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GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 21 November 2018

PRESENT: Councillor B Goldsworthy (Chair)

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

APOLOGIES: Councillor(s): M Hall, M Henry and K Wood

PD302 MINUTES

The minutes of the meeting held on 31 October 2018 were approved as a correct record and signed by the Chair.

PD303 DECLARATIONS OF INTEREST

Councillor Michael Hood intended to refrain from participation in application DC/18/00972/HHA 4 Cleasby Gardens, Gateshead NE9 5HL on the basis of a possible appearance of pre-determination.

PD304 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.

PD305 PLANNING & DEVELOPMENT COMMITTEE SITE VISIT IN ADVANCE OF THE MEETING ON 12 DECEMBER 2018

The Committee received a report providing details of a planning application which will be brought to Committee at its meeting on 12 December 2018. The Committee were asked to consider a site visit on 6 December 2018.

RESOLVED- that a site visit be agreed reference Application DC/16/00698/OUT.

PD306 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.

PD307 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.

PD308 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 have been no new appeals lodged since the last Committee.

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

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

RESOLVED - that the information be noted.

PD309 PLANNING OBLIGATIONS

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

There has been one new planning obligation received since the last Committee.

There has been no new payments received in respect of planning obligations since the last Committee

RESOLVED - that the information be noted

Chair.....

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Date of Committee: 21 November 2018

Application Number and Address:

DC/17/00170/FUL
Land to the South of Whickham Highway

Applicant:

Persimmon Homes

Proposal:

Hybrid application seeking detailed approval for 352 dwellings (C3 use) inclusive of 30ha of ecological habitat creation, new Park and Ride facility and associated open spaces, drainage and highways infrastructure and partial diversion of Public Right of Way number WH66/2 through public open space and Outline approval for up to 250 dwellings (C3 use) across 8.2ha with associated landscaping, highways and drainage infrastructure all matters reserved with the exception of access (for the avoidance of doubt, access meaning to the site not within the site) (additional information received 08/05/07, 09/08/17, 21/03/18, 18/04/18, 08/05/18, 13/08/18 and 22/10/18 and amended 27/07/17, 19/02/18, 07/09/18, 17/09/18 and 18/10/18).

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

Councillor Kevin McClurey spoke against the application.

Councillor Peter Maughan spoke against the application.

Mrs Bridges spoke against the application.

Mr Andy Blanchflower spoke against the application.

Mr Richard Holland spoke on behalf of the applicant.

Reason for Minor Update:

The proposal description makes reference to 32ha of ecological habitat creation. This should read 30ha of ecological habitat creation.

Four further representations have been made. The concerns raised reflect the concerns reported in the main report in terms of:

- increase in traffic,
- increase in pollution,
- loss of habitat,
- the land should not have been released from the green belt as government guidelines in letters from Brandon Lewis and Greg Clarke have not been complied with,

- the scale of this development is too large,
- no additional healthcare or educational facilities will place a burden on the existing facilities,
- disturbance of sleep due to traffic going over speed bumps, and
- rat running will put children at increased risk

A verbal update was also given to advise Members that a petition with 603 signatures was received on 20 November 2018. The reasons given on the petition for objecting were

- That the roads will be unable to cope with the additional traffic
- That there is no additional community infrastructure such as schools, GP practices and hospital facilities proposed and thirdly,
- That the maximum total of new homes exceeds the figure of 550 in policy GN1 of the Core Strategy.

Highways

At paragraph 5.50 of the main report reference is made to the need for a road safety audit.

A stage 1 road safety audit has now been undertaken, we await the designer's response to this audit, which will need to be agreed prior to the signing of the s106.

At paragraph 5.80 of the main report reference is made to the need for updated analysis of accident data covering Whickham Highway, A692, Dunston Bank, Front Street Dunston, A1, Lobley Hill interchange and the Kingsway North interchange.

Updated accident data has now been provided by the applicant. Officers are satisfied that the incidents that have occurred do not fall into any patterns that raise undue concerns and therefore consider that the findings within the Transport Assessment remain valid.

