

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/00623/FUL
Fistral
Smailes Lane
Rowlands Gill
NE39 2LS

Applicant:

Broadleaf Construction Development

Proposal:

Erection of two split level x three bedroom, semi-detached dwellings with gables, balconies and dormer windows on south elevations.

Declarations of Interest:

Name

Nature of Interest

None

None

List of speakers and details of any additional information submitted:

None.

Decision(s) and any conditions attached:

It was agreed to defer the application to allow for the applicant to supply accurate details of the visibility splay and the exact location of obstructions within it in order to identify potential costs to the developer in securing the visibility splay and to allow Members to properly consider whether imposing suggested condition 4 would be reasonable.

Any additional comments on application/decision:

None

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/00634/FUL
21 Mill Road
East Gateshead
NE8 3AE

Applicant:

Primesite Developments/1Dom

Proposal:

Mixed use development consisting of 386 residential units (1,2 and 3 beds) with on-site facilities, café, retail and parking (Amended Plans 06.10.2017, increase in height, 27.10.2017 to re-introduce angled windows to windows on floors 1-6 facing the hotel and 31.10.2017, minor changes to elevation)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

An update report was provided that advised Members that a letter of support had been received from Councillor Eagle

Decision(s) and any conditions attached:

That permission be GRANTED SUBJECT TO A SECTION 106 AGREEMENT:

1) The agreement shall include the following obligations:

- To provide 15% affordable housing subject to viability
- A minimum of 60% of units hereby approved shall be for students only in accordance with submitted use class plans

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

3) That the Strategic Director of Communities and Environment 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

1380 101G, 102G, 103F, 104F, 105F, 106F, 107F, 108F, 109F, 110F, 111F, 112F, 113E, 114E, 115E, 116E, 117E, 118B, 200F, 201B, 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, including any works of demolition, until a Demolition and 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/disposal of waste arising from demolition and construction works.

In addition, all works and ancillary operations in connection with the demolition, remediation of the site and the construction of the new development, including the use of any equipment or 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, 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) Demolition shall not commence until an updated Preliminary Bat Roost Assessment and Nesting Bird Survey has been undertaken, submitted to and approved in writing by the Local Planning Authority. These reports shall include recommended updated working methodologies if appropriate.

6) The demolition of the site shall take place in accordance with the Bat Roost Assessment and Nesting Bird Survey approved under condition 5. Should any evidence of bats be discovered during demolition, demolition shall cease in that area and an updated method statement to cover the demolition, submitted to and approved in writing by the Local Planning Authority prior to demolition in that area re-commencing.

7) Demolition of the existing building will be undertaken outside the bird nesting season (March to August inclusive). Where this is not possible demolition shall take place in accordance with an updated Preliminary Roost Assessment and Nesting Bird Survey.

8) Following demolition no further 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.

9) The development shall not be first occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 8 has been submitted to and approved in writing by the Local Planning Authority.

10) 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.

11) 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 an approved in writing by 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,
 - Groundwater's 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

12) The remediation and mitigation schemes must be carried out in accordance with the details approved under condition 11. 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

13) 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 11; (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 (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.

14) 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.

15) The intrusive investigations shall be carried out in accordance with the details approved under condition 14 prior to the construction of the development hereby approved commencing.

16) Construction of the development hereby approved shall not commence until a report of findings arising from the intrusive site investigations approved under condition 14, 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.

17) Any remediation works approved under condition 16 shall be implemented in accordance with the

timetable approved under that condition.

18) 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.

19) The development shall be carried out in accordance with the crane method statement approved under condition 18.

20) Construction of the new development hereby approved shall not commence above 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.

21) The materials used shall be in accordance with the details approved under condition 20 unless otherwise approved in writing by the Local Planning Authority.

22) The construction of the development hereby approved shall not be commenced 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 drainage 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 Statement 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 system (including tanks, pumps, flow control, soakaways and green roof) throughout the lifetime of the development

23) The SuDS scheme shall be implemented in accordance with the details approved under condition 22, prior to the development hereby approved being first occupied and shall be retained as such thereafter.

24) 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.

25) Any flood evacuation shall be carried out in accordance with the plan approved under condition 24.

26) Construction of the new development hereby approved shall not commence above 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.

27) The sustainable energy measures shall be implemented in accordance with the details and timetable, submitted and approved under condition 26.

