

Date of Committee: 3 November 2021

**Application Number and Address:**

DC/21/00885/FUL  
 27 North Dene  
 Northside  
 Birtley  
 DH3 1PZ

**Applicant:**

Mr Douglas Coulthard

**Proposal:**

Erection of detached dwelling with garage (additional information submitted 03.09.2021)

**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 of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary.

1

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

Site Location Plan

DC/09 Proposed Plans and Elevations (Dated 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.

2

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

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3

The development hereby permitted shall be constructed entirely of the materials detailed and shown on plan number DC/09 Proposed Plans and Elevations (Dated 07 2021)..

4

Development shall not commence above damp-proof course level until details of the colour of the proposed render finish to be used on all external surfaces have been submitted to and subsequently approved in writing by the Local Planning Authority.

5

The landscaping scheme demonstrated in plan no. 'DC/09 Proposed Plans and Elevations (Dated 07 2021)' shall be implemented in accordance with the approved details within the first available planting season (October to March) 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 grass which fails to establish shall be re-established.

6

Where required and prior to the commencement of works to install/remove boundary treatment, a fully detailed scheme for the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

7

The boundary treatment approved under condition 6 shall be implemented in accordance with the approved details.

8

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.

9

Prior to the first occupation of the dwelling, secure and weatherproof cycle storage, capable of storing at least one bicycle, shall be provided on site and thereafter permanently retained.

10

The tree protection measures shown on plan no. 'DC/09 TP' (Dated September 2021) and details of protection fencing submitted 03.09.2021, must be installed prior to the commencement of the development and thereafter retained intact for the full duration of the groundworks and construction phase and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason for pre-commencement condition  
To avoid damage to existing trees.

11

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

**Date of Committee: 3 November 2021**

**Application Number and Address:**

DC/21/00944/TDPA  
Windy Nook  
Off Stone Street  
Gateshead  
Windy Nook  
NE10 9RY

**Applicant:**

MBNL

**Proposal:**

**DETERMINATION OF PRIOR APPROVAL:**

Proposed 25m high replica cypress tree telecoms installation and associated works (amended plan 01.09.21; amended plan and description 28.09.2021 and 26.10 2021)

**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 Prior Approval is Required and APPROVED subject to the following condition(s) and that the Strategic Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary:

1

The mast and equipment cabinets hereby approved shall be dark green in colour (RAL 6009) in accordance with 'Plans ref 1575377\_GTH106\_NE0066\_M002 Issue B' (received 26.10.2021) and shall be retained as such in perpetuity.

2

Notwithstanding the details shown on 'Plans ref 1575377\_GTH106\_NE0066\_M002 Issue B' (received 26.10.2021) the palisade fence and gates and 6no. antennas and 2no. dishes hereby approved shall be painted or powder coated dark green in colour and shall be retained as such in perpetuity.

**Date of Committee: 3 November 2021**

**Application Number and Address:**

DC/21/00989/COU  
The Shakespeare  
Fife Street  
Gateshead  
NE8 3RR

**Applicant:**

Mr John Hinton

**Proposal:**

Change of use of public house (sui-generis) to community hub (sui-generis) comprising café, kitchen, workshop, meeting spaces at ground floor, and 4no. one bedroom flats at first floor, including minor changes to the existing facades comprising new main entrance and 1 no. additional window (amended plan received 29.09.21)

**Declarations of Interest:**

<b>Name</b>	<b>Nature of Interest</b>
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None	
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**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 Climate Change, Compliance, Planning and Transport 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.

2

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

L-1001 Rev A

L-1250

L-010

L-011

L-013

L-014

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.

3

The development hereby permitted shall be constructed entirely of the materials detailed on the application form and L-013 and L-014.

4

The development hereby approved shall be carried out in accordance with the Management Plan (received 12.08.21) for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

5

Prior to the first occupation of the residential element of the development hereby approved, details of secure and weatherproof cycle parking, capable of storing at least two cycles, shall be submitted to and approved in writing by the Local Planning Authority.

6

The details approved under condition 5 shall be implemented in accordance with the approved details before the residential element of the development hereby approved is occupied and retained as such for the lifetime of the development.

**Date of Committee: 3 November 2021**

**Application Number and Address:**

DC/21/00994/FUL  
Land West of Gibside Way  
Metro Retail West  
Gateshead  
Metro Centre Retail Park  
NE11 9XS

**Applicant:**

Barker & Stonehouse Ltd

**Proposal:**

Demolition and alteration of existing retail units and erection of Bulky Goods Retail Store (Class Ea) with alterations to access, and associated parking and landscaping (additional information received 06/10/21 and 11/10/21 and amended plans received 06/10/21 and 12/10/21).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

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

**Reason for Minor Update**

**Highways update and amended recommendation wording**

*Highways*

Further to Paragraphs 5.19 and 5.21 of the main report, Officers have concluded their assessment of the additional information provided by the applicant.

