

Public Document Pack

GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 30 May 2018

PRESENT: Councillor B Goldsworthy (Chair)
Councillor(s): K Ferdinand, A Geddes, L Kirton, J Lee, K McCartney, J McClurey, C McHugh, E McMaster, C Ord, I Patterson, J Turnbull, K Wood, S Dickie and M Henry

APOLOGIES: Councillor(s): M Hood, L Caffrey, S Craig, M Hall, A Wheeler, N Weatherley, Burnett and Oxberry

PD239 MINUTES

The minutes of the meeting held on 9 May 2018 were approved as a correct record and signed by the Chair.

PD240 DECLARATIONS OF INTEREST

Councillor Ian Patterson did not declare an interest but removed himself from the discussion and subsequent voting for Planning Application No. 1 as he had spoken against the application at the previous meeting.

PD241 PLANNING APPLICATIONS

- RESOLVED -
- i) That the full planning application sand 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.

PD242 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

PD243 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.

PD244 PLANNING APPEALS

The Committee received a report advising of the completed 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.

PD245 PLANNING OBLIGATIONS

The Committee received a report advising of the completed 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

PD246 PERMISSION IN PRINCIPLE ON APPLICATION

The Committee received a report setting out the background and procedures for the Council, in its capacity as Local Planning Authority, to discharge new statutory duties to determine applications for Permission in Principle (PIP) for residential development.

The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (the Order) comes into force on 1 June 2018. This allows for small (9 dwellings or less) housing scheme to apply to the Council for PIP. The granting of PIP along with a subsequent Technical Details Consent (TDC) provides an implementable planning permission.

PIP establishes whether the principles of housing on a site is acceptable along with

the number of dwellings (expressed as a range) that can be accommodated on the site. The TDC deals with the detailed issues such as detailed design, layout and parking.

Once a site has been granted PIP, the developer or landowner has 3 years to seek TDC. The Council as Local Planning Authority (LPA) is under no obligation to approve TDC; however it cannot re-consider the principle of development on site or the number of dwellings that the site can accommodate. A TDC application can only be submitted as a single application and not broken up into parts.

Councillors may recall a previous report to Planning & Development Committee on 6 December 2017 for PIP to be granted for housing on sites in the Brownfield Register. The Order differs from that approach in that applications can be made for both brownfield and greenfield sites although they are restricted to 9 dwellings or less.

As required by the Order, from 1 June 2018, developers or landowners will be able to apply for PIP and subsequent TDC for development of 9 dwellings or fewer.

An application for PIP would be submitted to the Council as LPA (Development Management section). As part of the determination of this application, internal and external consultation would take place.

Whilst the Order sets out that the minimum level of neighbour notification is a site notice displayed in the local area, it is considered that for applications in Gateshead, neighbour notification should include writing to neighbouring properties. This is so the notification process is consistent with that for PIP through the Brownfield Register and standard planning applications.

Consideration would then be given to any representations received and a decision (or where relevant recommendation) would be made whether to grant PIP. The decision would be made either by the Service Director, Development, Transport and Public Protection under delegated authority or by the Planning and Development Committee, consistent with the Council's scheme of delegation for planning applications. The scheme of delegation for the Planning and Development Committee in the Council's constitution would need to be amended to allow this and a report has been taken to Cabinet on 22 May 2018.

For applications for TDC, following a grant of PIP on application, it is proposed that these be considered in the same way, albeit that the principle of development and amount of housing would not be relevant considerations.

In regard to timescales, the LPA must determine a PIP application and any subsequent TDC application within 5 weeks unless otherwise agreed in writing. For PIP applications, the LPA cannot impose any planning conditions, nor can any Section 106 agreement be applied, nor CIL charge levied. However, at TDC stage, these can be applied if relevant.

If a PIP or TDC application is refused there is a right of appeal. This differs to PIP through the Brownfield Register where there is no right of appeal.

- RESOLVED -
- i) The Committee approved the recommendation for consultation on PIP applications to go beyond the statutory level to include writing to neighbouring residents and occupiers in the same way as PIP through the Brownfield Register and standard planning applications.
 - ii) That the information be noted.

Chair.....

Date of Committee: 30 May 2018

Application Number and Address:

DC/17/01267/FUL
Land North of Gullane Close
Bill Quay
Gateshead

Applicant:

Gentoo Homes Ltd

Proposal:

Erection of 30 dwellings (Use Class C3) and associated access, landscaping and associated engineering works (resubmission) (amended 04/04/18)

Declarations of Interest:

Councillor Ian Patterson did not declare an interest but removed himself from the discussion and subsequent voting for Planning Application No. 1 as he had spoken against the application at the previous meeting.

