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## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 20 February 2019

**PRESENT:** Councillor B Goldsworthy (Chair)

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

**APOLOGIES:** Councillor(s): M Hood, S Craig, K Ferdinand, M Hall, M Henry and R Oxberry

### **PD335 MINUTES**

The minutes of the meeting held on 30 January 2019 were approved as a correct record and signed by the Chair.

### **PD336 DECLARATIONS OF INTEREST**

There were no interests declared.

### **PD337 PLANNING APPLICATIONS**

- RESOLVED:
- i) That the full planning applications and change of use applications specified in the appendix to these minutes be granted, refused 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.

### **PD338 PLANNING & DEVELOPMENT COMMITTEE SITE VISIT IN ADVANCE OF CONSIDERING PLANNING APPLICATIONS**

The Committee were advised that officers anticipate planning applications being submitted for two sites in Ryton. Planning Applications Reference Number DC/16/00320/FUL and DC/1701376/FUL. Officers request that Committee consider a site visit in advance of the Committee on 13 March 2019.

RESOLVED - That a site visit take place on Thursday 7 March in advance of the planning and development committee on 13 March 2019.

**PD339 ENFORCEMENT TEAM ACTIVITY**

The Committee received a report providing an update of enforcement team activity between 16 January 2019 and 06 February 2019. 112 new service requests were received in the period. There are a total of 45 pending prosecutions. The team have attended 7 court hearings, 3 of which have been finalised resulting in £51,140 in fines and £857 in costs.

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

**PD340 ENFORCEMENT ACTION**

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee. The Committee were asked to consider the removal of items considered to have been dealt with.

RESOLVED: That the information be noted.

**PD341 PLANNING APPEALS**

The Committee were advised that one new appeal has been lodged since the last Committee. Three new appeal decisions have been received since the last committee. All appeals were dismissed. There have been no costs decisions.

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

**PD342 PLANNING OBLIGATIONS**

Since the last Committee there have been two new planning obligations. Since the last Committee there has been one new payment received in respect of planning obligations.

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

**Chair.....**

**Date of Committee: 20 February 2019**

**Application Number and Address:**

DC/18/01036/FUL  
Woodmans Arms  
Fellside Road  
Whickham  
NE16 5BB

**Applicant:**

Moorgate Bars Ltd

**Proposal:**

Construction of a single storey extension to provide marriage and function room facilities, internal refurbishment and external alterations to existing building (revised application) (amended 10/01/19 and additional information received 14/01/19).

**Declarations of Interest:**

| Name | Nature of Interest |
|------|--------------------|
| None | None               |

**List of speakers and details of any additional information submitted:**

Councillor Jonathan Wallace spoke in favour of the application.  
Mr Lee Campbell the Applicant spoke in favour of the application.

**Any additional comments on application/decision:**

That the decision be deferred subject to site visit taking place in advance of the next meeting of the Committee.

**Date of Committee: 20 February 2019**

**Application Number and Address:**

DC/18/01101/COU  
Valley View Residential Home  
Burn Road  
NE21 6DY

**Applicant:**

Maymask Ltd

**Proposal:**

Part change of use and conversion from Care Home to 18 Assisted Living Units (Use Class C3).

**Declarations of Interest:**

| <b>Name</b> | <b>Nature of Interest</b> |
|-------------|---------------------------|
| None        | None                      |

**List of speakers and details of any additional information submitted:**

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

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

3161/C-00  
3161/C-01  
3161/C-02  
3161/C-03  
3161/C-04B  
3161/C-05 A  
3161/C-06  
3161/C-07  
3161/C-08A

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 detailed in the application form received 25.10.2018.
- 4 All external works and ancillary operations in connection with the construction/demolition associated with the development, including deliveries to the site, 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.
- 5 All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the respective dwellings hereby approved and retained thereafter.
- 6 The dwellings hereby approved shall not be occupied until final details of a scheme to mark out parking bays to be allocated for those dwellings have been submitted to and approved in writing by the local planning authority.
- 7 The details approved under condition 6 shall be implemented before the dwellings are occupied and retained in accordance with the approved details for the lifetime of the development.
- 8 The dwellings hereby approved shall not be occupied until final details of secure and weatherproof cycle storage for residents have been submitted to and approved in writing by the local planning authority.
- 9 The details approved under condition 8 shall be implemented before the dwellings are occupied and retained in accordance with the approved details for the lifetime of the development.

**Date of Committee: 20 February 2019**

**Application Number and Address:**

DC/18/01206/FUL  
Dene House  
Durham Road  
Gateshead  
NE9 5AE

**Applicant:**

Mr Peter Charlton

**Proposal:**

Conversion and upgrading of existing office property into seven apartments and conversion of annexe into a store/workshop (amended 29/01/19).

