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GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 7 April 2021

PRESENT: Councillor B Goldsworthy (Chair)

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

APOLOGIES: Councillor(s): C Ord

PD596 MINUTES

The minutes of the meeting held on 24 February 2021 were approved as a correct record and signed by the Chair.

PD597 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD598 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.

PD599 ENFORCEMENT TEAM ACTIVITY

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.

PD600 ENFORCEMENT ACTION

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

PD601 PLANNING APPEALS

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

PD602 PLANNING OBLIGATIONS

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

Chair.....

Date of Committee: 7 April 2021

Application Number and Address:

DC/19/00813/REM
Former Wardley Colliery
Wardley Lane
Felling
Gateshead
NE10 8AA

Applicant:

Persimmon

Proposal:

RESERVED MATTER|S APPLICATION (relating to Access, Appearance, Landscaping, Layout and Scale) pursuant to DC/16/00698/OUT for the erection of 144 residential dwellings with associated new highways access, infrastructure and site remediation works (additional information received 24/10/19, 14/01/20, 29/05/20, 08/06/20, 28/09/20 and 14/10/20 and amended 10/12/19, 24/01/20, 02/03/20, 15/04/20, 22/05/20, 28/05/20, 29/05/20, 11/06/20 and 09/03/21).

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 Service Director Development, Transport and Public Protection 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 Layout -A/GA/0001 Rev T
Proposed Highway Improvement on Wardley Lane (Drawing 1 of 2) 19-135/006 Rev C
Proposed Highway Improvement on Wardley Lane (Drawing 2 of 2) 19-135/007 Rev B
Proposed Waiting Restrictions on Wardley Lane 19-135/SK02
Drainage Layout Sheet 1 -19065 -01 -P3
Drainage Layout Sheet 2 -19065 -02 -P4
Drainage Layout Sheet 3 -19065 -03 -P2
Proposed Surface Finishes and Kerb Layout -19065 -21 -P1

Housetypes:

EP-WD11 -Epping R20
DY-WD11 -Danbury R20
DY-WD11 -Dalby R20
SW-WD11 -Sherwood R20
SW-WD11 -Sherwood Corner R20
CW-WD11 -Charnwood R20
SN-WD11 -Saunton R20
SN-WD11 -Braunton R20
GB-WD11 -Gisburn R20
WL-WD11 -Whiteleaf R20
WL-WD11 -Whiteleaf Corner R20
SW-WD11 -Selwood
CM-WD10 -Compton
HY-WD10 -Harley
MB-WD10 -Marlborough
DY-WD11 -Danbury R20 -Feature Plots 96 & 119
SN-WD11 -Saunton R20 -Feature Plot 97
SW-WD11 -Sherwood Corner R20 -Feature Plots 51, 52, 83, 103 & 127
GB-WD11 -Gisburn R20 -Feature Plots 12 & 13
SW-WD11 -Sherwood Corner R20 -Feature Plot 120
CM-WD10 -Compton -Feature Plot 63
HY-WD10 -Harley -Feature Plots 60, 61 & 65-68
GB-WD11 -Gisburn R20 -Feature Plot 1
SW-WD11 -Sherwood Corner R20 -Feature Plot 140

Documents:

Coast Consulting Engineers -Flood Risk Assessment & Drainage Statement 10
June 2020
Milestone Transport Planning -Travel Plan June 2020

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 2 years from the date of this approval of the reserved matters.

(N.B. if the reserved matters are approved on different dates, the two-year period is calculated from the approval of the last such matter to be approved.

3

Notwithstanding the architectural layout A/GA/001 Rev T full details of the three footpath links to the front of plot 63, plot 97 and plot 120 indicating shared footway/cycle paths to include:

- details of bollards or other suitable measures required to prevent inappropriate motorised vehicular access
- a scheme for cycle signage throughout the development

Shall be submitted for the consideration and written approval of the Local Planning

Authority prior to first occupation of the development hereby permitted.

4

The approved details under condition 3 shall be implemented wholly in accordance with the details prior to first occupation of the development hereby permitted.