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

In condition 50 there is cross reference to condition 47. This is an error and condition 50 should cross reference to condition 49 instead.

Reason for Minor Update

Further representations received, amendment to agenda wording and points of clarity.

Additional Representations

Clarity has been offered by a local resident on their objection and the additional points raised are as follows:

- The S106 agreement prepared in relation to the application ought to be scrutinised by an independent ecologist;
- The fact that the Council has not released the viability assessment/information prevents residents making representation on the application.

The objector feels the application ought to be deferred based on the above points.

Viability information has been assessed by Officers and is considered to be sound as concluded in the main report. The viability information has not been released in accordance with Council practice.

The impact of the proposal, in ecology terms, has been given due consideration and the objection from South Tyneside Council has been offered appropriate weight; the view of officers is that any impact either in terms of movement of species or loss of habitat can be mitigated against through the use of planning conditions or planning obligations, as set out in the main agenda.

It is considered by officers that neither of the above matters, when considered individually or cumulatively, would necessitate the deferral of the planning application.

Amendment to Main Agenda

Further to paragraph 7.0, conditions 47 and 48 should refer to the final details of the proposed turning head. The words ‘*traffic calming measures*’ should be replaced by ‘*turning head*’ (traffic calming measures are addressed by conditions 16 and 17).

Point of Clarity

During the Committee Site Visit information was requested in regard to the separation distance between the proposed development and a property which is currently being extended (122 Marian Drive)

The property is currently being extended through the erection of a single storey rear extension and a first-floor side extension; the separation distance between the proposed rear extension and the Plot 6 of the proposed development would be 21.4 metres (excluding the proposed garage element)

Any additional comments on application/decision:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

A financial contribution towards the provision of off-site compensatory measures to address the residual loss of BAP priority habitat (i.e. Lowland Meadows and Pastures).

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 –

- 100-01 Rev 20 – Proposed Site Plan/Block Plan
- 100-11 Rev 2 - Existing Site Plan/Block Plan
- 100-22 Rev 3 - Proposed Site Sections
- 300-01 Rev 5 - House Type – Elder
- 300-02 Rev 3 - House Type – Elm
- 300-03 Rev 4 - House Type – Alnwick
- 300-04 Rev 3 - House Type – Spruce
- 300-05 Rev 4 - House Type – Sycamore
- 300-06 Rev 4 - House Type – Sage
- 300-07 Rev 3 - House Type - Hunter
- 300-10 Rev 2 - House Type - Typical Garage Plans and Elevations

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 individual external materials shall be installed on site until a sample of the material to be used has been made available for inspection on site and 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. Notwithstanding the submitted plans, no unit hereby approved shall be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a fully detailed landscaping scheme (ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting), proposed timings for implementation and a scheme and maintenance of the landscaping (for a period of 5 years following planting).
6. The landscaping details approved under condition 5 shall be implemented in accordance with the timings approved under condition 17.
7. The approved landscaping scheme shall be maintained in accordance with the details approved Under condition 5.
8. No individual hard landscaping material shall be used on site until a detailed hard landscaping plan (including a timescale of implementation) has been submitted to and subsequently approved in writing by the Local Planning Authority.
9. All hard landscaping shall be completed in full accordance with the details approved under condition 8 (including timescales for implementation), and retained as such in accordance with the approved details thereafter.
10. No boundary treatments shall be provided on site until a fully detailed scheme for the boundary treatment of and within the site (including a timescale for implementation) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.
11. The development shall be implemented wholly in accordance with the approved boundary treatment details approved under condition 10 in accordance with the approved timescale.
12. Prior to the commencement of the development hereby approved, a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.
13. The construction control plan approved under condition 12 shall be implemented and complied with in full during all stages of construction, until completion.
14. No development hereby permitted shall take place until a noise amelioration scheme for Units 12 – 30 has been submitted to and approved in writing by the Local Planning Authority.
15. Units 12 -30 shall be constructed in full accordance with the noise amelioration scheme approved Under condition 14.
16. Notwithstanding the approved plans no dwelling house hereby permitted shall be occupied until final details of the proposed traffic calming measures across the application site and a timetable for implementation have been submitted and approved in writing by the Local Planning Authority.

