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GATESHEAD METROPOLITAN BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 13 April 2022

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): V Anderson, D Burnett, S Dickie, K Ferdinand, A Geddes, M Hall, L Kirton, K McCartney, E McMaster, C Ord, I Patterson, R Waugh, K Wood, J Green, J Turner, H Weatherley, R Beadle and J Mohammed

APOLOGIES: Councillor(s): L Caffrey

PD691 MINUTES

The minutes of the meeting held on 16 March 2022 were approved as a correct record and signed by the Chair.

PD692 DECLARATIONS OF INTEREST

Councillors Dot Burnett and Alex Geddes left the meeting for consideration of Item 4, Report 1 subject to a potential perception of pre-determination and did not take part in the decision making in relation to the application.

PD693 PLANNING APPLICATIONS

- RESOLVED:**
- i) That the full planning applications, change of use applications and householder 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.

PD694 ENFORCEMENT TEAM ACTIVITY

The Committee received a report to inform them of enforcement team activity for the period 3 March 2022 to 30 March 2022.

The team are working to clear the backlog and have received a further 120 new service requests.

There have been no court hearings during the monitoring period.

RESOLVED - That the information presented in the report be noted.

PD695 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.

PD696 PLANNING APPEALS

The Committee were advised that there had been 3 new appeals lodged since the last Committee.

The Committee were advised that there have been no new appeal decisions since the last Committee.

There have been no new appeal cost decisions since the last Committee.

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

PD697 PLANNING OBLIGATIONS

The Committee were advised that there have been no new Planning Obligations completed since the last meeting of the Committee.

The Committee were advised that there have been no new payments received in respect of planning obligations.

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

Chair.....

Date of Committee: 13 April 2022

Application Number and Address:

DC/20/00667/FUL

Anderson Green
Low Fell
Gateshead
NE9 5BQ

Applicant:

Adderstone Development Limited

Proposal:

Erection of 16 x two bed apartments with ancillary parking and landscaping (amended 11.12.2020, 16.07.2021, 24.01.2022, 11.02.2022, 14.02.2022, 16.02.2022 and 24.02.2022 and additional information received 08.12.2020, 11.12.2020, 07.01.2021, 14.01.2021, 24.01.2022, 11.02.2022 and 28.03.2022)

Declarations of Interest:

Name

Nature of Interest

None

None

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

1

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

ANDG-RYD-00-XX-DR-A-0002-S2-P6-Location Plan (received 11.12.2020)

ANDG-RYD-00-XX-DR-L-2100-S2-P15-Landscape Masterplan (received 11.02.2022)

ANDG-RYD-00-01-DR-A-9204-S2-P21-Proposed parking plan (received 11.02.2022)

ANDG-RYD-00-XX-DR-L-4801-S2-P1-Northern Entrance Call Out (received 14.02.2022)

ANDG-RYD-00-ZZ-DR-A-3601-S2-P12-GA Elevations - North and South (received 16.07.2021)

ANDG-RYD-00-ZZ-DR-A-3602-S2-P12-GA Elevations - East and West(received 16.07.2021)

ANDG-RYD-00-00-DR-A-3001-S2-P16-Proposed Level 00 Plan (received 24.02.2022)

ANDG-RYD-00-01-DR-A-3002-S2-P16-Proposed Level 01 Plan (received 24.02.2022)

ANDG-RYD-00-02-DR-A-3003-S2-P16-Proposed Level 02 Plan (received 24.02.2022)

ANDG-RYD-00-XX-SC-A-3012-S2-P2-Apartment Gross Internal Floor Areas (received 24.02.2022)

ANDG-RYD-00-XX-DR-A-3804-S2-P1-Long sections (received 14.01.2021)

ANDG-RYD-00-ZZ-DR-A-3801-S2-P11-GA Sections Sheet 1 of 2 (received 16.07.2021)

ANDG-RYD-00-ZZ-DR-A-3803-S2-P3-GA Sections Sheet 2 of 2 (received 16.07.2021)

ANDG-RYD-00-XX-DR-A-3805-S2-P3-Long sections (received 24.01.2022)

20-106-N Anderson Green, Low Fell, Gateshead Drawing TK18 Rev C (1 OF 3) (received 16.02.2022)
20-106-N Anderson Green, Low Fell, Gateshead Drawing TK19 Rev C (2 OF 3) (received 16.02.2022)
20-106-N Anderson Green, Low Fell, Gateshead Drawing TK20 Rev C (3 OF 3) (received 16.02.2022)