**Declarations of Interest:**

| <b>Name</b> | <b>Nature of Interest</b> |
|-------------|---------------------------|
| None        | None                      |

List of speakers and details of any additional information submitted:

A minor update report was submitted.

Further consultation response received

The County Archaeologist has stated that the building should be deemed to be a non-designated heritage asset in accordance with paragraph 197 of the NPPF.

A condition is recommended to ensure the building is recorded prior to conversion to provide an archive record of the building as existing.

29

No development hereby permitted shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF and saved Unitary Development Plan Policy ENV23 and CSUCP policy CS15

Reason for pre commencement condition

To ensure that the non designated heritage asset is recorded for the archives.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

Paragraph 5.23 on the main agenda reads:

5.23 The provision of a footway alongside the access road is a good improvement despite being what would be considered a minimum useable width. The main issue to consider in relation to this is the potential for vehicles turning into the site to overrun the proposed footway, which would be a safety concern. Vehicle tracking should be carried out to demonstrate how a delivery size vehicle turning into the site could do so without overrunning the footway as well as showing how such vehicles could turn within the site before egressing in a forward direction. If necessary, following this exercise, demarcation between the adopted highway and private drive would need to be incorporated. This can be conditioned. The applicant should also consult with Waste Services in respect of a small refuse vehicle to make collections within the development. If the use of a small vehicle is not possible, the vehicle tracking should also include a standard refuse vehicle. Again this can be secured by condition (CONDITIONS 14 - 15).

The paragraph has been amended to read as follows:

5.23 The provision of a footway alongside the access road is a good improvement despite being what would be considered a minimum useable width. The main issue to consider in relation to this is the potential for vehicles turning into the site to overrun the proposed footway, which would be a safety concern. Vehicle tracking should be carried out to demonstrate how a delivery size vehicle (box van or LWB Transit style van) turning into the site could do so without overrunning the footway as well as showing how such vehicles could turn within the site before egressing in a forward direction. This can be conditioned. The applicant should also consult with Waste Services in respect of a small refuse vehicle to make collections within the development. If the use of a small vehicle is not possible, the vehicle tracking should also include a standard refuse vehicle. Again this can be secured by condition (CONDITIONS– 15-16).

Condition 15 on the main agenda reads:

15

Prior to first occupation of the development hereby permitted details of autotracking of the turning head by a refuse wagon shall be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that there is an overrun over the footpath then details of an extension of the imprint paving into the development site to create a small shared surface area with a segregated footway to include a demarcation between the adopted highway and private drive must be submitted for the consideration and written approval of the Local Planning Authority.

It is recommended to replace condition 15 with the following wording:

15

Prior to first occupation of the development hereby permitted details of autotracking of the access and turning head by a box van/LWB Transit type van and refuse wagon shall be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that there is an overrun of the footpath in the vicinity of the access then details of an extension of the imprint paving into the development site to create a small shared surface area must be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that the aforementioned vehicles could not turn within the site using the proposed turning head a revised proposal should also be submitted for the consideration and written approval.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection 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 -

8546c-01 Location Plan  
8546c-02C Existing + Proposed Site Plan  
8546c-03 Existing Plans  
8546c-04C Proposed Plans  
8546c-05 Existing Elevations  
8546c-06B Proposed Elevations  
8546c-07 Proposed Cycle Store  
8546c-08A Proposed Workshop  
A4 drawing Typical Gas barrier 10  
Visqueen data sheet

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 Prior to first occupation of the development hereby permitted the gas membrane/ gas protection measures indicated on:  
A4 drawing Typical Gas barrier 10  
Visqueen data sheet  
Received on 8th February 2019 shall be installed wholly in accordance with the approved details.
- 4 Prior to commencement of the development hereby permitted a Preliminary Risk Assessment shall be undertaken and submitted for the consideration and written approval of the Local Planning Authority.

Should the findings of the Preliminary Risk Assessment indicate an intrusive site investigation with a Phase II Detailed Risk Assessment is required, these shall be undertaken and a report of the findings submitted for the consideration and written approval of the Local Planning Authority.

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, controlled waters 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 recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment of this area. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and proposed validation strategy. 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.

N.B. The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape / garden areas.

- 5 The details of remediation measures approved under condition 4 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.

- 6 Following completion of the remediation measures approved under condition 5 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

- 7 During development works, any contaminated material observed during excavation of the existing ground should be screened and removed. If any areas of contaminated ground, that had not previously been identified, are encountered during development works, then operations should cease in that area, and it must be reported in writing immediately to 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.