A review of the revised impact assessment has been undertaken for the Gibside Way roundabout, the assessments show that the junction and associated links currently operate beyond capacity in both the Friday evening peak and Saturday peak periods. When trips associated with the existing uses ("Snow and Rock" and "The Angel") are added, the operation of the junction further deteriorates. As would be expected when taking into account these initial result for the base flows and extant use, the addition of further trips associated with the proposed use, particularly in the Saturday peak when there is a larger increase in the number of predicted new trips, the length of queue increases markedly. The journey time delay taken from the model output for Gibside Way North and West shows a significant increase between the extant use scenario and the proposed use scenario.

It is considered by Officers that there is not any obvious intervention that could be delivered on the immediate network and major redesign of nearby junctions would not be proportionate to the scale of the proposed development, nor is it clear whether this would achieve appropriate mitigation. However, relying solely on the development's sustainability credentials i.e. a travel plan, cycle parking and EV charging etc. is not deemed appropriate/acceptable. As such it is

recommended by Officers that the impacts are offset through investment in sustainable transport infrastructure serving the wider Metrocentre area, via a commuted sum of £87,000, which will be secured via a S106 legal agreement.

Further to the above, National Highways have not raised any objection to the application.

Subject to the above contribution, it is considered that the proposed development would not have an unacceptable impact on highway network in accordance with the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

Further to the above, Officers have considered the additional/amended information submitted pertaining to the site layout, servicing and travel planning. The information provided is considered acceptable, subject to the following additional conditions (full wording in Appendix i);

- Final details of motorcycle parking (Conditions 18 and 19);
- Final details of EV charging (Conditions 20 and 21);
- Final details of cycle parking/changing facilities (Conditions 22 and 23);
- Submission of a servicing plan (Conditions 24 and 25);
- Final details of changes to access (Conditions 26 and 27);
- Final details of the car park materials, kerbing and signage (Conditions 28 and 29); and
- A final Travel Plan (Conditions 30 and 31).

In conclusion, it is considered that the proposed development is acceptable in highways term, subject to the above conditions and the payment of a STC. The development is considered to comply with the requirements of NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

#### *Recommendation*

Further to Paragraph 7.1 of the main report, Officers consider the recommendation should change from;

*“That permission be GRANTED subject to the resolution of the above highway matters, the following condition(s) and that the Service Director Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary;”*

To;

*“That permission be GRANTED SUBJECT TO A SECTION 106 AGREEMENT*

1. *The agreement shall include the following obligations:*
  - a. *Payment of a Sustainable Transport Contribution (STC) to the amount of £87,000.*
2. *That the Strategic Director of Corporate Services and Governance be authorised to conclude the agreement.*
3. *That the Service Director Climate Change, Compliance, Planning and Transport be authorised to add, delete, vary and amend the planning conditions as necessary.*
4. *And that the conditions shall include ...”*



## Appendix i – Condition Wording

18

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until the final details, including number, location and form, of motorcycle parking spaces and associated anchor point has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

19

The motorcycle parking approved under Condition 18 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

20

Notwithstanding the approved plans, prior to any works associated with the carpark taking place, final details of electric vehicle charging spaces/points, (including number, location, form and passive infrastructure) has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

21

The electric vehicle charging spaces/points approved under Condition 20 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

22

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until the final details, including number, location and form, of long and short-stay cycle parking provision and associated changing, shower and locker facilities has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

23

The long and short-term cycle parking provision approved under Condition 22 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

24

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until a servicing plan for all existing and proposed units has been submitted to and approved in writing by the Local Planning Authority. This shall clearly set out but not be limited to:

- Delivery times
- Routing within the site
- Maximum size of vehicle
- Signage
- Enforcement monitoring and control

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.

25

All existing and proposed units shall be serviced in full accordance with the servicing plan approved under Condition 24 for the lifetime of the development.

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.

26

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until the final details of the amended site access has been submitted to and approved in writing by the Local Planning Authority.

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.

27

The site access details approved under Condition 26 shall be completed in full accordance with the approved details and timetable for implementation.

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.

28

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until the final details car park materials, kerbing and signage have been submitted to and approved in writing by the Local Planning Authority.

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.

29

The car park materials, kerbing and signage approved under Condition 28 shall be completed in full accordance with the approved details and timetable for implementation.

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.

30

No later than six months prior to the occupation of the bulky goods unit hereby permitted a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. 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.
- Clearly defined objectives, targets and indicators.
- Details of proposed measures.
- Appointment of a travel plan co-ordinator.
- Detailed timetable for implementing measures.
- Proposals for maintaining momentum and publicising success.
- A 5 year review programme of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- Commitment to use the councils preferred survey/monitoring database (currently Jambusters).

Evidence of the implementation of the approved Travel Plan 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.

Reason

In order to promote sustainable travel and accord with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

31

The Travel Plan approved under condition 30 shall be wholly implemented in accordance with the approved details.

