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## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 29 March 2017

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

Councillor(s): M Hood, J Adams, P Dillon, K Ferdinand,  
A Geddes, M Hall, L Kirton, J Lee, K McCartney,  
J McClurey, E McMaster, P Mole, C Ord, I Patterson,  
A Wheeler, K Wood and N Weatherley

**APOLOGIES:** Councillor(s): L Caffrey, S Craig, C McHugh and J Turnbull

### **PD95 MINUTES**

The minutes of the meeting held on Wednesday 8 March 2017 were approved as a correct record and signed by the Chair.

### **PD96 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **PD97 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.

### **PD98 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.

**PD99 PLANNING APPEALS**

Consideration was given to a report detailing new appeals received and decisions of the Secretary of State since the last meeting.

It was reported that one new appeal has been lodged since the last meeting (Land at Portobello Road, Birtley).

It was also reported that there is another appeal in progress (Rockwood Hill Road, Greenside).

RESOLVED: That the information be noted.

**PD100 PLANNING OBLIGATIONS**

An update report was provided with details of planning obligations which have previously been authorised.

It was reported that since the last meeting there have been no new planning obligations but that two new payments have been received in respect of planning obligations.

RESOLVED: That the information be noted.

**Chair.....**

Date of Committee: 29 March 2017					
<b>Application Number and Address:</b>  DC/16/00136/FUL Block 2 Half Moon Lane Gateshead NE8 2AA	<b>Applicant:</b>  Bellway Homes (NE)				
<b>Proposal:</b>  VARIATION OF CONDITION 1 (approved plans) of 103/01 to enable alteration of facades, increase of flat numbers from 40 to 58, amendments to parking layout and bin store area (additional information received 16/02/17 and amended plans received 13/02/17).					
<b>Declarations of Interest:</b>  <table border="1"> <thead> <tr> <th>Name</th> <th>Nature of Interest</th> </tr> </thead> <tbody> <tr> <td>None</td> <td></td> </tr> </tbody> </table>		Name	Nature of Interest	None	
Name	Nature of Interest				
None					
<b>List of speakers and details of any additional information submitted:</b>  An update report was provided due to: further consultation responses being received; further representation being received; corrections to car parking numbers; amendments to conditions (11, 28 and 31), and; an additional condition (34) being recommended.					
<b>Decision(s) and any conditions attached:</b>  That the Strategic Director of Communities and Enterprise be authorised to deal with the matter, at the end of the publicity period and after consultation with the Chair and/or Vice Chair. Permission being GRANTED subject to the following conditions:  <b>1</b> The development shall be carried out in complete accordance with the approved plan(s) as detailed in the reports.  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.  <b>2</b> No development approved by this planning permission shall be commenced until an intrusive site investigation is undertaken, and 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, soil sampling and chemical laboratory testing of samples to assess potential contamination issues, particularly relating to proposed new planting areas, and to 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 the					

environment, future users of the site and construction workers.

Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated Sites - Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

Ground gas monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with, where relevant, recommendations for ground gas mitigation measures.

3

Prior to commencement of the development hereby permitted, where required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

NB The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in any proposed soft landscape areas.

4

The details of remediation measures approved under condition 3 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.

5

Following completion of the remediation measures approved under condition 4 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.

6

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 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.

7

No development shall commence on site 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, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

8

The landscaping scheme as approved under condition 7 shall be completed in full accordance with the

approved plans during the first planting season (October to March) following commencement of the development unless otherwise approved in writing by the Local Planning Authority.

The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

9

Prior to occupation of the development hereby permitted a scheme for the maintenance of the landscaping scheme approved under condition 7 shall be submitted; the scheme to be in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for the consideration and written approval of the Local Planning Authority.

10

The landscape maintenance plan approved under condition 9 shall be implemented for a minimum period of 5 years in accordance with the approved details.

11

Prior to the occupation of Block 2 of the development hereby permitted, a Car Parking Management Scheme to include measures to maximise the use of the available car parking across the site, shall be submitted for the consideration and written approval of the Local Planning Authority.