Any additional comments on application/decision:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- Delivery of the Park and Ride
- Sport Contribution
- Affordable housing in perpetuity
- Off Site Highway mitigation works
- Off Site Biodiversity mitigation
- Local workforce commitments

2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.

3) That the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include:

- 1 Plans
- 2 Masterplan
- 3 Timescale
- 4 PHASE A unexpected contamination
- 5 PHASE B Ph 2 Risk Assessment

- 6 PHASE B remediation
- 7 PHASE B Implement Remediation
- 8 PHASE B Verification report
- 9 PHASE B Unexpected contamination
- 10 PHASES A and B Coal Legacy
- 11 Biodiversity method statement
- 12 Implement biodiversity method statement
- 13 in accordance with FRA
- 14 construction management plan
- 15 implement CMP
- 16 tree protection measures
- 17 implement tree protection measures
- 18 hours of construction
- 19 drainage construction method statement
- 20 implement drainage construction method statement
- 21 Drainage Assessment to include surface and foul water drainage
- 22 SUDS Scheme
- 23 Implement SUDS scheme
- 24 drainage maintenance document
- 25 implement drainage maintenance
- 26 archaeological report
- 27 PH A AND B implement SITE LEVELS
- 28 Phases A AND B 20 MPH to include revisiting visitor parking bays adj 305, 308, 309 and 328 and driveway conflicts and curtailed footways
- 29 PH A AND B Implement 20 MPH
- 30 PROW links to wider ROW network, surfacing, lighting and drainage
- 31 Implement PROW lighting etc.
- 32 Materials
- 33 Implement materials
- 34 Surface treatment materials
- 35 Implement surface treatment
- 36 Cycle storage
- 37 Implement cycle storage
- 38 Landscaping scheme for suds
- 39 Implement landscaping
- 40 Boundary planting rear broom lane
- 41 Lighting strategy
- 42 Implement lighting strategy
- 43 Landscape management plan
- 44 EV charging points
- 45 Implement EV points
- 46 Access to phases
- 47 Implement access to phases
- 48 Vehicular cycle pedestrian link between Phase B & C (up to boundary of Phase B)
- 49 Implement links between B and C
- 50 Details of gradients of roads and paths
- 51 Implement gradients of roads and paths
- 52 Tracking for all turning heads on all phases to include location of lighting columns
- 53 Implement turning heads
- 54 Drives 2m x 2m and gradient 1:8
- 55 Park and ride details
- 56 Implement park and ride details
- 57 Phases and b play areas
- 58 Implement play areas
- 59 On site landscaping
- 60 Implement on site landscaping

- 61 Travel plan
- 62 First use of access to Charles Church
- 63 Off-site highway works
- 64 Implement off site highway works
- 65 Accessibility details
- 66 Implement accessibility measures
- 67 Public transport strategy
- 68 Implement public transport strategy
- 69 Park and Ride interim and final
- 70 Implement park and ride interim and final
- 71 Bus stops crossing points cycle connections
- 72 Implement bus stops etc.
- 73 Relocated bus stops
- 74 Implement relocated bus stops
- 75 Signing and lining of private road demarcation
- 76 Implement signing and lining Broom Lane
- 77 PHASE C access prior to occupation of 251st unit on Phase B
- 78 PHASE C RES MATS
- 79 PHASE C timescale
- 80 PHASE C 230 dwellings
- 81 PHASE C ph 2 risk assessment
- 82 PHASE C remediation
- 83 PHASE C implement remediation
- 84 PHASE C verification
- 85 PHASE C unexpected contamination
- 86 PHASE C affordable scheme
- 87 PHASE C suds scheme
- 88 PHASE C implement suds
- 89 PHASE C site levels
- 90 PHASE C implement site levels
- 91 PHASE C house types
- 92 PHASE C implement house types
- 93 PHASE C landscaping
- 94 PHASE C implement landscaping
- 95 PHASE C SuDS Management Plan
- 96 PHASE C Implement SuDS management plan
- 97 PHASE C play area
- 98 PHASE C implement play area
- 99 PHASE B implement suds in phase c for plots in ph b
- 100 No trees to be removed
- 101 PHASE C wheelchair housing
- 102 PHASE C Implement wheelchair housing
- 103 PHASE C Waggonway interpretation
- 104 PHASE C Implement Waggonway Interpretation
- 105 PHASE C connections to Watergate Park
- 106 PHASE C improvement to Tanfield Railway Path
- 107 Noise Mitigation Phases A, B and C