17. The traffic calming measures across the site shall be implemented in full accordance with the details and timescales approved under condition 16.
18. The cycle parking facilities associated with each individual property (shown on approved plan 100-01 Rev 20 – Proposed Site Plan) shall be implemented in full accordance with the submitted details prior first occupation of each respective until hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.
19. At the point of occupation of any unit hereby approved, a Travel Plan, or ‘Welcome Pack’ shall be provided to the occupants of each dwelling, to encourage the use of alternative modes of travel to the site other than by private vehicle. This must include local cycle maps, bus stop locations, bus timetables and maps showing pedestrian routes to local amenities.
20. No development shall commence on site until the tree protection measures set out on approved plans AMS TPP Rev A have been installed in the locations identified in protection plan. The approved scheme shall remain in situ until completion of the development.
21. The approved tree protection plans (AMS TPP Rev A) shall be displayed at all times outside the site office or in the location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of the daily checks being kept on file in the site office. The record shall include the date, time and name of the person carrying out the checks together with any problems identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the LPA being obtained all construction operations should stop until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.
22. All vegetation clearance works must be undertaken outside the bird breeding season (March to August inclusive). Where this is not possible a breeding bird checking survey, undertaken by a qualified ecologist, will be required immediately prior to the commencement of works on site. Where the presence of breeding birds is confirmed, the nest must remain undisturbed until the young have fledged and the nest is no longer in use, and that this is confirmed by a qualified ecologist.
23. No development shall take place until the details and location of bird boxes to be installed on site (including a timetable for implementation) have been submitted to and approved in writing by the Local Planning Authority.
24. The bird boxes approved under condition 23 shall be erected in the approved locations in accordance with the timetable approved under condition 23.
25. No development shall commence on site until the final details of the proposed ecological landscape buffer to the east of the site have been submitted to and agreed in writing by the Council. The details shall include the following:
 - Purpose and conservation objectives for the proposed works
 - Design and conservation objectives for the proposed works
 - Type and source of materials to be used
 - Timetable for implementation
 - Persons responsible for implementing the works
 - Details of initial aftercare and long-term maintenance
 - Details for monitoring and remedial measures

In the interests of providing adequate ecological compensation for the harm caused as a direct result of the development in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

26. The ecological landscape buffer approved under condition 26 shall be carried out in full in accordance with the timetable approved under condition 25.
27. The approved ecological landscape buffer shall be maintained in accordance with the details Approved under condition 25.
28. No development shall take place until the final details of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include detailed drawings, electronic model, adoption arrangements, timetable for implementation and health and safety assessment in accordance with the Council's SuDS Guidelines.
29. The final drainage scheme shall be carried out in full accordance with the details approved under Condition 28 (including timings for implementation).
30. No work in relation to any proposed drainage features shall take place until a long-term management plan for the drainage scheme approved under condition 28 has been submitted to and approved in writing by the Local Planning Authority.
31. The drainage scheme approved under condition 28 shall be managed in full accordance with the management plan approved under condition 30 for the lifetime of the development.
32. No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under condition 28 has been submitted to and approved in writing by the Local Planning Authority.
33. The drainage scheme approved under condition 28 shall be constructed in full accordance with the construction management plan approved under condition 32.
34. Prior to the occupation of any unit hereby approved a SuDS information and communication plan, Including information pack for residents shall be submitted to and approved in writing by the Local Planning Authority.
35. At the point of occupation of any unit hereby approved, the SuDS information and communication plan approved under condition 34, shall be provided to the occupants of each dwelling.
36. No development approved by this planning permission shall be commenced until a site investigation is underway and a Phase II Risk Assessment report of the finding submitted to the Council for approval. The site investigation will consist of a series of boreholes and trial pits, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase II 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 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.