5

Development hereby permitted shall not progress above damp proof level of any dwelling hereby approved, until final details of a fully detailed scheme for the landscaping of the site detailing the retention, creation, enhancement and management of all soft landscaping areas within the site has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include details and proposed timetable for hard and soft landscaping, to include gardens, open space and play area, the SuDS planting, all existing trees and hedges to be retained, reinstatement/landscaping and future management of areas disturbed as a result of the highways works ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

6

All hard and soft landscaping works shall be completed in full accordance with the landscaping scheme approved by condition 5, and the timetable for the implementation of the landscaping scheme unless otherwise agreed in writing by the Local Planning Authority. The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

7

The details approved under condition 5 and implemented under condition 8 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 trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons with others of a similar size and species and any grass which fails to establish shall be re-established.

8

No development shall commence until further site investigations (based on the findings of the Patrick Parsons Phase 2 Preliminary Ground Investigations report prepared by Simon Jones and dated November 2012) are undertaken and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of trial pits, and boreholes, 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. A suitable suite of chemical soil analysis should be undertaken on soil samples and should include asbestos analysis (presence, type and quantity). The investigation should delineate the extent of asbestos previously identified on site.

Further investigation is required into the main body of the perimeter mound to assess the potential risk of combustion of materials in the mound, the extent of any existing capping to the mound and to assess the potential 'spread of fire' risk to the adjacent proposed development.

The site investigation and Phase 2 Risk Assessment report shall include a summary of the findings of the Patrick Parsons Preliminary Site Investigation and 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. Ground gas monitoring shall be undertaken at the site and a Gas Risk Assessment report produced and submitted to the Local Planning Authority with recommendations for ground gas mitigation measures.

Reason for pre commencement condition

To ensure that contamination and remediation measures are identified prior to commencement of the development hereby permitted to ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

9

No development shall commence until a timetable for the commencement, and intended construction timescales of the off-site highway works, secured through condition 28 of the outline permission DC/16/00698/OUT, have been submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall thereafter be undertaken in accordance with the approved timescales unless first approved in writing by the Local Planning Authority.

Reason for pre commencement condition

The proposed highway works must demonstrate that the design will ensure highway safety.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

10

No development shall commence until full landscaping and planting details, in addition to the requirements of condition 29 of the outline permission DC/16/00698/OUT, have been submitted to and approved in writing by the Local Planning Authority of the retained landscaped bund running along the southern part of the development site, in respect of

- a. A Bund Landscape Maintenance and Management Manual

- b. Landscape Softworks Bund
- c. Proposals for Native Hedgerow Mix
- d. Landscape Specification Sheets
- e. Planting Details in respect of appropriate sowing, establishment and maintenance prescriptions required for:
- f. Wildflower Mix
- g. Wet Wildflower Mix
- h. Native Hedgerow Mix (as per landscaped bund detailed within Bund Landscape Maintenance and Management Manual dated October 2020)

Such details to include existing and retained bund heights, details of any remediation requirements and landscape management proposals for ecological purposes.

11

The details of the bund approved under condition 10 (and condition 19 of DC/16/00698/OUT) shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

Date of Committee: 7 April 2021

Application Number and Address:

DC/20/01055/FUL
Unit 13 Follingsby Close
Follingsby
Felling
NE10 8YG

Applicant:

Virtuoso Doors Ltd

Proposal:

Change of use from warehouse (use class B8) to manufacture of GRP Doors & PVC Door Infill Panels (use class B2) extension to the hardsurfaced yard at the northern end of the site, new substation and dust extraction plant to the north east of the building.

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 GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, delete, 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 location plan dated 16 April 2018

000 001 general layout dated 5 Nov 2020

Detail 01 Extraction Elevations on drawing 001 001 dated 5 Nov 2020

Substation – substation drawing received 17 Dec 2020.

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 information, prior to the occupation of the building as a B2 use for general industry the final layout and details of the car parking area shall be submitted to and approved in writing by the Local Planning Authority which shall include :

- a at least 2 electric vehicle charging points
- b secure and weather proof cycle parking
- c secure motor cycle parking
- d at least 2 accessible parking spaces

4

The parking layout approved under condition 3 including the approved details relating to items a - d in condition 3 shall be provided prior to the B2 use of the building and site being brought into use.