865-06 Rootplate protection low impact surfacing detail (received 30.07.2020)
865-03 Tree Constraints Plan (received 30.07.2020)
865-02 Tree Survey Plan (received 30.07.2020)
865-04 Tree Impact and Protection Plan Rev A (received 30.07.2020)

865 Anderson Green Tree Survey (received 30.07.2020)
20182 BNG v2 (received 11.12.2020)
20182 PEA v2 (received 16.07.2021)
JCC20_134_C_02_02_Drainage Strategy (received 16.07.2021)
JCC20-134-C-GA-101-B-Proposed Timber Stake and Board Retaining Wall to Avoid Tree Roots (received 16.07.2021)

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.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Notwithstanding the approved plans, no new external materials or metal frameworks at second floor level associated with the private terraces and green roofs shall be used on site until final details and samples of these have been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area, and to ensure that the proposed development does not have an adverse effect upon heritage assets or the appearance of the street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan.

4

The details approved under condition 3 shall be implemented in full accordance with the approved details and retained as such for the lifetime of the development.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon heritage assets or the appearance of the street

scene, and to ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance with the NPPF and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan.

5

All external works associated with the development hereby permitted, including the use of equipment on the site, shall be carried out only between 08:00 hours and 18:00 hours on Mondays to Saturdays and at no time on Sundays or Bank Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF and policies CS14, MSGP17 and MSGP18 of the Local Plan.

6

No dwelling hereby approved shall be occupied until a statement explaining the outcome of engagement with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure necessary physical infrastructure to enable access to information and digital communication networks at the new development, in accordance with the NPPF and policy MSGP8 of the Local Plan.

7

At least 4 of dwellings hereby approved shall be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards.

Reason

To ensure the proposal would provide appropriate range and choice of housing in accordance with the NPPF and policy MSGP10 of the Local Plan.

8

All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the respective dwellings hereby approved and retained thereafter.

Reason

To ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan.

9

No development hereby approved shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall provide for:

(a) The parking of vehicles of site operatives and visitors

(b) A Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during construction;

(c) Storage of plant and materials used in constructing the development

- (d) The erection and maintenance of security hoarding
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) Measures to control noise and vibration during construction
- (h) A scheme for recycling/disposing of waste resulting from construction works.
- (i) Measures to maintain continuous pedestrian access east to west through the site during construction
- (j) Measures to manage vehicle access, parking and deliveries for existing users of the site during construction

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phase of the development, in accordance with the NPPF and policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan.

Pre-commencement reason

To ensure that construction details can be approved prior to on-site works thereby avoiding any abortive work and preventing harm to nearby sensitive receptors due to uncontrolled construction and harm to highway safety which could otherwise occur.

10

The development hereby approved shall be implemented wholly in accordance with Construction Management Plan measures approved under condition 9 at all times during construction.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phase of the development, in accordance with the NPPF and policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan.

11

No dwelling hereby approved shall be occupied until a Car Park Management Plan, including the following measures, has been submitted to and approved in writing by the Local Planning Authority:

- The allocation of parking bays (private, visitor and for existing tenants)
- Provision of flexible visitor parking
- Waiting restrictions and/or parking control measures to the access roads
- Provision of birdsmouth fencing to deter off-road verge parking alongside the access road (or half-on/half-off, which may obstruct movements along the road),

Reason

To ensure appropriate car park management for occupiers, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

12

The management plan approved under condition 11 shall be implemented in full accordance with the approved details and timescales, and maintained as such thereafter

Reason

To ensure appropriate car park management for occupiers, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

13

No dwelling hereby approved shall be occupied until final details of the footpath running east to west (including the section joining to Durham Road to be widened), the build out to the east of the building and the handrails as shown on plan ANDG-RYD-00-XX-DR-L-2100-S2-P15-Landscape Masterplan, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate pedestrian access on site, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

14

The details approved under condition 13 shall be implemented in full accordance with the approved details before the first dwelling is occupied, and retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate pedestrian access on site, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

15

No dwelling hereby approved shall be occupied until final details of individual, fully enclosed, secure and weatherproof cycle storage for each dwelling and final details of bin storage for that dwelling have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate cycle parking and bin storage provision on site, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

16

The storage details approved under condition 15 shall be implemented in full accordance with the approved details before each respective dwelling is occupied, and retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate cycle parking and bin storage provision on site, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

17

No dwelling hereby approved shall be occupied until a scheme for lighting of the access road and parking areas has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate lighting for safe vehicle movements on site, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

18

The scheme approved under condition 17 shall be implemented in accordance with the approved details before the first dwelling is occupied and the lighting shall be retained and maintained as such thereafter.