Date of Committee: 21 November 2018

Application Number and Address:

DC/18/00568/COU
Brockburn
32A Barlow Lane
Winlaton
Blaydon on Tyne
NE21 6EZ

Applicant:

Mrs Debby Brown

Proposal:

Change of use of house and garden (use class C3) to mixed use house and garden and dog boarding business (sui generis) for up to twelve dogs (Retrospective)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Mr Ray Hutchinson spoke against the application.

Mr Sean Brown spoke on behalf of the applicant.

Any additional comments on application/decision:

That Retrospective permission be REFUSED for the following reason(s):

- 1) The intensive use of the property causes a significant and abnormal level and nature of activity resulting in material harm to the living conditions of the occupiers of the surrounding residential properties by virtue of noise and disturbance. The development therefore fails to accord with the revised NPPF, policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle and saved policies DC1(h) and DC2 of the Gateshead Unitary Development Plan.

Date of Committee: 21 November 2018

Application Number and Address:

DC/18/00764/FUL
Land at Church Road
Gateshead

Applicant:

Mr Bernard Carney

Proposal:

Erection of 12 dwelling houses with associated accesses, parking and landscaping (amended and additional information received 09/10/18)

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:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- £15,600 off-site ecological mitigation works

2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.

3) That the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include:

- 1) The development shall be carried out in complete accordance with the approved plan(s) as detailed below:-
PL-01; PL-02 Rev B; PL-03 Rev B; PL-04 Rev A; PL-05 Rev A; PL-06 Rev B; PL-07 Rev A; HT-3B5P-1-01 Rev B; HT-5B9P-01 Rev A; HT-5B10P-01 Rev B; HT-5B10P-02 Rev B; GAR-01: AIA TPP Rev A dated 8/10/2018.

Any material change to the approved plans will required 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 details shown on the approved tree protection scheme plan ref AIA TPP Rev A dated 8/10/2018 for the protection of tree "T10A" shall be implemented on site, and the Local Planning Authority notified in writing prior to all other development or other operations commencing on site. This includes soil moving or any operations involving the use of motorised vehicles or construction machinery. Once implemented the fencing must be retained intact for the full duration of the construction of the development and there shall be no access, storage, ground disturbance or contamination within the protected areas without the prior written approval of the Local Planning Authority.
- 4) The approved tree protection plan ref AIA TPP Rev A DATED 8/10/2018 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 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 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 file.
- 5) Notwithstanding the submitted information, no development or other operations of any kind in connection with the construction of plot 7 shall commence on site until a site-specific manufacturers construction specification for the area shown as hatched green on the approved Tree Protection Plan AIA TPP Rev A dated 8/10/2018 has been submitted to and approved in writing by the Local Planning Authority. The design must be based on principles recommended in the All About Trees Arboricultural Impact Assessment revision A.
- 6) No vegetation clearance works shall be undertaken during the bird breeding season (i.e. March to August inclusive). Where this is not possible a breeding bird checking survey will be undertaken by a suitably qualified ecologist immediately prior (i.e. no more than 48hrs) to the commencement of works on site. Where active nests are confirmed these must be retained undisturbed until the young have fledged and the nest(s) is no longer in use.
- 7) Save for the tree protection works and vegetation clearance works, the development hereby approved shall not commence until 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.
- 8) The construction control plan approved under condition 7 shall be implemented and complied with in full during all stages of construction until completion.
- 9) Construction of the new development hereby approved shall not proceed beyond damp proof course 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.
- 10) The development shall be completed using the materials approved under condition 9 and retained as such in accordance with the approved details thereafter.
- 11) The development hereby approved shall not be occupied until a fully detailed scheme for the boundary treatment of and within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.
- 12) The boundary treatment details approved under condition 11 shall be implemented wholly in accordance with the approved details prior to the development being occupied and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.
- 13) The development hereby approved shall not be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, the proposed replacement tree and hedge planting scheme, which shall include numbers, location, size and species proposed, ground preparation and planting plans noting the species, plant sizes and planting densities for all other new planting.
- 14) The landscaping scheme approved under condition 13 shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