5

Prior to the occupation of the building as a B2 (general industrial) use a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Initiatives to reduce car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking
- 3) More environmentally friendly delivery and freight movements;
- 4) A programme of continuous review of the approved details of the Travel Plan through the Council's preferred monitoring system and the implementation of any approved changes to the plan.

The revised Travel Plan should clearly state that the applicant/occupier will provide an annual budget to the appointed Travel Plan Co-ordinator to ensure that they can meet the targets sets.

Evidence of the travel plans implementation over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Date of Committee: 7 April 2021

Application Number and Address:

DC/20/01183/FUL
Lands at and to the rear: 21 & 23 Monkridge
Gardens with disused pavilion & hardstanding
off Monkridge Gardens
Dunston Hill
Gateshead
NE11 9XE

Applicant:

Mr Anthony Lang

Proposal:

Full planning permission for the erection of 9 dwellinghouses with front and back gardens and driveway parking: new shared-surface, vehicular & pedestrian access between numbers 21 & 23 (both retained), visitor parking area and landscaped areas (amended 08/03/21)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

Update on consultations and Conditions amended

Consultations

Northumbria Police have responded to the consultation request and have no objections to the proposal.

NEDL have not responded to the consultation request, the consultation period expired on 05 April 2021.

Condition wording

On further review, it is recommended Condition 5 should also include reference to boundary treatments for the secondary pedestrian access (along with the other elements specifically required to be submitted), so that the living conditions of occupiers of nos 9 and 11 Monkridge Gardens can be appropriately protected. The reason for conditions 5 and 6 should also be amended to include reference to residential amenity.

It is recommended that the wording be amended to read as follows;

Condition 5

No dwellinghouse hereby permitted shall be occupied until the final details of the pedestrian route to the east of the site onto Monkridge Gardens has been submitted to and approved in writing by the Local Planning Authority. The detail shall include a timetable for implementation (and

opening), as well as details of boundary treatments to both nos 9 and 11 Monkridge Gardens, gradients, materials, lighting and any offsite highways works.

Reason

In the interests of highway safety, improving connectivity, the protection of residential amenity and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

Condition 6

The pedestrian route approved under Condition 5 shall be completed in full accordance with the approved details and shall be made available for the use by pedestrians within the timescales approved. Thereafter the pedestrian route shall remain open for use for pedestrians at all times. No barriers or other physical impediments to the use of this route by pedestrians shall be put in place without the prior written consent of the Local Planning Authority.

Reason

In the interests of highway safety, improving connectivity, the protection of residential amenity and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

Condition 12 (Removal of Permitted Development Rights) currently reads;

Notwithstanding the provisions of Article 3, Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), following the implementation of works referred to in Condition 11, the permitted development rights of 21 and 23 Monkridge Gardens (hard surfaces incidental to the enjoyment of a dwellinghouse) are hereby removed.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

On further review, Officers consider this condition ought to be amended to remove the reference to 21 Monkridge Gardens. The garden area associated with this property wouldn't interfere with the visibility splay from the access. It is recommended that the wording be amended as follows;

Notwithstanding the provisions of Article 3, Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), following the implementation of works referred to in Condition 11, the permitted development rights of 23 Monkridge Gardens (hard surfaces incidental to the enjoyment of a dwellinghouse) insofar as they relate to the front curtilage are hereby removed.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

Conditions 19 and 20 require the eradication of cotoneaster from the site. This is a non-native invasive plant, with over 100 species. The applicant's submitted ecological report identifies Himalayan Cotoneaster (*cotoneaster simonsii*) as being recorded in the north of the site and identifies that the development could potentially result in the spread of this species. One of the key ecological mitigation measures, identified in the ecological report, is that the cotoneaster

would be removed.

For clarity it is recommended that both conditions 19 and 20 should be amended to refer to Himalayan Cotoneaster specifically, and to no other cotoneaster species.