28) 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.

29) The green/brown roofs shall be implemented in full accordance with the details approved under condition 28.

30) No part of the development hereby approved shall be 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.

31) 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 30 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

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

33) No part of the development hereby approved shall be occupied until the offsite; highway works have been implemented in accordance with the details approved under condition 32 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

34) 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 (e.g. planter, wall or other structure) shall be designed and positioned in order to prevent indiscriminate parking.

35) No part of the development hereby approved shall be occupied until the details approved under condition 34 have been implemented. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

36) 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.

37) 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 36 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.

38) The car parks shall be operated and updated in full accordance with the car management plan submitted and approved as part of the application reference Car Park and Servicing Management Plan, dated October 2017

39) The servicing and refuse collection for the development shall take place in full accordance with the service management plan submitted and approved as part of this application reference Car Park and Servicing Management Plan dated October 2017.

40) A minimum of one charging point for electric vehicles shall be provided within the development, prior to the development being first occupied.

41) No part of the car parks hereby approved shall be brought into use until details of the barriers/entrance systems to the car parks have been submitted to and approved in writing by the Local Planning Authority.

42) 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 41. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

43) 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.

44) 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 43 prior to that car park being brought into use.

45) 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.

46) 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 45. The approved bays shall be retained as such thereafter.

47) No part of the student or 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 commercial 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 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

48) The Travel Plan(s) shall be implemented in accordance with the details and timescales approved under condition 47 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.

49) 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.

50) The ramped pedestrian link shall be implemented in accordance with the details approved under condition 49 prior to the lower car park accessed off Mill Road being brought into use.

51) 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.

52) The public art shall be implemented in accordance with the scheme approved under condition 51, 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.

53) No part of the development hereby approved shall be occupied until full details of the method of illumination of all external areas of the development have been submitted to and approved in writing by the Local Planning Authority.

54) Any external lighting shall be implemented in accordance with the details approved under condition 53 and shall be retained as such unless otherwise approved in writing by the Local Planning Authority.

55) 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.

56) 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 55 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

57) Prior to any A3 (restaurant/café) or A4 (drinking establishment) being brought into use a detailed scheme covering the extraction and ventilation and control of the unit and cooking odours shall be submitted to and approved in writing by the Local Planning Authority.

58) Any equipment for the extraction and ventilation and control of cooking odours required for A3 or A4 uses on the ground floor shall be implemented in accordance with details approved under condition 57 prior to that unit being brought into an A3 or A4 use and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

59) Prior to any A3 (restaurant/café) or A4 (drinking establishment) being brought into use a detailed scheme covering the soundproofing for the floors above shall be submitted to and approved in writing by the Local Planning Authority

60) Any soundproofing required for an A3 (restaurant/café) or A4 (drinking establishment) use shall be implemented in accordance with details approved under condition 59 prior to that unit being brought into an A3 or A4 use shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

61) Prior to the installation of any windows serving both student and non-student 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.

62) The development shall be carried out in accordance with the glazing and ventilation details approved under condition 61.

63) A minimum of 2% of the non-student residential units shall be built to wheelchair home standards and 10% of the non-student residential shall be built to lifetime homes standards and shall be retained as such thereafter.

64) The ground floor commercial units hereby approved shall be first used for A1 (retail), A2 (financial and professional services), A3 (restaurant and café) or A4 (drinking establishment) in accordance with the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015.

Any additional comments on application/decision:

None

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/00830/FUL
Stampley Moss Farm
Thornley Lane
Rowlands Gill
NE21 6LB

Applicant:

Mrs Philippa Curry

Proposal:

Proposed outdoor equestrian training arena (additional information received 20/09/17 and amended plan received 17/10/17)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Mrs Philippa Curry spoke in support of the application.

An update report was provided that advised Members that a letter of support has been received from Northumberland Sport. The representation also includes a copy of a survey explaining the general wider future intentions of the applicant at the application site and the responses received. The agent has confirmed that the document does not form part of the application in terms of the use proposed; therefore, the proposed use described in the main report has not changed.

The representation states that the applicant coaches at elite level but also works with those less fortunate. The letter claims that the proposed arena would not be used as a riding school, competition arena or livery yard, but solely as a training arena to coach riders with their own horses, exercise her private horses whilst providing some free education.