12

The Car Parking Management Scheme approved under condition 11 shall be implemented in full accordance with the timeframe set out in the scheme in perpetuity

13

No building(s) hereby approved shall be occupied until the submission of a Travel Plan in respect of occupier(s) (and successive occupier(s)) of any building(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 Council Policy CS13;
- 3) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 4) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

14

Within 12 months of first occupation of the relevant building(s) hereby approved evidence of the implementation of the Travel Plan over a minimum period of 12 months approved under condition 13 shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

15

Prior to first occupation of the relevant flat(s) the flats shall be designed, converted or constructed in accordance with a scheme of sound attenuation to be submitted for the consideration and written approval of the Local Planning Authority.

16

The sound attenuation scheme approved under condition 15 shall be implemented in full accordance with the approved details and retained thereafter for the life of the development.

17

No works shall be carried out on site unless prior to the written approval of the Local Planning Authority to a revised Bat Mitigation Strategy and Method Statement. The submitted Bat Mitigation Strategy & Method Statement dated March 2017 shall be revised to include confirmation of the following:

- a) Project Ecologist to provide the project manager/principal contractor/scaffolding contractor/roofing contractor with a Tool Box Talk prior to the commencement of works on site
- b) A copy of the Bat Mitigation Strategy and Method Statement (including a copy of the project Ecologist's contact details) to be retained on site at all times for reference purposes
- c) Statement requiring that in the event of a bat(s)/evidence of bats being discovered at any stage during the development, all works in that area must cease immediately and the project Ecologist be contacted for urgent advice

18

No development shall take place, including any works of demolition or remediation, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period. 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 including decorative displays and facilities for public viewing where appropriate
- 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 demolition and construction works.

19

Unless otherwise approved in writing by the Local Planning Authority, all demolition, 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.

20

No equipment or machinery shall be installed on or attached to the exterior of the premises without the prior written approval of the Local Planning Authority

21

No mechanical ventilation and extraction scheme shall be installed until a scheme of odour suppression and noise levels, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed flue, all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters, fans and flues and the manufacturers recommendations concerning frequency and type of maintenance and noise levels. The cooking equipment to be installed and used in the premises shall be restricted to any equipment that is considered as having light grease/smoke loading in 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems', DEFRA, January 2005 (as amended March 2011) or any superseding document thereof only.

22

The equipment approved under condition 21 shall be installed in accordance with the approved details prior to the preparation of hot food in connection with the use hereby approved commencing and shall

thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions. A written record of any maintenance shall be retained on site and be made available for inspection by the Local Planning Authority.

23

Prior to commencement of the development hereby permitted, details of the buttress wall to the east elevation shall be submitted for the consideration and written approval of the Local Planning Authority.

24

The details of the buttress wall to the east elevation approved under condition 23 shall be implemented in full accordance with the approved details prior to first occupation of the development hereby permitted.

25

Deliveries to the commercial buildings shall not take place before 8am or after 6pm unless otherwise approved in writing by the Local Planning Authority

26

The opening hours of the bar(s) shall be restricted to between 8.30am to 11.30pm only or as may otherwise approved in writing with the Local Planning Authority

27

No development shall take place until the developer has appointed an archaeologist to undertake a programme of observations of demolition and construction work to record items of interest and finds in accordance with a specification provided by the County Archaeologist. The watching brief report shall be submitted for written approval by the Local Planning Authority within one month of the completion of the excavation work, unless alternative arrangements have been submitted to and given prior written approval by the Local Planning Authority.

28

Prior to the occupation of Block 2 of the development hereby permitted, full details of the location of grouped visitor parking bays and the surface treatment materials for these bays shall be submitted for the consideration and written approval of the Local Planning Authority

29

The visitor parking bay details approved under condition 28 shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby permitted.

30

Prior to the first occupation of Block 2, final details of the measures necessary, include waiting restrictions, in order to manage car parking on the public highway within the whole site shall be submitted for the written approval of the Local Planning Authority.

31

Prior to the occupation of Block 2 of the development hereby permitted, details to include the style and layout of 58 secure cycle parking spaces shall be provided for the consideration and written approval of the Local Planning Authority.