Reason

To ensure appropriate lighting for movements on site, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

19

No dwelling hereby approved shall be occupied until a scheme relating to electric vehicle charging infrastructure has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate provision for electric vehicles in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

20

The scheme approved under condition 19 shall be implemented in accordance with the approved details before the first dwelling is occupied and the electric vehicle infrastructure shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate provision for electric vehicles in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

21

No dwelling hereby approved shall be occupied until a Travel Plan for future occupiers has been submitted to the Local Planning Authority for consideration. The Travel Plan shall include:

- An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.
- Appointment of a travel plan co-ordinator and identification of associated budget
- Clearly defined objectives, targets and indicators
- Details of proposed measures
- Detailed timetable for implementing measures
- Proposals for maintaining momentum and publicising success
- A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- Commitment to the use of the Council's preferred monitoring database

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

22

Within 24 months of the date of approval of condition 21, evidence of the implementation of the Travel Plan approved under condition 21 over a minimum period of 12 months, and any revisions, shall be submitted to the Local Planning Authority for consideration.

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

23

The Travel Plan and any revisions approved under conditions 21 and 22 shall be wholly implemented in accordance with the approved details for the lifetime of the development.

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

24

No dwelling hereby approved shall be occupied until final details of the green roofs and trellis/vertical planting, including measures and timescales for maintenance and management have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate screening and maintenance at each gable end of the building, in accordance with the NPPF and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan.

25

The scheme approved under condition 24 shall be implemented in accordance with the approved details before the first dwelling is occupied shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate screening and maintenance at each gable end of the building, in accordance with the NPPF and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan.

26

No dwelling hereby approved shall be occupied until final details of an appropriate play area space, timescales for its laying out and long term maintenance, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate and appropriate play provision in accordance with the NPPF and policy MSGP40 of the Local Plan.

27

The play area approved under condition 26 shall be implemented in accordance with the approved details and maintained as such for the lifetime of the development.

Reason

To ensure adequate and appropriate play provision in accordance with the NPPF and policy MSGP40 of the Local Plan.

28

No development or other operations shall commence on site in connection with the development hereby approved, (including, soil moving or any operations involving the use of motorised vehicles or construction machinery) until the submitted tree protection scheme (as detailed in 865-04 Tree Impact and Protection Plan Rev A and 865 Anderson Green Tree Survey (received 30.07.2020)) is implemented under the supervision of the applicant's Arboricultural Consultant. The approved protection scheme must be implemented in full and, in the case of the protective fencing, must be retained intact for the full duration of the development and there shall be no access, storage, ground disturbance or contamination

within the protected areas without the prior written approval of the local planning authority.

The approved tree protection plan shall be displayed at all times outside the site office or in a 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 Local Planning Authority being obtained, all construction operations shall cease until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.

Reason

In order to maintain the health and visual amenity of the tree(s) concerned in the interests of the visual amenity of the area and in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan.

Reason for pre-commencement condition

To ensure appropriate tree protection is in place before works that would pose a risk to retained trees commence.

29

No dwelling hereby approved shall be occupied and no breaking of ground in relation to road widening shall commence until final details of the road widening (including precise details of no-dig construction) and the retaining wall at western end have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate protection for trees and ecology during construction and in the future, in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

30

The details approved under condition 29 shall be implemented in full accordance with the approved details before the first dwelling is occupied, and retained and maintained as such thereafter.

Reason

To ensure appropriate protection for trees and ecology during construction and in the future, in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

31

No dwelling hereby approved shall be occupied until final details of the precise location and specification of boundary treatment (birdsmouth fencing) between development and wooded area to south and east have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate and clear boundaries between developed and undeveloped areas, and to provide appropriate protection for trees and ecology, in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

32

The details approved under condition 31 shall be implemented in full accordance with the approved details before the first dwelling is occupied, and retained and maintained as such thereafter.

Reason

To ensure appropriate and clear boundaries between developed and undeveloped areas, and to provide appropriate protection for trees and ecology, in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

33

No new external lighting associated with the development hereby approved (including lighting for the access road) shall be installed until full details (including the number, specification, precise location, operation and lighting contour plan(s)) to be provided on site have been submitted to and approved in writing by the local planning authority.