The representation lists personal qualities of the applicant and claims that the applicant is unique and is the most highly qualified Show jumping coach in the UK.

The application proposes change of use of the land that would not fall within the exceptions in paragraph 89 or 90 of the NPPF, so would be inappropriate development within the Green Belt in the absence of very special circumstances.

As in the main report, national guidance advises development is not normally justified on planning grounds because of who would benefit from the permission. Planning permission runs with the land and planning cannot control the ownership of land. Therefore, if planning permission was granted, the land could be lawfully used in the future as a training arena by an individual who did not have the same (or similar) status, students/participants, connections/affiliations and ambition/approach for the facility.

The representation states that due to high hire costs of the arena that the applicant currently rents in Northumberland, providing affordable lessons and voluntary work is unsustainable. The letter also states that the proposal site in Gateshead is more suitable and accessible than the location where the applicant currently works.

There is no detail submitted with the application to give evidence (or guarantee) that an arena is this specific location (within the Green Belt) would result in reduced lesson charges and improved quality of training (neither of which would be reasonable, enforceable or necessary to require by condition). Additionally, there is no detail submitted with the representation or application to give evidence that a facility that would bring similar benefits could not be provided in a location outside of the Green Belt.

It is considered that exceptional need, where granting planning permission for development that would not normally be permitted on the site could be justified on planning grounds because of who would benefit from the permission, has not been demonstrated on this occasion.

Therefore, the above proposed very special circumstances would neither individually nor cumulatively outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

The submitted letter also refers to the use of wider the site as a former aggregate haulage yard and landfill site. According to government records, any licenses for HGVs and wagons to access the site have been surrendered. Planning permission DC/14/00516/FUL was granted for two dwellings to the north of Stampley Moss farm house/.

However, the assessment of the impact on the Green Belt of those dwellings has no bearing on the assessment of the impact on the Green Belt of this proposal, and each case is assessed on its planning merits. In this case it is considered that the proposal would be inappropriate development in the Green Belt (for the reasons set out in the main body of the report) and that very special circumstances would not exist that would clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

Decision(s) and any conditions attached:

It was moved and seconded that the application be deferred in order for Officers to draft suitable conditions that would be brought back to a subsequent Committee for consideration, as Committee Members were minded to GRANT consent, contrary to Officer recommendation.

Committee concluded that although this scheme amounts to inappropriate development in the Green Belt, there exist Very Special Circumstances, by virtue of the benefits to the local area, arising from increased equestrian facilities and economic benefits, that outweigh the identified harm to the openness of the Green Belt. Members also considered that the potential ecological impacts arising from the development could be mitigated by the imposition of suitable planning conditions and therefore any ecological impacts did not amount to harm that needed to be weighed alongside the Green Belt harm, as required by paragraph 88 of the NPPF.

Any additional comments on application/decision:

Members were advised that if they were minded to grant consent, then the Secretary of State would have to be consulted in accordance with the Town and Country Planning (Consultation) (England) Direction 2009

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/00899/COU
Da Vincis
10 Harraton Terrace
Durham Road
Birtley
DH3 2QG

Applicant:

Mr Afshin Pouresmaileh

Proposal:

Change of use from A3 (food and drink) to A3/A5 to allow for home delivery (amended 05/09/17)

Declarations of Interest:

Name

Nature of Interest

Councillor Weatherley declared an interest

List of speakers and details of any additional information submitted:

Councillor Weatherley spoke against the proposal
Mr Jonathan Fletcher (Agent) spoke in support of the proposal

Decision(s) and any conditions attached:

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

1) The proposal would represent inappropriate development given that it would lead to increased access to an unhealthy eating outlet and an overconcentration of such uses, and is therefore contrary to the NPPF, Core Strategy and Urban Core Plan policy CS14, Saved Unitary Development Plan policy RCL6 and the Hot Food Takeaway Supplementary Planning Document.

Any additional comments on application/decision:

None

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/00963/FUL
The Springs Health Club
Joicey Road
Low Fell
Gateshead
NE9 5AT

Applicant:

Mr Prime

Proposal:

Demolition of the existing health club building (structure remaining following fire damage) and redevelopment to provide 22 apartments, associated car parking area and landscaping (Amended 24/10/2017)

Declarations of Interest:**Name**

None

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

None.