32

The cycle parking details approved under condition 31 shall be installed in full accordance with the approved details prior to the first occupation of the development hereby permitted

33

No works shall be carried out on site unless they are in strict accordance with the revised Bat Mitigation Strategy and Method Statement approved under condition 17.

34

The details of the measures to manage car parking on the public highway approved under condition 30 shall be implemented prior to occupation of the Block 2 and maintained for the life of the development.

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

The decision was unanimous.



**Date of Committee: 29 March 2017**

**Application Number and Address:**

DC/16/00320/FUL  
Land to the South of Cushy Cow Lane  
Ryton  
Tyne and Wear

**Applicant:**

Bellway Homes Ltd (North East)

**Proposal:**

Full planning application for 350 dwellings including associated access, infrastructure and open space.

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

**Decision(s) and any conditions attached:**

The item was withdrawn from the Agenda.

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



**Date of Committee: 29 March 2017**

**Application Number and Address:**

DC/1601182/FUL  
Land at Ellison Terrace  
Greenside  
Ryton  
NE40 4BL

**Applicant:**

ISM Properties Ltd

**Proposal:**

Construction of three houses with parking area (amended 16/02/17 and 08/03/17 and description amended 14.03.2017).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

Councillor Jack Graham – Ward Councillor  
Malcolm Galagher – Objector [Registered to speak but did not attend]  
Barry Mason - Agent

**Decision(s) and any conditions attached:**

That the application be DEFERRED for a Site Visit.

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

The Chair, at his discretion, permitted Councillor Jack Graham as Ward Councillor to outline his concerns about the application.

**Date of Committee: 29 March 2017**

**Application Number and Address:**

DC/16/01319/FUL  
Former Bling Bling Car Wash  
Durham Road  
Birtley  
DH3 1LS

**Applicant:**

Mr S Hakim

**Proposal:**

Erection of building to provide a shop and car valeting area on ground floor with storage above; Use of forecourt for parking and as a car wash.

**Declarations of Interest:**

**Name**

Councillor Neil Weatherley

**Nature of Interest**

Councillor Weatherley had registered to speak against this application prior to his appointment to the Committee and therefore did not participate in the decision concerning the application.

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

Councillor Neil Weatherley

**Decision(s) and any conditions attached:**

That permission be REFUSED for the following reasons:

1

The car valeting and hand car washing activities wall would cause undue disturbance and negative impacts from noise on the residential amenity of the existing nearby properties and the proposed acoustic measures would not sufficiently mitigate the harm caused. The development is therefore contrary to the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC2 of the Unitary Development Plan.

2

The acoustic fencing/baffle wall would appear overdominant and visually intrusive when viewed from the public domain. As a result, rather than appearing complementary, it would in fact be incongruous and out of character with the host property and its surroundings. It would also form a visual intrusion and have a potentially overbearing impact upon the enjoyment of neighbouring residents. Therefore, it is considered that the acoustic fencing/baffle wall would harm visual and residential amenity and hence, is contrary to the National Planning Policy Framework, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and saved policies ENV3 and DC2 of the Unitary Development Plan.

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

The decision was unanimous.

**Date of Committee: 29 March 2017**

**Application Number and Address:**

DC/17/00074/FUL  
Land South of Westminster Street  
Gateshead

**Applicant:**

Gateshead Regeneration Partnership

**Proposal:**

Erection of electricity substation and associated parking (revised application) (amended and additional information received 14/03/17).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

An update report was provided in relation to the one further letter objection which was received as a result of the amended plans, concerning anti-social behaviour.

**Decision(s) and any conditions attached:**

The Committee resolved that permission be GRANTED subject to the following conditions:

1

The development shall be carried out in complete accordance with the approved plans as detailed in the report.

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

Development shall not commence until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

4

The development shall be completed using the materials approved under Condition 3, and retained as such in accordance with the approved details thereafter.

5

Prior to substation being brought into use, vehicle tracking details demonstrating the safe use of the parking bay parallel to the rear lane, shall be submitted for the consideration and written approval of the Local Planning Authority. Any amendments required to the parking bay shall be submitted prior to the parking bay being brought into use.

6

The parallel parking bay shall be implemented in accordance with the details approved under condition 5 prior to the substation being brought into use.

7

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.

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

The decision was unanimous.