

GATESHEAD METROPOLITAN BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 14 February 2018

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): M Hood, L Caffrey, S Craig, K Ferdinand,
A Geddes, M Hall, L Kirton, J Lee, K McCartney,
J McClurey, C McHugh, P Mole, C Ord, I Patterson,
J Turnbull, A Wheeler, M Henry and N Weatherley

APOLOGIES: Councillor(s): P Dillon, E McMaster, K Wood and S Dickie

PD198 MINUTES

The minutes of the meeting held on 24 January 2018 were approved as a correct record and signed by the Chair.

PD199 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD200 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.

PD201 DELEGATED DECISIONS

The applications determined since the last committee meeting in accordance with the powers delegated under part 3, schedule 2 were tabled for information.

RESOLVED: That the information be noted.

PD202 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.

PD203 PLANNING APPEALS

The Committee were advised that there have been no new appeals lodged since the last Committee.

The Committee were advised that one new appeal and appeal cost decision had been received since the last Committee.

RESOLVED - that the information be noted

PD204 PLANNING OBLIGATIONS

The Committee received a report advising of the completion of Planning Obligations which have previously been authorised.

Since the last Committee meeting there have been no new planning obligations.

Since the last Committee meeting there have been no new payments received in respect of planning obligations.

RESOLVED - that the information be noted.

PD205 REVOCATION OF HAZARDOUS SUBSTANCES CONSENT 1090/92 AT REDHEUGH HOLDER STATION, TEAM STREET, GATESHEAD

The Committee received a report seeking to revoke the Hazardous Substance Consent (HSC) 1090/92 at the site of Redheugh Gas Holder Station, Team Street, Gateshead. Revocation would be subject to confirmation by the Secretary of State.

Hazardous Substance Consent (reference: 1090/92) was granted on 2 November 1992 to store natural gas at the site.

There has historically been a number of gas holders at this site. The last three remaining gas holders which were operated by Northern gas Networks (formerly Transco) have used this site to store natural gas as part of the gas distribution network until 18 July 2014, when the gas holders were decommissioned and physically isolated from the gas network.

Northern Gas Networks informed the Council in 2017 that the gas holders had been decommissioned and that natural gas was no longer stored at the site, so the Hazardous Substance Consent (1090/92) is no longer required. They requested that

the Council make the necessary arrangements to revoke the HSC that relates to the site.

The storage of natural gas at the site approved under the HSC means that the Health and Safety Executive have imposed a consultation zone around the site that could restrict development. As natural gas is no longer stored at the site it is considered appropriate to revoke the HSC to reflect the change in circumstances. This will remove the HSE consultation zone.

Although Section 16 of the Act includes provisions relating to compensation Northern Gas have confirmed in writing that they would not be seeking compensation.

The gas holders on site are currently being demolished. It is expected that the tanks will be demolished by February 2018 with the frames being removed by October 2018.

RESOLVED - The Committee authorised the making of an order under Section 14(1) of the Planning (Hazardous Substances) Act 1990 seeking revocation of Hazardous Substances Consent 1090/92 to be confirmed by the Secretary of State.

PD206 PERFORMANCE OF DEVELOPMENT MANAGEMENT

The Committee received a report advising about the performance of the Development Management Service over the past two years in respect of the work at the Planning and Development Committee and planning applications considered through delegated powers.

The Department for Communities and Local Government publishes quarterly and annual reports of the performance of local Planning Authorities based on the quarterly returns that all Councils report.

Section 62B of the Town and Country Planning Act 1990 allows applicants to submit their applications directly to the Secretary of State for Communities and Local Government if the Local Planning Authority for the area has been designated as poorly performing. This would take the decision making function away from the Local Planning Authority.

The criteria for designation are based on speed of decision and quality of decision making (measured as the number of decisions overturned at appeal) for all planning applications divided into three different categories namely major applications, county matter applications and non-major applications. This sets the minimum performance threshold for Local Planning Authorities for 2018 as:

- More than 60% of Major or Country Matter decisions made in time (previously 50%)
- Less than 10% of Major or Country Matter decisions overturned at appeal
- (not previously measured);

- More than 70% of non-major decision made in time (previously 65%;
- Less than 10% of non-major decisions overturned at appeal (not previously measured)

The Committee were provided with data on the performance of Gateshead Local Planning Authority against the published criteria for assessing under-performance over the past two years. It provided information on the speed of decisions on applications for major and non-major development, for both district matter and county matter authorities.

The Committee were advised that the Local Planning Authority is performing well and is performing significantly above the threshold for designation.

However due to the very low numbers of County Matter and Major applications and subsequently appeals, a very small number of applications either being delayed or lost at appeal would mean that the Local Planning Authority would fail to meet the targets set.

Had quality of County Matters Development target been measured in 2017, the one appeal overturned in that year's figures would have meant that the Council failed to meet the target and the Local Planning Authority would have been designated for County Matter Applications.

RESOLVED - that the information be noted.

PD207 IMPROVING THE USE OF CONDITIONS

The Committee received a report which provided an update on the current Ministry of Housing, Communities and Local Government (MHCLG) consultation entitled "Improving the Use of Planning Conditions: Consultation on draft regulations".

The Committee were advised that the consultation paper states that "pre-commencement conditions play an important and useful role in some cases. However, because they prevent any start on site being made until they are discharged, imposing such a constraint on development, when it is not justified, unnecessarily delays the delivery of development and drives up costs".

The consultation paper proposes changes to the process for imposing pre-commencement conditions on planning permissions. The Government intends to legislate to prohibit pre-commencement conditions from being imposed unless the applicant has first agreed them or if no response is received from the applicant within 10 working days of the Local Planning Authority notifying the applicant.

It would be the responsibility of Gateshead as Local Planning Authority to seek the written agreement of the applicant to any pre-commencement conditions, and planning permission could only be granted subject to these conditions if the applicant agrees or does not respond within 10 working days of the Local Planning Authority notifying the applicant.

If the applicant does not agree, the Local Planning Authority would retain the right to

refuse the planning application if it considers that the pre-commencement condition is necessary to make the development acceptable.

The consultation paper seeks opinion on whether the proposed required notice to the developer should include reasons for both the condition and for making it a pre-commencement condition; on the definition of “substantive response” in the draft regulations; on the proposal to not give local planning authorities discretion to agree with applicants a longer period than 10 working days to respond to the notice; and invites any other comments on the draft regulations.

The consultation responses will be reviewed before the MHCLG decide which measures, if any, to take forward and in what form. A further report will be brought to Committee when any measures are announced.

RESOLVED - that the information be noted.

Chair.....