An update report was provided that advised Members that a letter of support has been received from Councillor Adams

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:

15/038 104B, 105 A, 106 A, 107 A, 108 B, 109 B, 110 B, 111A, 786-05, 2017011-04, Arboricultural Method Statement Reference 786, Residential Travel Plan, 2nd Issue, dated August 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, including any works of demolition, until a Construction and Demolition Method 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, including construction vehicles 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/disposal of waste arising from demolition and construction works

In addition all works and ancillary operations in connection with the demolition, remediation of the site and the construction of the new development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours in 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 Demolition and Construction Method Statement approved under condition 3.

5) The tree protection measures set out in the submitted Tree Survey provided by AJT and dated August 2017, must be installed prior to the demolition of the building commencing and thereafter retained intact for the full duration of the demolition and construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

6) The demolition of the existing building and the construction of the new development shall be carried out in accordance with the Tree, Habitat and Protected Species Survey prepared by AJT and dated August 2017. Should active nests or roosts be discovered during works these must remain undisturbed until a suitably qualified and experienced ecologist has inspected the nest/roost and provided a report, which is subject to approval by the Local Planning Authority.

7) Construction of the new development shall not commence until an intrusive land contamination assessment, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site and whether or not it originates on the site and any which exist under the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to the Local Planning Authority for approval. 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, pets, service lines and pipes,
 - Adjoining land
 - Groundwater's 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 for implementation

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

8) The remediation and mitigation schemes approved under Condition 7 must be carried out in accordance with its terms prior to the commencement of development other than that required carrying out demolition and remediation, unless otherwise approved in writing by the Local Planning Authority. 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.

9) 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 remediation scheme must be prepared, 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 (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.

10) Construction of the development hereby approved shall not commence until a scheme of further intrusive investigations to establish the coal mining legacies present on site has been submitted to and approved in writing by the Local Planning Authority.

11) Prior to construction of the development hereby approved commencing, the intrusive investigations shall be carried out in accordance with the details approved under condition 10.

12) Construction of the development hereby approved shall not commence until a report of findings arising from the intrusive site investigations approved under condition 10 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.

13) Any remediation works approved under condition 12 shall be implemented in accordance with the timetable approved under that condition.

14) The construction of the development hereby approved shall not be commenced above 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 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.

15) The SuDS scheme shall be implemented in accordance with the details approved under condition 14, prior to the development hereby approved being first occupied and shall be retained as such thereafter.

16) The areas of permeable paving as well as the footpath link off Joicey Road and the footpath from East Park Road shall be constructed in accordance with the Root plate Protection Porous Surface Detail, reference 786-05, plan 2017011-04 and the Arboricultural Method Statement reference 786.

17) Construction of the new development hereby approved shall not commence above foundation level until samples of all outstanding 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 use of the following materials has been approved:

Creation Pearl Grey Tile
Linear Ochre Brick
Ibstock Northern Buff Brick

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) No part of the development hereby approved shall be occupied until the secure cycle parking facilities have been implemented in accordance with the details shown on approved plan 15/038 104B and 111A. The approved facilities shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

20) No part of the development shall be occupied until a car park management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how the car parking spaces allocated to this development will be managed and indiscriminate parking prevented.

21) The car park shall be operated in full accordance with the management plan approved under condition 20 unless otherwise approved in writing by the Local Planning Authority.

22) The development hereby approved shall be implemented in accordance with the Travel Plan approved as part of this application, reference Residential Travel Plan, 2nd Issue, dated August 2017.

23) 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.

24) No part of the development hereby approved shall be occupied until the illumination of the external areas, approved under condition 23 has been implemented.

25) Prior to the development hereby approved being first brought into use; a Woodland Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include long term objectives, management responsibilities and maintenance schedules for all woodland areas within the site.

26) The Woodland Management Plan shall be implemented in accordance with the details approved under condition 25.

27) Notwithstanding the approved plans no part of the development hereby approved shall be occupied until final details of the signage and the road markings for the one way system has 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 signage and the road marking for the one way system have been implemented 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) Prior to the development hereby approved being first occupied full details of the landscaping proposals for the site, including details of the new trees, shrubs and plant species shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for landscaping to be implemented.

30) The landscaping scheme shall be implemented in accordance with the timetable approved under condition 29 and shall be retained as such a minimum of 5 years.

31) The reveals to the window on the development hereby approved shall be a minimum depth of 85mm.