37. Following completion of the site investigation and Phase II Risk Assessment Site Investigation Works (condition 36), and following approval by the Council, if the findings of the Phase II investigation require remediation works to be undertaken then a 'Remediation Strategy' statement document is required to be produced and submitted to the Council for approval. The 'Remediation Strategy' (including timescales) must detail objectives, methodology and procedures of the proposed remediation works. This must be submitted to the Council, for approval before any remediation works commence.
38. The remediation works detailed in the 'Remediation Strategy' submitted to and approved by the Council in respect of Condition 37, shall be wholly undertaken within the timescales set out within the approved strategy.
39. Upon completion of the remediation works detailed in the approved remediation statement and prior to the occupation of any dwelling house hereby permitted, under condition 36 and/or condition 37, a detailed Remediation Verification report shall be submitted to the Local Planning Authority for approval. The report should provide verification that the required works regarding contamination have been carried out in full accordance with the approved Remediation Strategy Statement, and should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test result to demonstrate that the required remediation has been fully met.
40. During development works, any undesirable material observed during excavation of the existing ground should be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations should cease until the exposed material has been chemically tested. An amended risk assessment of the development (including a timescale for implementation) should then be undertaken, to determine whether remedial works are necessary.
41. Any works deemed to necessary following testing (as part of condition 40) shall be carried out in accordance with the timescales approved as part of condition 40.
42. Prior to the commencement of the development hereby approved intrusive site investigation works shall be undertaken in order to establish coal mining legacy issues on site. The findings of the intrusive site investigations works in relation to coal mining legacy issues along with details of any remedial works (and timescales) required shall be submitted to and approved by the LPA prior to the commencement of the development hereby approved.
43. Any remedial works identified under Condition 42 shall be implemented in accordance with the timescale set out in the approved findings.
44. No development shall commence until a programme of archaeological fieldwork (to include evaluation, where appropriate mitigation excavation and timescales for implementation) has been submitted to and approved in writing by the Local Planning Authority.
45. The programme of archaeological fieldwork shall take place in accordance with the approved Programme and timescale approved under condition 44.
46. No dwelling house hereby approved shall be occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 44 has been submitted to and approved in writing by the Local Planning Authority.
47. Notwithstanding the approved plans no dwelling house hereby permitted shall be occupied until final details of the proposed traffic calming measures to be installed within the application site and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

48. The traffic calming measures within the site shall be implemented in full accordance with the details and timescales approved under Condition 47.
49. Notwithstanding the approved plans no development hereby permitted shall commence until the number and final details of visitor parking spaces within the application site and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.
50. The visitor parking within the site shall be implemented in full in accordance with the details and timescales approved under Condition 47.

Additional Conditions:

None

And additional comments on application/decision:
None

Date of Committee: 30 May 2018

Application Number and Address: DC/18/00213/ADV Eighton Lodge Low Eighton Harlow Green Gateshead NE9 7UB	Applicant: Wellburn Care Homes
--	--

Proposal: Display of two post mounted signs (retrospective)

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 advertisement consent be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, delete, vary and amend the planning conditions as necessary: 1. Within 14 days of this application decision, the overhead lighting bars on the signs hereby approved shall be dismantled and removed in their entirety.
--

Date of Committee: 30 May 2018

Application Number and Address:

DC/18/00309/FUL
The Gateshead Cheder Ltd
Bede House
Sunderland Road
Gateshead
NE8 3HY

Applicant:

Ethical Partnership

Proposal:

Renewal of temporary planning permission (ref: DC/15/00034/COU) for use of building as a school (use class D1) (additional information 15/05/18)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None

That temporary 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 plans as detailed below –

Proposed Ground Floor Plan
Proposed First Floor Plan
Proposed Second Floor Plan
Proposed Third Floor Plan
Proposed Fourth Floor Plan
Proposed Fifth Floor Plan
Proposed Sixth Floor Plan
Proposed Seventh Floor Plan
Proposed Eighth Floor Plan
Proposed Ninth Floor Plan
Proposed Tenth Floor Plan
Proposed North Elevation

Proposed South Elevation
Proposed East Elevation
Proposed West Elevation

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 use hereby permitted shall be for a limited period only of 3 years from the date of this decision notice and on the expiration of this period the use shall cease.

Any relevant Traffic Regulation Orders shall be revoked and any relevant traffic signs and road markings shall be removed within three months of the use ceasing.

3. Within one calendar month of the date of this decision a Car Park Management Plan which shall include how vehicle, cycle and pedestrian movements at the site will be managed to avoid any potential conflict shall be submitted to and approved in writing by the Local Planning Authority.
4. The Car Park Management Plan approved under condition 3 shall be implemented within two calendar months of the date of this decision and it shall be maintained as such thereafter.
5. Within one calendar month of the date of this decision a Statement of Commitment to engagement in the Schools Go Smarter (SGS) Programme or other subsequent similar initiatives aimed at promoting sustainable travel and reducing the number of car journeys made to and from school has been submitted to and approved in writing by the Local Planning Authority.

