

None

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