32) Prior to the development hereby approved being first brought into use the extended footpath and dropped kerb on East Park Road shall be implemented in accordance with the details shown on plan 15/038 104B.

33) No structure or planting exceeding 600mm metres in height shall be placed within the area within the applicants ownership, either side of the exit onto East Park Road as shown on plan reference 15/038 104B.

Any additional comments on application/decision: None

Date of Committee: 15 November 2017	
Application Number and Address: DC/17/00971/COU 1 Millfield Terrace (Site Adj Masonic Hall) Derwent Street Chopwell NE17 7HZ	Applicant: Mr Joseph McNestry
Proposal: Change of use form Retail (A1 use) to Micropub (A4)	
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:

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 –

OS Plan (1:1250) – Millfield Terrace

OS Plan (1:500) – Millfield Terrace

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 use hereby approved shall be restricted to between the hours of 1100 and 2200 seven days a week and at no other times.

4) No seating, tables or any other furniture shall be introduced into the proposed smoking area (as identified to the north of the site on approved plan OS Plan (1:1250))

5) The use hereby permitted shall not commence until final details of the forecourt layout including cellar access details, boundary treatment details and planting feature details have been submitted to and subsequently approved in writing by the LPA.

6) The forecourt layout details approved under condition 5 shall be implemented in full prior to the commencement of the use hereby permitted and shall be retained as approved for the lifetime of the development.

7) No deliveries and/or refuse disposal (servicing) shall take place between the hours of 1900 and 0900.

Any additional comments on application/decision:

The Committee requested the removal of recommended condition 8 (No amplified sound system or similar equipment shall be installed or used on the premises at many time) as it was considered that this condition was not necessary to make the development acceptable.

Date of Committee: 15 November 2017

Application Number and Address:

DC/17/01084/FUL
Garage Site Rear of
33 – 43 Derwent View
Winlaton

Applicant:

Gateshead Council

Proposal:

Creation of four assisted living flats and associated parking (revised application)

Declarations of Interest:**Name****Nature of Interest**

None

List of speakers and details of any additional information submitted:

Mr Kevin Jackson spoke against the application.
Mr Phil Gallagher spoke in support of the application

A verbal update was provided to Members to advise Committee of a late representation made in support of the development by Gateshead People, a self-advocacy group for people with learning disabilities in Gateshead. The reasons for their support of the scheme are as follows;

They are very impressed with the plans and that there would be concierge support in the evenings and at weekends and because

The development would provide opportunities for residents to socialise and support each other and meet an identified housing need where the residents can feel safe and secure.

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 to which this permission relates must be commenced not later than 3 years from the date of this permission.

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

AL(20)100 Rev C dated September 2017

AL(20)101 Rev G dated October 2017

AL(90)102 Rev E dated September 2017

AL(90)102 Rev D dated September 2017

AL(00)100 Rev A dated March 2015

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.

3) No external materials for the development hereby approved shall be used on site until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection and are subsequently approved in writing by the Local Planning Authority. The agreed external materials shall then be used on site.

4) 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.

5) Before the first occupation of the building hereby permitted, windows indicated on plan AL(20) 101 Rev

G annotated "OG" shall be permanently obscure to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufacturers and shall open inwards only and by a maximum of 100mm. The windows shall be permanently retained in that condition thereafter.

6) Prior to the first occupation of the building hereby permitted, the 2m high close-boarded perimeter fence shown on plan AL(90) 102 Rev E shall be installed on site and shall be permanently retained thereafter.

7) Prior to commencement of the development hereby permitted a detailed remediation scheme (based on the recommendations of the Atkins intrusive site investigation and Phase 2 Risk Assessment Report dated April 2017) 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 shall be submitted to and approved by the Local Planning Authority.

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 minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape and garden areas.

8) The details of the remediation measures approved under condition 7 shall be fully implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

9) Prior to first occupation of the development hereby permitted and following completion of the remediation measures approved under condition 8, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

10) Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and amended remediation and monitoring measures and a timetable for implementation have been and submitted to and approved in writing by the Local Planning Authority.

11) Where required, the amended remediation and monitoring measures approved under condition 10 shall be implemented in accordance with the approved details and timetable for implementation prior to any further works (other than those required for remediation) and maintained for the life of the development.

12) Where additional remediation is required (under conditions 10 and 11), following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Any additional comments on application/decision:

None