Reason

To ensure light spill would not cause unacceptable harm to biodiversity and ecological connectivity in accordance with policies CS18 and MSGP37 of the Local Plan and the NPPF.

34

The lighting approved under condition 33 shall be installed, operated and maintained in strict accordance with the approved details at all times.

Reason

To ensure light spill would not cause unacceptable harm to biodiversity and ecological connectivity in accordance with policies CS18 and MSGP37 of the Local Plan and the NPPF.

35

No works associated with the development (including site/vegetation clearance and soil stripping) shall commence on site until a Biodiversity Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Method Statement shall include full details of the measures to be implemented to avoid/minimise the risk of harm to biodiversity including statutorily protected and priority species and retained habitats during the site clearance and construction phase, and to provide suitable opportunities for biodiversity, including statutorily protected and priority species (i.e. roosting bats, breeding birds and hedgehog) on site post development.

Reason

To avoid, mitigate and compensate for the impacts of the development on biodiversity including statutorily protected and priority species and retained habitats/features within and/or immediately outwith the proposed development site, to provide enhanced opportunities for biodiversity, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan.

36

The development hereby approved shall be implemented in full accordance with the biodiversity method statement approved under condition 35 at all times during works on site associated with the development and until final completion.

Reason

To avoid, mitigate and compensate for the impacts of the development on biodiversity including statutorily protected and priority species and retained habitats/features within and/or immediately outwith the proposed development site, and to provide enhanced opportunities for biodiversity in accordance with the NPPF and policies CS18 and MSGP37

of the Local Plan.

37

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until full details of the soft landscaping, areas of on site habitat creation and enhancement of existing retained habitats/features, including timescales for implementation, measures for management, maintenance and monitoring, have been submitted to and approved in writing by the local planning authority.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

38

The scheme approved under condition 37 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

39

No new hard landscaping shall be used on site until final details of the appearance of the hard landscaping on site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timescale for its implementation.

Reason

To safeguard the visual amenities of the area, and to ensure that the proposed development does not have an adverse effect upon the appearance of the street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan.

40

The hard landscaping details approved under condition 39 shall be implemented in accordance with the approved details, including the approved timescale, and retained as such for the lifetime of the development.

Reason

To safeguard the visual amenities of the area, and to ensure that the proposed development does not have an adverse effect upon the appearance of the street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan.

41

The development hereby approved shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- A CCTV camera survey of the existing drainage between the proposed development drainage and NWL chamber 6601, together with a scaled plan that identifies chamber invert and cover levels together with pipe sizes.

- A report detailing the condition and confirming the construction of the existing no dig porous paving (shown in green hatching on drawing JCC20-134-C-GA-100-D, within Drainage Strategy), together with the results of infiltration testing to be undertaken at

several locations along the route. Calculations to demonstrate whether there will be no runoff from this area under 1in100year+40% rainfall events should be provided. If there is reliance on the use of existing gullies to drain the access within the development site red line boundary, calculations demonstrating that the receiving system can manage runoff from the access under 1in100year+40% rainfall in addition to any other existing flows contributing to the existing drainage system must be provided. For the avoidance of doubt, all runoff generated within the site red line boundary must be accounted for and managed in line with DEFRA's non-statutory technical standards for SuDS to the satisfaction of the LLFA.

- A detailed topographical survey for the route of drainage between proposed attenuation tank and existing chamber CW2 (shown on drawing JCC20-134-C-GA-100-D) and should include all ground level features so that the overland exceedance flow route can be clearly defined and to demonstrate that there is viable access both for construction of the proposed combined water pipeline and also for long term maintenance of this infrastructure.

- Cross sections in two orthogonal directions through the SuDS storage facilities (both the geo-cellular units and the permeable paving that are identified as providing storage within the hydraulic calculations provided in support of the application).

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan

Reason for pre-commencement condition

To ensure that an adequate and appropriate strategy can be provided on site before building works commence.

42

The development hereby approved shall be implemented in accordance with the details approved under condition 41 and the Drainage Strategy (JCC20_134_C_02_02_Drainage Strategy (received 16.07.2021)) at all times and retained and maintained as such for the lifetime of the development.

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan

43

The development hereby approved shall not commence until a report of intrusive site investigations in relation to coal mining legacy, and where required, measures and timescales for remediation, monitoring, and verification reports has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the site is made safe and stable for the development proposed, in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

Reason for pre-commencement condition

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on

site.