The Statement of Commitment to the SGS Programme (or similar initiative) should detail:

1. the initiatives that the school will participate in (including Free Your Feet, Bikeability, Walk Once A Week, promotion of public transport, travel matters and Child Pedestrian Training)
 2. how the school will manage pupil movements in and out of the site
 3. how car parking will be discouraged both on and off the site
 4. a commitment to participation in the annual Schools Go Smarter Hands Up travel survey (or any equivalent annual survey requested by Gateshead Council) to provide monitoring information on pupil and staff journeys and evidence of continued engagement in the SGS Programme or other subsequent similar initiatives.
6. Evidence of engagement in the Schools Go Smarter programme or other subsequent similar Initiatives (as required by condition 5) shall be submitted to and approved in writing by the Local Planning Authority within two months of the date of this decision.
 7. Within one calendar of the date of this decision details of bin storage, refuse collection and servicing arrangements for the building shall be submitted to and approved in writing by the Local Planning Authority.
 8. The bin storage, refuse collection and servicing arrangements approved under condition 7 shall be provided on site within two calendar months of the date of this decision and they shall be maintained as such thereafter.
 9. Before the pupil roll exceeds 200, details of the intended staff and pupil numbers and the ages of the children along with details of proportionate measures to ensure the transportation impacts and safety of these additional staff and pupils can be accommodated at the site, shall be submitted for the written approval of the Local Planning Authority.

The requirements of this condition shall be met at all such times as the pupil roll exceeds 200, or for any multiple of 30 pupil increase thereafter.

10. The physical condition, mitigation and/or management measures approved under condition 9 shall be implemented prior to the school roll exceeding 200 (or the relevant subsequent threshold thereafter)

Any additional comments on application/decision:

None

--

Date of Committee: 30 May 2018

Application Number and Address: DC/18/00316/FUL Shibdon Meadow Local Wildlife Site Derwenthaugh Road Blaydon	Applicant: Durham Wildlife Trust
---	--

Proposal:

Creation of wetland habitat features and installation of two bird viewing structures.

Declarations of Interest:

Name	Nature of Interest
None	

List of speakers and details of any additional information submitted:

Reason for Minor Update

Further consultation response received

Northern Gas have withdrawn their objection to the planning application.

Decision(s) and any conditions attached:

That permission be GRANTED subject to the for 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 -

Site location plan	GHC02E(--)
Design general arrangement plan	GHC02E(32)
Concept plan	GHC02C(32)001
Bird hide design	GHC02E(39)001
Hard standing design	GHC02E(40)001
Unit 1 proposed contour plan	GHC02E(36)002
Unit 1 proposed sections	GHC02E(37)001
Unit 1 proposed sections	GHC02E(37)002
Unit 1 proposed sections	GHC02E(37)003

Unit 2 proposed contour plan	GHC02E(36)003
Unit 2 proposed sections	GHC02E(37)004
Unit 2 proposed sections	GHC02E(37)005
Unit 2 proposed sections	GHC02E(37)006
Unit 3 proposed contour plan	GHC02E(36)004
Unit 3 proposed sections	GHC02E(37)007
Unit 3 proposed sections	GHC02E(37)008
Unit 4 proposed contour plan	GHC02E(36)005
Unit 4 proposed sections	GHC02E(37)009
Unit 4 proposed sections	GHC02E(37)010
Unit 4 proposed sections	GHC02E(37)011
Unit 5 proposed contour plan	GHC02E(36)006
Unit 5 proposed sections	GHC02E(37)012
Unit 5 proposed sections	GHC02E(37)013
Unit 5 proposed sections	GHC02E(37)014
Unit 6 proposed contour plan	GHC02E(36)007
Unit 6 proposed sections	GHC02E(37)015
Unit 6 proposed sections	GHC02E(37)016

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. Notwithstanding the submitted drawings the bird viewing structures as shown on approved drawing GHC02E(39)001 shall not be provided on site until a location of the structures have been submitted to and approved in writing by the Local Planning Authority.
4. The bird viewing structures shall be provided on site in accordance with the details shown on approved drawing GHC02E(39)001 and the locations approved under condition 3.
5. No groundworks or development shall commence until a programme of archaeological fieldwork (to include earthwork recording, trial trench 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.
6. The proposal hereby approved shall not be brought into use until a final report of the results of the archaeological fieldwork undertaken under condition 5 has been submitted to and approved in writing by the Local Planning Authority.
7. No development shall commence on each phase/unit area of the development until a detailed surface water drainage scheme for that phase/unit area including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.
8. Each phase/unit area of the development shall be implemented in accordance with the drainage scheme for that phase of the development and the timetable for implementation approved at condition 7.
9. No development shall commence on each phase/unit area of the development until a Drainage construction Method Statement (DCMS) for that phase/unit area of the development has been

submitted to and approved in writing by the Local Planning Authority.