Reason

To ensure sustainable travel and in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

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

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

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

Arboricultural Impact Assessment (ref ARB/AE/2652), Elliot Consultancy Ltd, August 2021

Drainage Calculations (20210-C-Calc-001), Topping Engineers, July 2021

Drainage Pollution Control (DR-C-0104), Topping Engineers, July 2021

Drainage Strategy and Layout Plan (DR-C-103), Topping Engineers, July 2021

Percolation Testing Report (21210-PTR-01), Topping Engineers, July 2021

Phase 1 Desk Study Site Investigation Report (G21336), Geo Investigate, April 2020

Phase 2 Intrusive Site Investigation Report (G21336), Geo Investigate, July 2021

Preliminary Ecological Appraisal (20210303.1 Issue 4), Lobo Environmental, July 2021

Transport Assessment (21038), Via Solutions, August 2021

Transport Assessment Addendum (21038), Via Solutions, October 2021

Travel Plan (21038), Via Solutions, October 2021

501155\_PL-01-A\_Location Plan

501155\_PL-02-B Existing Site Plan

501155\_PL-11-C Proposed Site Plan

501155\_PL-12-B Proposed Ground Floor Plan

501155\_PL-13-B Proposed Mezzanine Plan

501155\_PL-14- B Proposed Terrace Plan

501155\_PL-15-B Proposed Roof Plan

501155\_PL-16- B Proposed North and South Elevations

501155\_PL-17- B Proposed East and West Elevations

501155\_PL-18-C Proposed Sections

501155\_PL-21 A Retained Retail Unit

N1097- ONE- ZZ-XX-DR-L-0001 PO3 Landscape Masterplan

N1097- ONE- ZZ-XX-DR-L-0201 PO3 Planting 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

Notwithstanding the approved café area the premises hereby approved shall only be used for the sale of bulky goods including furniture, bedding, floor covering, soft furnishing and textiles (and other products associated with improvements to the house) within Class E(a) of the Use Classes Regulations 2020 (Amendment) with no more than 30% of net sale area for the sale of non-bulky retail goods within Class E(a).

4

The development hereby approved shall not 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.

5

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 4.

6

The landscaping scheme shown on approved plans N1097- ONE- ZZ-XX-DR-L-0001 PO3 Landscape Masterplan and N1097- ONE- ZZ-XX-DR-L-0201 PO3 Planting Plan (excluding the green roof element), shall be implemented prior to development hereby approved first opening to the public.

Report

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

7

The approved landscaping scheme 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 planting and during this period any trees which die, become diseased or are removed shall be replaced in the first subsequent planting season (October to March) with others of a similar size and species.

8

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) a dust management plan
- b) a noise management plan
- c) 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 1800 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.

Any temporary alteration to the working hours set out in this condition shall be submitted as part of the DCMP 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 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.

9

The development shall be implemented in accordance with the Demolition and Construction Management Plan measures approved at condition 8.

10

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

11

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:

- a) details of existing land drainage;
- b) an assessment of the potential for disposing of surface water by means of a sustainable drainage system
- c) information about the design storm period and intensity
- d) the method employed to delay and control the surface water discharged from the site, including electronic modelling
- e) the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- f) a timetable for its implementation; details of when elements of proposed drainage scheme will be implementing and connected
- g) 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
- h) 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.

For the avoidance of doubt, criterion a) will be satisfied by the provision of an accurate survey of the existing live land drainage, to confirm line and invert levels/ pipe diameters, plus any connecting chambers. A proposal for the permanent re-instatement of any lengths of temporary drainage plus any connections shall be developed. This information shall be appended to the proposed drainage plan to

demonstrate that there are no conflicts between existing and re-instated drainage and the proposed drainage and engineering works. Cross sections shall be submitted showing the relationship between the existing drains and the engineering detail of the gabion walls and permeable paving.

For the avoidance of doubt, criterion g) will be satisfied by the inclusion in the Method Statement of a surveyed plan of the existing live land drainage showing line and invert level of the drain plus any connecting chambers. 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 as part of the details required by g) above.

12

The drainage scheme approved under condition 11 shall be constructed, implemented, managed and maintained in accordance with the approved timetable and managed and maintained in accordance with the approved details thereafter.

13

No development shall commence until a scheme for the protection of the verge/embankment located immediately north and east of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the area to be protected and the location and specification of the protective fencing to be used.

#### Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the development can be carried out in a manner that protects orchids located adjacent to the site. This information is fundamental to the development and requires approval prior to development starting on the site.

14

The protective fencing approved at Condition 13 must be installed prior to the commencement of development and thereafter retained intact for the full duration of the construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

15

Notwithstanding the submitted plans and details submitted/approved in regard to Condition 11, no works shall take place to the proposed green roof until a fully detailed planting scheme and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall include details and proposed timing of all planting, preparation and planting plans noting the species, plant sizes, planting densities for all new planting and a scheme of maintenance (for a period of five years following planting).

16

The proposed green roof shall be planted up in full accordance with the details approved under Condition 15, thereafter the green roof shall be maintained and retained in full accordance with these details.

17

All retained trees shall be protected in full accordance with the tree protection plan and all tree works shall be undertaken in accordance with the arboricultural impact assessment, both of which are contained within the approved Arboricultural Impact Assessment (ref ARB/AE/2652), Elliot Consultancy Ltd, August 2021.