- 15) The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.
- 16) Prior to the first occupation of the development, information detailing a minimum of 3no. potential bat roost features incorporated within the fabric of the new buildings shall be submitted to and approved in writing by the Local Planning Authority.
- 17) The 3 potential bat roost features approved under condition 16 shall be implemented prior to the first occupation of the respective properties and retained as such thereafter.
- 18) Save for the tree protection works and vegetation clearance works, the construction of the development hereby approved shall not be commenced until a final SuDS scheme and detailed drainage assessment (including modelling results) has been submitted to and approved in writing to the Local Planning Authority. The scheme and assessment shall include detailed drainage layout and detail designs of the SuDS components; drainage maintenance plan for the lifetime of the development; drainage construction method statement; and evidence to demonstrate that there is adequate foul and surface water public sewerage capacity based upon NWL's agreed discharge volumes and rates before connecting to the public sewerage system. All submitted information shall be in accordance with the Gateshead Council Interim SuDS Guidelines (V2).
- 19) The details approved under condition 18 shall be implemented prior to the first occupation of the development and maintained as such for the life of the development.
- 20) Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk & Drainage Impact Assessment Revision B (18N2004/Rep001/Revision B) by Billingham George & Partners for Church Road, Gateshead for New Forest Developments" dated 18 July 2018". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 4505 and ensure that surface water discharges at a restricted rate to the combined water sewer at manhole 4505. The surface water discharge rate shall not exceed 5l/s into this sewer.
- 21) Save for the tree protection works and vegetation clearance works, the development hereby approved shall not be commenced until a reassessment of the contamination/ground gas findings and recommendations provided in the Atkins 2010 phase 2 report shall be undertaken, and where necessary further Phase 2 site investigations undertaken. The findings are to be provided in a Remediation Statement with proposals for remedial mitigation measures to deal with soil contamination, coal mining legacy and ground gas related issues at the site and should be submitted for written approval of the Local Authority.

The remediation scheme shall 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 and Coal 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.

- 22) The details of remediation measures approved under condition 21 shall be implemented prior to commencement of the development hereby permitted 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.

- 23) Following completion of the remediation measures approved under condition 21 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.
- 24) 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 verification report shall be submitted to and approved in writing by the Local Planning Authority.

- 25) Prior to works commencing on the widening of Sourmilk Hill Lane details where the existing roadside gullies are to be relocated to and details of new gullies to be installed where needed shall be submitted to and approved in writing by the Local Planning Authority.
- 26) The roadside gullies approved under condition 25 shall be implemented prior to the first occupation of the development and shall be retained as such thereafter.
- 27) Prior to the first occupation of the development hereby approved full details of the proposed street lighting scheme, including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority.
- 28) The street lighting details approved under condition 27 shall be implemented in accordance with the timescale approved under condition 27 and maintained as such for the life of the development.
- 29) Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Date of Committee: 21 November 2018

Application Number and Address:

DC/18/00972/HHA
4 Cleasby Gardens
Gateshead
NE9 5HL

Applicant:

Mr Kevin Whing

Proposal:

Single storey extension (retrospective) and decking to rear (final amendment 22/10/18).

Declarations of Interest:

Name

Nature of Interest

Councillor Hood refrained from participation in the application on the basis of a possible appearance of pre-determination.

List of speakers and details of any additional information submitted:

Reason for Minor Update

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 22.10.18)

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 Plan 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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