10. Each phase/unit area of the development shall be implemented in accordance with the drainage Construction Method Statement for that phase/unit area of the development approved at condition 9.
11. Prior to each phase/unit area of the development being brought into use a Drainage Management Plan for that phase/unit area of the development shall be submitted to and approved in writing by the Local Planning Authority.
12. The drainage scheme provided for each phase/unit area of the development shall be managed and maintained in accordance with the Drainage Management Plan approved at condition 11.
13. No development shall commence on each phase/unit area of the development until an Ecology Method Statement (EMS) for that phase/unit area of the development has been submitted to and approved in writing by the Local Planning Authority.
14. The ecology method statement approved at condition 13 shall be provided for each phase/unit area of The development in accordance with the approved details.
15. The gated access to the site shall only open inwards.
16. No development (except that necessary to carry out archaeological investigation) shall commence on each phase/unit area of the development until an intrusive site investigation is undertaken for that phase/unit and a Phase 2 Risk Assessment report of the findings submitted to and approved in writing by the Local Planning Authority.

The site investigation will consist of a series of shallow boreholes/trial pits, soil sampling, and Chemical testing to assess potential contamination issues.

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 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.

17. No development shall commence on each phase/unit area of the development until a detailed remediation scheme to bring that phase/unit area of the development to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority.

The scheme must include all works undertaken for that phase, 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.

18. No development (except that necessary to carry out archaeological investigation) shall commence on each phase/unit area of the development until the remediation measures for that phase/unit area of the development approved under condition 17 have been implemented.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works for each phase/unit area of the development.

19. Following completion of any remediation measures approved under condition 17 on each phase/unit area of the development, a verification report that demonstrates the effectiveness of the remediation carried out for that phase/unit area must be submitted to and approved in writing by the Local Planning Authority prior to that phase/unit area being brought into use.

20. In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination.

Where required by the Local Planning Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and implemented. 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.

Any additional comments on application/decision:

None



Date of Committee: 30 May 2018

Application Number and Address:

DC/18/00388/FUL
Pontoon Moored to the jetty at
HMS Calliope
South Shore Road
Gateshead
NE8 3AE

Applicant:

NewcastleGateshead Initiative

Proposal:

Temporary installation of water sculpture on River Tyne, along with pontoons, secure compound and associated infrastructure (additional information received 04/05/18, 10/05/18 and 15/05/18)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

Further consultation response received

Officers are now satisfied that significant steps are being taken to assess risks from water borne bacteria and viruses, and that appropriate controls and safe working systems will be put in place by the organisers to protect the public and river users to an acceptable degree. Based on this work by the organisers, the construction and testing of the proposed water sculpture is considered to be acceptable and in accordance with CSUCP policy CS14.

Conditions

Due to a formatting error, the reason for condition 5 is obscured on the report. The reason for condition 5 is as follows

Reason

To ensure that the emission of noise is controlled in the interests of the amenity of nearby residents, in accordance with Policies DC1, DC2, and ENV61 of the Unitary Development Plan and CSUSP policy CS1.

Any additional comments on application/decision:

That temporary 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 –
1:1250 site plan, A3 proposed compound plan, pipework ladder.

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 permission hereby granted shall be for a limited period only of 4 months from the date of this decision notice and within three months of the expiry of this permission or the cessation of the development for which this permission is hereby granted whichever is the sooner, the site shall be cleared of all shipping containers, buildings, plant, machinery and all other structures and materials connected with the temporary use and the land returned to its former condition, or such alternative scheme as may be first submitted to and approved in writing by the Local Planning Authority.
4. The mitigation measures at Chapter 6 of the Ecologist Impact Assessment prepared by Golder Associates (UK) Ltd dated May 2018 shall be wholly implemented for the duration of the development.
5. The rating level of the noise emitted from the site shall not exceed the prevailing background noise level, by more than 5dB between 8am and 11pm Monday to Saturday. The noise levels shall be determined at the nearest noise sensitive receptor. Any measurements and assessment shall be made according to BS4142:2014.

Additional Conditions:

None

And additional comments on application/decision:

None