- 8 No development shall commence on the development hereby permitted until a Demolition and Construction Management Plan (CMP) for the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include :

- full asbestos survey and proposed controls and management of any asbestos found
- a dust management plan
- a noise management plan
- pollution prevention measures
- contractor parking
- details of delivery arrangements including hours
- measures to limit and manage transfer of debris on to the highway

- 9 The CMP approved under condition 8 shall be wholly implemented and adhered to for the full duration of the demolition and construction of the development hereby permitted
- 10 The tree protection measures indicated on drawing 160/PA/01 Tree Constraints Protection Plan and Planting Proposals shall be implemented wholly in accordance with the details prior to the commencement of the development hereby permitted and retained for the duration of the construction of the development
- 11 Development shall not progress above 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. The materials shall include:
- timber appearance cladding
  - flat roof covering
  - grey upvc windows
  - grey render
- 12 The materials approved under condition 11 shall be implemented wholly in accordance with the approved details and retained for the life of the development
- 13 Prior to the development hereby permitted progressing above damp proof course final largescale details of the conservation rooflights for the single storey flat roof shall be provided for the consideration and written approval of the Local Planning Authority
- 14 The details approved under condition 13 shall be implemented wholly in accordance with the approved details prior to first occupation of Unit 3 and retained for the life of the development thereafter
- 15 Prior to first occupation of the development hereby permitted details of autotracking of the access and turning head by a box van/LWB Transit type van and refuse wagon shall be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that there is an overrun of the footpath in the vicinity of the access then details of an extension of the imprint paving into the development site to create a small shared surface area must be submitted for the consideration and written approval of the Local Planning Authority. If the autotracking demonstrates that the aforementioned vehicles could not turn within the site using the proposed turning head a revised proposal should also be submitted for the consideration and written approval.
- 16 The details approved under condition 15 shall be implemented wholly in accordance with the approved details prior to the first occupation of any part of the development and retained clear for the purposes of turning vehicles and for the life of the development thereafter.
- 17 Prior to first occupation of the development hereby permitted a lighting scheme for the proposed footpaths and parking areas of the development site shall be submitted to and approved in writing by the local planning authority.

- 18 The details approved under condition 17 shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.
- 19 Prior to first occupation of the development hereby permitted, details of warning signs to be installed within the site advising drivers of the potential for cyclists crossing ahead shall be submitted for the consideration and written approval of the Local Planning Authority. The scheme should include a red triangle warning sign to TSRGD diagram 950.
- 20 The details approved under condition 19 shall be implemented wholly in accordance with the approved details and retained thereafter for the life of the development.
- 21 Prior to first occupation of the development hereby permitted details of electric vehicle charging points to be provided including details of the number, location and specification of the charging points have been submitted to and approved in writing by the Local Planning Authority.
- 22 The electric vehicle charging points approved at condition 21 shall be provided in accordance with the approved details prior to the development being first occupied and be retained thereafter.
- 23 Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development hereby permitted, including the use of any equipment on the site, shall be carried out only between 08:00 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Internal works within dwellings shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1800 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.
- 24 The driveway to unit 6 shall have a minimum visibility splay of 2m x 2m with no obstruction above 600mm.
- 25 No dwelling of the development hereby permitted shall be first occupied until final details of the cycle parking provision for that dwelling is submitted to and approved in writing by the Local Planning Authority and the cycle parking shall be provided on site prior to the occupation of each respective dwelling in accordance with the approved details.
- 26 Upon first occupation of each dwelling a sustainable travel welcome pack shall be provided to each of the new residents to inform of sustainable travel options to include bus timetables and cycle maps.
- 27 The recommendations at Section H of the Bat Survey dated December 2018 prepared by Taryn Rodgers of E3 Ecology shall be implemented in full for the life of the development
- 28 No gate shall be installed across the access opening on Durham Road without

details having first been submitted to the Local Planning Authority for consideration and written approval. The details shall include a minimum 6m set back from the boundary wall along Durham Road.

The approved gate shall be installed thereafter and retained for the life of the development.

- 29 No development hereby permitted shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

**Date of Committee: 20 February 2019**

**Application Number and Address:**

DC/18/01257/COU  
Unit 2  
Beat n' Track Café  
Former Co-Op Buildings  
Hookergate Lane  
Rowlands Gill

**Applicant:**

Moxie Catering Ltd

**Proposal:**

Change of use from shop (use class A1) to café (use class A3) including replacement of kitchen canopy.

**Declarations of Interest:**

| <b>Name</b> | <b>Nature of Interest</b> |
|-------------|---------------------------|
| None        | None                      |

**List of speakers and details of any additional information submitted:**

Councillor Marilyn Charlton spoke against the application.  
Ms Pauline Bell spoke against the application.  
Ms Lesley Pyrah spoke against the application.  
Mr William Trattles spoke in favour of the application on behalf of the applicant.

**Any additional comments on application/decision:**

That a decision be deferred in order that a site visit could be undertaken.

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