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## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 18 November 2020

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

Councillor(s): M Hood, Anderson, D Burnett, L Caffrey, S Craig, S Dickie, K Ferdinand, A Geddes, L Kirton, J Lee, K McCartney, J McClurey, E McMaster, C Ord, R Oxberry, I Patterson, J Turnbull, A Wheeler and K Wood

**APOLOGIES:** Councillor(s): M Hall

### **PD559 MINUTES**

The minutes of the meeting held on 28 October 2020 were approved as a correct record and signed by the Chair.

### **PD560 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **PD561 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.

### **PD562 ENFORCEMENT TEAM ACTIVITY**

The report was previously circulated to the Committee for information and to be noted.

**PD563 ENFORCEMENT ACTION**

The report was previously circulated to the Committee for information and to be noted.

**PD564 PLANNING APPEALS**

The report was previously circulated to the Committee for information and to be noted.

**PD565 PLANNING OBLIGATIONS**

The report was previously circulated to the Committee for information and to be noted.

**PD566 DECISIONS MADE IN APPLICATION TO MODIFY CONDITIONS RELATING TO CONSTRUCTION OPERATIONAL HOURS**

The report was previously circulated to the Committee for information and to be noted.

**Chair.....**

Date of Committee: 18 November 2020

**Application Number and Address:**

DC/20/00373/FUL  
Land North of Charlton Walk  
Gateshead

**Applicant:**

C/o Tony Stafford

**Proposal:**

Construction of 16 new residential dwellings with associated highway access and landscaping (amended plans and additional information received 29.05.2020, 21.09.2020, 22.09.2020, 20.10.2020 and 22.10.2020)

**Declarations of Interest:**

| Name | Nature of Interest |
|------|--------------------|
| None | None               |

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

None

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

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

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

Location Plan 4003-10-100-P3 Site Block Plan 4003-10-102-P9 Site Layout 4003-10-101-P11 House Type A 4003-20-01-P4 House Type B 4003-20-02-P4 House Type C 4003-20-03-P4

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 The dwellings hereby approved shall not be occupied until final details of the appearance of boundary treatments 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 the appearance of the existing street scene in accordance with saved policy ENV3 of the Unitary Development Plan, policy CS15 of the Core Strategy and Urban Core Plan and the NPPF.

4 The boundary treatment details approved under condition 3 shall be implemented in accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.

The development hereby permitted shall also be constructed entirely of the materials detailed below:

Red facing brick (Ibstock Glenallen) Marley Modern Smooth Grey roof tiles White UPVC windows Feature panels of timber effect fibre cement cladding 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 dwellings hereby approved 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 existing street scene, and to ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance saved policies DC2 and ENV3 of the Unitary Development Plan, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and the NPPF.

5 All external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason To safeguard the amenities of nearby residents and in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

6 The development hereby approved shall be implemented in accordance with the noise mitigation measures as detailed in section 4 of the 'Residential Noise and Vibration Assessment' by Nova Acoustics dated 08.09.2020 (project no. 4936BE), and with boundary treatment types as shown on plan 4003-10-101-P11. No

dwelling shall be occupied until the respective measures relating to that unit have been fully implemented and post-construction noise testing has demonstrated that the relevant internal noise levels have been achieved. Thereafter, the measures shall be maintained in accordance with the approved details for the lifetime of the development.

Any dwelling not passing the post-construction noise test shall not be occupied until the internal noise levels, at that property, have been re tested and have been shown to have achieved the relevant internal noise levels.

Reason To safeguard the amenities of future occupiers in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and the NPPF.

7 The dwellings hereby approved shall not be occupied until details of a scheme demonstrating a minimum of 15% affordable homes would be provided on site has been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure the proposal would provide appropriate range and choice of housing in accordance with policy CS11 of the Core Strategy and Urban Core Plan and the NPPF

8 No dwelling hereby approved shall be occupied until final details of the informal play area, including a timescale 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 saved policies H15 and CFR28 of the Unitary Development Plan and the NPPF.

9 The informal play area approved under condition 8 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 saved policies H15 and CFR28 of the CSUCP and the NPPF

10 No dwelling hereby approved shall be occupied until a landscaping and replacement tree scheme, including plant species (with a focus on species specified in section E of the Preliminary Ecological Appraisal dated March 2020 (BE001270.011)), sizes, planting densities and timescale for delivery have been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that the development would provide appropriate landscaping on site in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

11 The scheme approved under condition 10 shall be implemented in full accordance with the approved details and shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any planting which die, become diseased or are removed shall be

replaced in the first available planting seasons (October to March) with others of a similar size and species.

Reason To ensure that the planting scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

12 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 a Tree Protection Scheme and Arboricultural Method Statement have been submitted to and approved in writing by the Local Planning Authority.

The Tree Protection Scheme shall indicate which trees in G3 will be retained and the Scheme shall be devised in such a way as to maximise the retention of trees from that Group.

Reason To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

Reason for pre-commencement condition To ensure that trees are appropriately protected at all times during works and construction.

13 The details approved under condition 12 shall be implemented at all times during construction 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.

Reason To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

14 No dwellings 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 policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

15 The scheme approved under condition 14 shall be implemented in accordance with the approved details before the respective 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 policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

16 No dwellings hereby approved shall be occupied until final details of secure and weatherproof cycle storage for each dwelling have been submitted to and

approved in writing by the Local Planning Authority.

Reason To ensure adequate cycle storage provision in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

17 The details approved under condition 16 shall be implemented in accordance with the approved details before the respective dwelling is occupied and retained and maintained as such for the lifetime of the development.

Reason To ensure appropriate provision for electric vehicles in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

18 No dwellings hereby approved shall be occupied until the following details and timescales for their implementation, have been submitted to and approved in writing by the Local Planning Authority:

a) A detailed highways design, including for the extension of the 20mph zone into the new cul-de-sac; any necessary upgrade work deemed necessary on the existing carriageway of Charlton Walk (between Derwentwater Road and the development access), inclusive of all signs, lines and any new traffic calming devices; dropped kerbs across the new access; any signs, lines or features deemed necessary to protect the existing cycle route along Charlton Walk; any amendment deemed necessary to the existing 20mph Traffic Regulation Order (TRO) and/or a new TRO

b) Details of all areas of public highway to be stopped-up or improved

c) A street lighting scheme to adoptable standards (showing relocation of the existing lighting column on Charlton Walk and a new street lighting scheme for the development, including the specifications and locations of the street lights.)

Reason

To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

19 The details approved under condition 18 shall be implemented in accordance with the approved details and timescales and retained and maintained as such thereafter.

Reason To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

20 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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

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.

21 The remediation and monitoring measures approved under Condition 20 (including measures to address land stability) shall be implemented in accordance with the 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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure appropriate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

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

The works shall not continue until an amended Risk Assessment and, if required, amended 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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

23 The amended remediation and monitoring measures approved under condition 22 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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

24 Where remediation is required (under conditions 20-23), following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

#### 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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure there is adequate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

25 No new hard surfacing shall be installed on site until a revised Flood Risk Assessment and Drainage Strategy incorporating the following details have been submitted to and approved in writing by the Local Planning Authority:

- A plan showing the impermeable areas including all of the paving that would need to connect to the drainage system
- Clarification of the size of each hatched area on the impermeable area plan and which pipe run each would connect to
- A demonstration that 'urban creep' allowance (i.e. accounting for potential additional residential hardstanding in the future) has been considered
- Details of how the water quality of runoff from the proposed highway would be managed
- Consideration of the potential for overland runoff being directed towards properties (i.e where parking falls towards the property) and a scheme to manage this.

Reason To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

26 The development hereby approved shall be implemented in accordance with the details approved under condition 25 at all times and retained and maintained as such for the lifetime of the development.

The drainage scheme shall also ensure that foul flows discharge to the foul sewer at manhole 4309 and ensure that surface water discharges to the surface water sewer at manhole 4310. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer.

#### Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

27 The development shall be carried out in full accordance with the Preliminary Ecological Appraisal dated March 2020 (BE001270.011), and the dwellings hereby approved shall not be occupied until the following features have been implemented on site, and they shall be retained as such for the lifetime of the development:

- Integral potential bat roost features within at least four of the new dwellings - A total of eight bird nesting boxes (a mix of integral and tree mounted) for an appropriate suite of species - Hedgehog highways (13cm x 13cm gaps) to all 1.8m high fencing as shown on plan 4003-10-101-P11

Reason To protect and enhance the conservation status of protected/priority species within the development site in accordance with saved policies DC1, ENV46 and ENV47 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

28 Installation of temporary works compounds located adjacent the operational railway, excavations and earthworks carried out near the railway undertaker's boundary fence, and use of machinery where vibro-compaction machinery is to be used in development shall each not commence until final details and method statements relating to the respective works have been submitted to and approved in writing by the Local Planning Authority (in consultation with Network Rail).

Additionally, where excavations/piling/buildings would be located within 10m of the railway boundary, no works within that area shall commence until method statements relating to the method of construction, risk assessment in relation to the railway and construction traffic management plan have been submitted to and approved in writing by the Local Planning Authority (in consultation with Network Rail).

Reason To ensure safety, operational needs and integrity of the railway in accordance with saved policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

29

Where required, the details approved under condition 28 shall be implemented in full accordance with the approved details at all times until final completion of the development.

Reason To ensure safety, operational needs and integrity of the railway in accordance with saved policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

**Date of Committee: 18 November 2020**

**Application Number and Address:**

DC/20/00691/FUL  
Land Rear of Hawthorn Gardens  
Ryton  
NE40 3XA

**Applicant:**

Mr Paul Conway

**Proposal:**

Erection of single storey residential dwelling

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

None

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

That permission be REFUSED for the following reason(s):

1

The proposed development has the potential to create conflicts between highway users as a result of the poor visibility from the site access/egress onto Stargate Lane, the use of a public right of way by vehicles and the poor lighting along the access track. The proposed development would have an unacceptable impact on highway safety by failing to connect safely to the existing transport network and fails to accord with the NPPF and Policy CS13 of the CSUCP.

**Date of Committee: 18 November 2020**

**Application Number and Address:**

DC/20/00712/FUL  
Land at South View  
Chopwell

**Applicant:**

Mr & Mrs David & Valerie Liptrot

**Proposal:**

Erection of a single storey dwelling with integral garage and attached granny annexe.

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

Hannah Woodall (Agent) spoke in favour of the application.

**Any additional comments on application/decision:** That permission be REFUSED for the following reason(s):

1

The proposal would represent inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt and also contrary to one of the purposes of including land within the Green Belt. No very special circumstances have been demonstrated. The development is therefore contrary to paragraphs 134 and 143-147 (inclusive) of the NPPF and policy CS19 of the CSUCP.

2

Insufficient information has been submitted to allow the Local Planning Authority to consider the proposed development and its impact on ecology, in accordance with the NPPF, Policy CS18 of the CSUCP and saved UDP policies DC1, ENV46, ENV47 and ENV51.