It is recommended that the wording be amended to read as follows;

Condition 19

Notwithstanding the information submitted no development (including demolition) shall commence until a scheme for the eradication of Himalayan Cotoneaster (cotoneaster simonsii) to prevent the spread of this species has been submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent the spread of a harmful invasive species in accordance with the NPPF, policies CS18 and MSGP37 of the Local Plan for Gateshead.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition, site clearance and construction works can take place in a manner that does not allow the spread of an invasive species.

Condition 20

The approved Himalayan Cotoneaster (cotoneaster simonsii) eradication scheme shall be implemented and retained in full accordance with the details approved under Condition 19.

Reason

To prevent the spread of a harmful invasive species in accordance with the NPPF, policies CS18 and MSGP37 of the Local Plan for Gateshead.

A verbal update was provided to Members to advise that after further consideration of the necessity for condition 12, it is recommended that C12 is not imposed, either as worded in the agenda papers or as in the Update Report, but that instead condition 11 is amended to require not only the implementation of the front garden treatment, but also that a physical barrier is retained. The reason for this is to prevent the reuse of the front garden areas of either no 21 or no 23 for parking vehicles, which could obstruct pedestrian visibility.

Due to concerns expressed by Councillors regarding the potential for damage to existing drainage infrastructure during construction, the motion voted on included a requirement for condition 15 to be expanded to include appropriate protection measures.

Any additional comments on application/decision:

That permission be GRANTED subject to the following condition(s) and that the Service Director Development, Transport and Public Protection 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 -

27860 NNA 1100 P05 - Proposed Site Plan

27860 NNA 1120 P04 - Proposed Site Plan with Dimensions

27860 NNA 1150 P03 - Proposed Massing and Street Scene
27860 NNA 1200 P02 - Proposed House Type A
27860 NNA 1220 P02 - Proposed House Type C
27860 NNA 1230 P02 - Proposed House Type D
27860 NNA 1250 P01 - Proposed House Type F
'Bike Storage Additional Bike Shed - 3 Bike'

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 dwelling hereby approved shall progress above damp proof course until an external materials schedule has been submitted to and approved in writing by the Local Planning Authority and samples of the materials, colours and finishes to be used on the external surfaces have been made available for inspection on site and subsequently approved in writing by the Local Planning Authority.

4

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 3.

5

No dwellinghouse hereby permitted shall be occupied until the final details of the pedestrian route to the east of the site onto Monkridge Gardens has been submitted to and approved in writing by the Local Planning Authority. The detail shall include a timetable for implementation (and opening), as well as details of gradients, materials, lighting and any offsite highways works.

6

The pedestrian route approved under Condition 5 shall be completed in full accordance with the approved details and shall be made available for the use by pedestrians within the timescales approved. Thereafter the pedestrian route shall remain open for use for pedestrians at all times. No barriers or other physical impediments to the use of this route by pedestrians shall be put in place without the prior written consent of the Local Planning Authority.

7

No development (including demolition) shall commence until a Demolition and Construction Management Plan (DCMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCMP shall include:

- a dust management plan

- a noise management plan
- contractor parking

All external works and ancillary operations in connection with the demolition and/or construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises nuisance to surrounding residents and businesses. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of demolition and construction works and the manner in which they are undertaken could affect adjacent occupiers.

8

The development shall be carried out in complete accordance with DCMP measures approved at condition 7.

9

The cycle storage provision for each individual dwellinghouse shall be installed in the locations shown on approved plan 27860 NNA 1100 P05 - Proposed Site Plan and in accordance with details shown on 'Bike Storage Additional Bike Shed - 3 Bike' prior to each house being first occupied.

10

The visibility splay labelled 'vision splay 2.4m x 25m' on approved drawing 27860 NNA 1100 P05 - Proposed Site Plan shall be kept clear of any obstructions above 600mm in height.

11

Prior to the first occupation of any dwellinghouse hereby approved, the front curtilages areas of 21 and 23 Monkridge Gardens shall be laid out in full accordance with the details shown on approved plan 27860 1100 P05 - Proposed Site Plan.

12

Notwithstanding the provisions of Article 3, Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), following the implementation of works referred to in Condition 11, the permitted development rights of 21 and 23 Monkridge Gardens (hard surfaces incidental to the enjoyment of a dwellinghouse) are hereby removed.

13

The development hereby approved shall be carried out in full accordance with the

submitted Remediation Strategy, made up of the following documents:

- "Phase II Environmental Risk Assessment" produced by Roberts Environmental Limited, reference 200801.R.001, dated September 2020.
- Letter from Roberts Environmental entitled "Re: Updated Ground Gas Risk Assessment - Land at Monkridge Gardens, Dunston", dated 26th October 2020, reference 200801.GA.001
- Email from Andrew@robertsenviromental.co.uk> Gas Addendum - Monkridge Gardens, dated Mon 26/10/2020 13:27
- "Remediation Strategy" produced by Roberts Environmental Limited, Reference: 200801.R-RS.001, dated October 2020.
- "Phase 1 Land Quality Report" produced by Roberts Environmental Limited, reference 171218.01.R.001, dated January 2018.

14

Upon completion of the remediation works detailed in the approved Remediation Strategy and prior to the occupation of any residential unit hereby permitted, 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 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.

15

No development (excluding demolition) shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the following details:

- details of existing land drainage;
- an assessment of the potential for disposing of surface water by means of a sustainable drainage system
- information about the design storm period and intensity
- the method employed to delay and control the surface water discharged from the site, including electronic modelling
- the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- a timetable for its implementation; details of when elements of proposed drainage scheme will be implementing and connected
- a Drainage Construction Method Statement; details of how these drains will be protected during the construction phase, and methodology and specification for their replacement should damage occur, shall be submitted
- a Drainage Management & Maintenance Document for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

16

The drainage scheme approved under condition 15 shall be constructed,

implemented, managed and maintained in accordance with the approved timetable and managed and maintained in accordance with the approved details thereafter.

17

Notwithstanding the information submitted no development shall progress above damp course level on any building hereby approved until full details of the bird and bat box scheme to be provided as part of the development, including a timescale for implementation, has been submitted to and approved in writing by the Local Planning Authority.

18

The approved bird and bat box scheme shall be implemented and retained in full accordance with the details approved under Condition 17.

19

Notwithstanding the information submitted no development (including demolition) shall commence until a scheme for the eradication of Cotoneaster to prevent the spread of this species has been submitted to and approved in writing by the Local Planning Authority.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition, site clearance and construction works can take place in a manner that does not allow the spread of an invasive species.

20

The approved Cotoneaster eradication scheme shall be implemented and retained in full accordance with the details approved under Condition 19.

21

Notwithstanding the submitted details, no dwellinghouse hereby approved shall be occupied until a scheme for the 'blocking up' of the ground floor openings (doors and windows) within the side elevations of both 21 and 23 Monkridge Gardens has been submitted to and approved in writing by the Local Planning Authority,

22

The scheme for 'blocking up', approved under condition 21, shall be completed in full prior to the occupation of any dwellinghouse hereby approved and shall be retained as such, unless otherwise approved in writing by the Local Planning Authority.

23

Notwithstanding the provisions of Article 3, Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the permitted development rights of Plots 5-9 (enlargement, improvement or other alteration of a dwellinghouse) are hereby removed.

Date of Committee: 7 April 2021

Application Number and Address:

DC/21/00075/COU
Oakwood
St Mary's Terrace
Heworth
Gateshead
NE10 0NN

Applicant:

Mr Kheng Chua

Proposal:

Change of use from dwellinghouse (use class C3) to seven bedroom house in multiple occupation (Sui Generis)

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:

This application was deferred to be considered at the next Committee meeting following on from receipt of further information requested by members of the Committee in relation to the licencing requirements for a house in multiple occupation.

Date of Committee: 7 April 2021

Application Number and Address:

DC/21/00069/FUL
The Runhead
Holburn Lane
Ryton
NE40 3HJ

Applicant:

Mr Simon Malhotra

Proposal:

Proposed erection of tipi within beer garden, 1 no. timber clad container, and associated decked area (description amended 22.03.21)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

AMENDED DESCRIPTION

As the decking, tipi and container are now installed on site, the description of development has been amended to reflect this.

FURTHER REPRESENTATIONS MADE

Following receipt of amended plans, neighbour re-notification letters were issued on 23.03.21. A further six objections have been received, including one from Cllr Chris Buckley. The objections are summarised below:

- Noise from people and furniture moving on the decking.
- Anti-social behaviour
- Increased traffic / parking issues
- Vermin
- The tipi is already erected and is unattractive/an eyesore.
- The use of the beer garden is escalating to a point where residential amenity will be affected.
- What is the need for two bars when the tipi has a 50 person limit?
- If planning permission is granted, can the use of the container be limited to storage only, or only used as a bar when a temporary event licence has been granted? Can the use be conditioned to cease at 9pm and not 10pm?
- Question about whether the tipi would be Covid compliant as it would be enclosed space.
- Has planning permission been sought for other works at the site?
- Concern about events/use of the tipi – there are existing problems with events run at The Runhead.

Council officers are of the opinion that no new material planning issues have been raised within the latest representations received and the objections that have been raised have been addressed within the main officer report.

UPDATED CONDITIONS

Following receipt of amended plans, Condition 1 has been updated to take account of the new plan references. The updated wording is as follows:

1

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

Location Plan

Existing Site Plan

300/P5 Proposed Elevations

102/P4 Proposed Site Plan

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.

The submitted Noise Impact Assessment (NIA) will need to be revised to also refer to the use of the container and decking as noise sources with appropriate mitigation measures required. It is therefore recommended that condition 7 (implementation of submitted NIA) should be replaced with a condition to require the submission of a revised NIA for approval and a further condition to secure the implementation of the approved details. The new conditions to read as follows:

7 (reworded)

Prior to the first use of either the tipi or the container, a revised Noise Impact Assessment shall be submitted for the written approval of the Local Planning Authority. The revised NIA shall assess the noise generation from the use of the tipi, the container and from people and furniture moving on the timber decking and provide appropriate mitigation.

Reason

In the interest of residential amenity to accord with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

8 (new)

The Noise Impact Assessment approved under condition 7 shall be implemented, in full, from first use of either the tipi or the container and thereafter complied with at all times that the development remains in use.

If at any time the NIA cannot be complied with, the use of the whole development hereby

approved shall cease immediately, and the use shall not recommence until compliance with the NIA is possible.

Reason

In the interest of residential amenity to accord with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

NB Subsequent conditions to be renumbered.

Any additional comments on application/decision:

The Vice Chair requested that if a future application is made to renew this temporary consent, that it would be determined by Planning and Development Committee and not under powers delegated to officers. This was agreed by Members.

That temporary permission be GRANTED subject to the following condition(s) and that the Service Director Development, Transport and Public Protection 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 -

Location Plan
Existing Site Plan
300/P3 Proposed Elevations
102/P3 Proposed Site Plan

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 consent hereby granted shall be for a limited period only of 1 year from the date of the first use of the tipi, or of the container, whichever is first. On the expiration of this period, the use of the tipi and container shall cease. The tipi, container and decking shall be removed and the site returned to its former condition within three months of the date of expiry. The Local Planning Authority shall be notified of the first use of the tipi or container, whichever is first, in writing, no less than one week prior to its first use.

If the tipi or container is/are brought into use, without the date of first use having been notified to the Local Planning Authority, the date of first use shall be taken as being the date of this decision.

4

The development hereby permitted shall be constructed entirely of the materials detailed on the submitted Application Form and the container shall be clad in timber prior to first use of the development hereby permitted.

5

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

6

The development hereby approved shall not be used by the public between the hours of 22:00 and 08:00.

7

The development hereby approved shall be managed in complete accordance with the submitted Noise Management Plan Revision C.

8

Prior to the installation of any lighting related to the use of the tipi or container, including illumination of the route to and from the tipi and/or container, security and decorative lighting (except for any lights to be installed inside the tipi and container), full details of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include sufficient information to demonstrate that there would be no light spillage beyond the site boundaries

9

The new lighting approved under condition 8 shall be installed in accordance with the approved details.

10

No live entertainment, amplified sound system or similar equipment associated with the development hereby approved shall be installed or used within the tipi or container at any time.

