

MINOR UPDATE

Application No:	DC/20/01183/FUL
Site:	Lands At & To The Rear: 21 & 23 Monkridge Gardens With Disused Pavilion & Hardstanding Off Monkridge Gardens Dunston Hill Gateshead Borough NE11 9XE
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).
Ward:	Dunston Hill And Whickham East
Recommendation:	Grant Permission
Application Type	Full Application

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.

SEE MAIN AGENDA FOR OFFICERS REPORT.