44

The remediation and monitoring measures approved under condition 43 shall be implemented in full accordance with the approved timescales and the approved details.

Reason

To ensure that the site is made safe and stable for the development proposed, in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

45

The development hereby approved shall not commence until a report of findings arising from further intrusive site investigations and a Phase II Detailed Risk Assessment (to assess potential contamination at the site) have been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation scheme suitable for the sensitive end use is identified and approved prior to commencement of the development, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, from the beginning of the works.

46

Where required, the remediation and monitoring measures approved under Condition 45 shall be implemented in accordance with the details and timescales approved and in full accordance with the approved details.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

47

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 a Risk Assessment and, if required, remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

48

The remediation and monitoring measures approved under condition 47 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

49

Where remediation is required (under conditions 43-48) following completion of the approved remediation and monitoring measures, no dwelling hereby approved shall 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.

Where this is carried out in phases, no dwellings within the relevant phase shall be occupied until a verification report that demonstrates the effectiveness of the remediation carried out for that phase has been submitted to and approved in writing by the Local Planning Authority.

The Verification report(s) shall also include details of gas protection measures where required.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

50

With the exception of the birdsmouth boundary treatment, the details of which are to be submitted under Condition 31 and subsequently implemented under Condition 32, and notwithstanding Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting, substituting, amending, extending, consolidating replacing or modifying that Order) no further walls, fences or gates shall be erected within the application site, except in the event that a further planning permission is expressly granted for that development.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon heritage assets or the appearance of the development in accordance with the NPPF and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan.

Any additional comments on application/decision:

The application was previously considered at the meeting on 16 March 2022 and was deferred for a site visit which took place on 7 April 2022.

Councillors Dot Burnett and Alex Geddes left the meeting for consideration of this item subject to a potential perception of pre-determination and did not take part in the decision making in relation to the application.

Date of Committee: 13 April 2022

<p>Application Number and Address:</p> <p>DC/20/01358/FUL</p> <p>Gateshead Jewish Primary School Alexandra Road Gateshead NE8 1NR</p>	<p>Applicant:</p> <p>Mr B Joseph</p>				
<p>Proposal</p> <p>Erection of a three-storey annexe to the north of the site to include seven classrooms, staff facilities, management offices and an external rooftop play area. Erection of 8no temporary classrooms to the west of the site and the creation of a disabled parking bay to the south east of the site (Amended Plans received 17.02.22, 29.03.22 and 04.04.2022).</p>					
<p>Declarations of Interest:</p> <table border="1"> <thead> <tr> <th data-bbox="81 734 746 891">Name</th> <th data-bbox="746 734 1490 891">Nature of Interest</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		Name	Nature of Interest		
Name	Nature of Interest				
<p>List of speakers and details of any additional information submitted:</p>					
<p>Any additional comments on application/decision:</p> <p>It was brought to the attention of the Committee that there had been an issue with the publicity relating to this application and it was therefore requested that the matter be deferred to a future committee so that all procedures can be adhered to.</p> <p>It was agreed that the application be deferred.</p>					

Date of Committee: 13 April 2022

Application Number and Address:

DC/21/01374/COU

30-32 Front Street
Whickham
Newcastle
NE16 4DT

Applicant:

Mr Derek Hicks

Proposal

Change of use from pharmacy and ancillary office space (Use Class E) to micropub (Sui Generis) (amended description) (amended application form received on 04.03.2022, amended plans received on 13.01.2021 and amended ownership details received on 04.03.22).

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Mrs S Shafto speaking against the application.

Any additional comments on application/decision:

The application was refused on the grounds of the impact on Residential Amenity due to the impact of noise and smells from the premises to the neighbouring property.

Application Number and Address:

DC/21/01459/HHA

2 John Street
Pelaw
Felling
NE10 0XR

Applicant:

Mr R Lawson

Proposal

Erection of single-storey flat roof rear extension (as amended 05/02/22 and 05.04.22).

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

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

1

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2

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

Site Location Plan (1:1250)

Proposed Ground Floor Plan (1:100) @ A4 DRG. 951/01A

Proposed First Floor Plan (1:100 @ A4 DRG. 951/02A

Existing and Proposed North East Elevations (1:100) @ A4 DRG. 951/05A

Proposed South East Elevation (1:100) @ A4 DRG. 951/07A

Proposed Roof Plan & Site Layout (1:100) @ A4 DRG. 951/10

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.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3

All external surfaces shall be completed in materials to match those of the existing building.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead

Any additional comments on application/decision: