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GATESHEAD METROPOLITAN BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 21 December 2022

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): V Anderson, D Burnett, L Caffrey, A Geddes, M Hall, L Kirton, K McCartney, E McMaster, C Ord, R Waugh, J Turner, H Weatherley, J Mohammed, P Burns, L Moir and T Graham

APOLOGIES: Councillor(s): S Dickie, I Patterson, K Wood, J Green, S Potts and D Welsh

PD757 MINUTES

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

PD758 DECLARATIONS OF INTEREST

Councillor Robert Waugh and Councillor Eileen McMaster both declared a personal and prejudicial interest in application DC/22/01234/FUL and removed themselves from the meeting and therefore did not take part in any of the discussion or subsequent voting.

PD759 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.

PD760 ENFORCEMENT TEAM ACTIVITY

The Committee received a reportt advising them of Enforcement Team Activity between 10 November 2022 and 7 December 2022.

The Enforcement Team has received 107 new service requests and currently have 533 cases under investigation, with 124 cases resolved and 2 pending prosecutions.

RESOLVED – That the information be noted

PD761 ENFORCEMENT ACTION

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee.

RESOLVED: That the information be noted.

PD762 PLANNING APPEALS

The Committee received a report advising them of new appeals received and to report the decisions of the Secretary of State received during the period.

Since the last Committee there have been two new appeals lodged.

Since the last Committee there has been one new appeal decision received.

Since the last Committee there have been no appeal cost decisions.

RESOLVED – That the information be noted

PD763 PLANNING OBLIGATIONS

The Committee received a report advising them of completion of Planning Obligations which have previously been authorised.

Since the last Committee there have been no new planning obligations.

Since the last Committee there have been no new payments received in respect of planning obligations

RESOLVED – That the information be noted.

Chair.....

Date of Committee: 21 December 2022

<p>Application Number and Address:</p> <p>DC/22/01114/FUL Land bounded by Hyde Park Street, Brighton Road, Westminster Street, Dunsmuir Grove and Rectory Road Gateshead NE8 4QH</p>	<p>Applicant:</p> <p>Mr Paul Hacking</p>				
<p>Proposal:</p> <p>Development of 62no. residential units consisting of 20no. 5-bedroom dwellings (Plots 1-20), 19no. 2-bedroom and 23no. 3-bedroom dwellings (plots 21-62) (amended plans received 27.10.22, 07.11.22, 25.11.22, 05.12.22 and 06.12.22, and additional information received 07.11.22, 17.11.22 and 05.12.22)</p>					
<p>Declarations of Interest:</p> <table border="1"> <thead> <tr> <th data-bbox="97 846 790 880">Name</th> <th data-bbox="790 846 1519 880">Nature of Interest</th> </tr> </thead> <tbody> <tr> <td data-bbox="97 913 790 947">None</td> <td data-bbox="790 913 1519 947"></td> </tr> </tbody> </table>		Name	Nature of Interest	None	
Name	Nature of Interest				
None					
<p>List of speakers and details of any additional information submitted:</p> <p>Reason for Minor Update</p> <p>Conditions Amended</p> <p>Following discussion with the applicant, for clarity, it is recommended that Condition 35 include the following additional wording:</p> <p style="padding-left: 40px;">35 <i>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 <u>at the affected works area</u> shall cease and the exposed material shall be chemically tested.</i></p> <p style="padding-left: 40px;"><i>The works shall not continue <u>at the affected works area</u> until a Risk Assessment and, if required, remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.</i></p> <p>Reason <i>To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.</i></p> <p>Additionally, officers have considered amended drainage information submitted, and it is considered that this does not satisfy concerns raised, and condition 38 (Drainage Scheme) is</p>					

recommended to remain worded as in the main officer report, with the addition of clarity that the requirements of the condition are notwithstanding the approved details in recommended Condition 1. It is also recommended that an informative be added to a decision notice providing further comments to the applicant regarding the details required.

In terms of specific measures for drainage construction management, it is recommended that the wording for Condition 8 be updated to include the following additional point (j):

8

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

- (a) The parking of vehicles of site operatives and visitors*
- (b) A Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during construction;*
- (c) Storage of plant and materials to be used in constructing the development*
- (d) The erection and maintenance of security hoarding*
- (e) Wheel washing facilities*
- (f) Measures to control the emission of dust and dirt during construction*
- (g) Measures to control noise and vibration during construction*
- (h) A scheme for recycling/disposing of waste resulting from construction works.*
- (i) Measures to control surface water run-off, to ensure there is no off-site flooding during construction*
- (j) A Drainage Construction Management Plan relating to installation of the tanks and protection of the combined sewer crossing through the site that is to be retained.*

Reason

In order to avoid nuisance to the occupiers of adjacent properties during construction of the development, in accordance with the NPPF and policies CS13, CS14, CS17, MSGP15, MSGP17, MSGP18, MSGP29 and MSGP30 of the Local Plan.

Reason for pre-commencement condition

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

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

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

QD1617-300-01 Location Plan
QD1617-311-01 Planning Layout Rev N

QD1617-390-01- Design and Access REV B-High Quality
QD1617-351-01 PV Location Layout REV C
QD1617-344-01 Critical Distance Layout Rev E
QD1617-332-01 Boundary Treatment Layout Rev F
QD1617 330-01 Materials Layout Rev E
QD1617-320-01 Render Layout Rev C

Hyde Park St - House Type A - Corner Turner Rev E
Hyde Park St - House Type A Rev L
Hyde Park St - House Type B Rev F
Hyde Park St - House Type C Rev D
Hyde Park St - House Type D Rev D

CK-XX-XX-DR-C-5210 External Works - P5
CK-XX-XX-DR-C-5201 Engineering Arrangement - Sht 1 - P6
CK-XX-XX-DR-C-5202 Engineering Arrangement - Sheet 2 - P5
CK-XX-XX-DR-C-5203 Engineering Arrangement - Sheet 3 - P5

QD1617-321-01 Site Sections Sheet 1of4 Rev B
QD1617-321-02 Site Sections Sheet 2of4 Rev B
QD1617-321-03 Site Sections Sheet 3of4 Rev B
QD1617-321-04 Site Sections Sheet 4of4

QD1617-333-01 Boundary Details Rev D
QD1617-SHED-01 Shed

22159-001 Rev B Cycle Route Improvements

9635.001 v2 Hyde Park Street Ecological Assessment
9635.003 v2 Hyde Park Street Design Stage BNG Assessment
9635.004 Ecological Technical Note
CK21-Drainage Strategy Report-Hyde Park-Sep22
CK-XX-XX-DR-C-5215 - Drainage Key Plan - P1

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 plans, no external materials shall be used on site until final details of these have been submitted to an approved in writing by the Local Planning Authority.

4

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

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

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.

6

No dwelling hereby approved shall be occupied until a plan clearly identifying at least 16 dwellings that are to be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards has been submitted to and approved in writing by the Local Planning Authority.

The identified dwellings shall be constructed as such and retained and maintained as such for the lifetime of the development.

7

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

8

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

The Plan shall provide for:

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

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

- (c) Storage of plant and materials to be used in constructing the development
- (d) The erection and maintenance of security hoarding
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) Measures to control noise and vibration during construction
- (h) A scheme for recycling/disposing of waste resulting from construction works.
- (i) Measures to control surface water run-off, to ensure there is no off-site flooding during construction

Reason

In order to avoid nuisance to the occupiers of adjacent properties during construction of the development, in accordance with the NPPF and policies CS13, CS14, CS17, MSGP15, MSGP17, MSGP18, MSGP29 and MSGP30 of the Local Plan.

Reason for pre-commencement condition

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

9

The development hereby approved shall be implemented wholly in accordance with Construction Management Plan measures approved under condition 8 at all times during construction.

10

The solar panels, as shown on plan QD1617-351-01 PV Location Layout REV C, shall be installed at each dwelling before the respective dwelling is occupied, and retained and maintained as such for the lifetime of the development.

11

Notwithstanding the approved plans, the development hereby approved shall be implemented in accordance with the noise mitigation measures as detailed in section 7 of the LA Environmental Noise Assessment (reference LAE1211.1 dated 21 September 2022).

For the avoidance of doubt, the timber infill panels at the boundary treatment for unit 62 shall be implemented in accordance with the specification in section 7.3 of the above report.

Thereafter, the measures shall be maintained in accordance with the approved details for the lifetime of the development.

12

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

13

The hard landscaping details approved under condition 12 shall be implemented in accordance with the approved details, including the approved timescale, and retained as such for the lifetime of the development.

14

No dwellings with private driveways hereby approved shall be occupied until a scheme relating to electric vehicle charging infrastructure for private drives has been submitted to and approved in writing by the Local Planning Authority.

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.

16

No dwellings indicated as House Type A (units 1-20) hereby approved shall progress above damp proof course level until final details of secure and weatherproof horizontal cycle storage, for each dwelling of House Type A have been submitted to and approved in writing by the Local Planning Authority.

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.

The cycle parking details for units 21-62 shall be implemented in accordance with the approved details (plan QD1617-SHED-01 Shed) before the respective dwelling is occupied and retained and maintained as such for the lifetime of the development.

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) New raised plateaus on Hyde Park Street, Westminster Street and Dunsmuir Grove

(b) Signage and road markings for a new 20mph zone

(c) Final scheme for all new and amended waiting restrictions (including extending 10m around all street junctions)

(d) Detailed/final cycle route design and associated signage and infrastructure

(e) Details of all areas of highway to be publicly adopted

(f) A street lighting scheme (including the specifications and locations of the street lights), that shall also accommodate the requirements of Condition 26

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.

All new kerbing throughout the development shall be 100mm high, except at driveway crossovers and/or pedestrian crossing points.

20

Units 22, 23, 27, 40, 41, 45 and 46 shall not be occupied until final details of a scheme to clearly identify/mark associated refuse bins with their respective addresses has been submitted to and approved in writing by the Local Planning Authority.

21

The scheme approved under condition 20 shall be implemented before each of units 22, 23, 27, 40, 41, 45 and 46 are respectively occupied.

Bin stores at units 33, 34 and 37 shall also be installed at the lower/westernmost locations as shown on plan QD1617-311-01 Planning Layout Rev N.

22

No development hereby approved (including ground works and/or vegetation clearance) shall commence until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of any "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements e.g. measures to protect wildlife from becoming trapped in any excavations/pipes during construction;
- d) The location and timing of sensitive works to avoid harm to biodiversity features. e.g. no vegetation clearance to be undertaken between March and September (inclusive) unless immediately preceded by a nesting bird check undertaken by a suitably qualified ecologist.
- e) The times during construction when specialist ecologists need to be present on site to oversee works e.g. nesting bird checks
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of any protective fences, exclusion barriers and warning signs.

Reason for pre-commencement condition

To avoid/minimise harm to biodiversity at all times during works and construction.

23

The development hereby approved shall be implemented in full accordance with the Construction Environmental Management Plan approved under condition 22 at all times during works on site associated with the development and until final completion.

24

No development shall progress beyond damp proof course until full details including the specification and precise locations (as identified on a plan and elevation drawing of the properties) of the integrated potential bat roost features (minimum 6no) and bird nesting features (minimum 8no, including features suitable for use by house martin and swift), and timescales for implementation, have been submitted to and approved in writing by the Local Planning Authority.

25

The details approved under condition 24 shall be implemented in full accordance with the approved details and timescales and retained and maintained as such for the lifetime of the development.

26

No new external lighting shall be installed on site until a lighting design strategy to avoid/minimise adverse impacts on biodiversity including light spill onto areas of retained and/or newly created habitat and features (including integrated bats boxes) has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

(a) Lighting contour plan(s)

(b) Number, specification and precise location (including height) of proposed external lighting to be provided on site

27

The external lighting shall be installed and maintained wholly in accordance with the approved details under condition 26 and retained thereafter for the life of the development.

28

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until details of an offsite biodiversity net gain compensatory scheme, including the means of delivery, which delivers a measurable net gain for biodiversity, as demonstrated through application of the Defra Biodiversity Net Gain Metric 3.1, to be delivered on suitable land, and including timescales for delivery and measures for maintenance and monitoring protocols, has been submitted to and approved in writing by the Local Planning Authority.

29

The offsite biodiversity net gain compensatory scheme approved under condition 28 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

30

Notwithstanding the submitted information (including plan c-2091-01 Detailed landscape proposals), the development shall not progress beyond the damp course layer until full details of the soft landscaping and areas of habitat creation listed in the onsite post enhancement section of the biodiversity net gain assessment/Defra metric 3.1, including timescales for implementation, have been submitted to and approved in writing by the Local Planning Authority.

31

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

32

No dwelling hereby approved shall be occupied until a detailed management plan, annual maintenance programme, monitoring protocol and arrangements to address any defects/issues adversely impacting the value and function of the soft landscaping and/or habitats provided on site have been submitted to and approved in writing by the Local Planning Authority.

33

The details approved under condition 32 shall be implemented in full accordance with the approved details at all times for the life of the development or a period of no less than 30 years.

34

The remediation and monitoring measures hereby approved, as detailed in the following documents, shall be implemented at each phase of construction in full accordance with the approved details before the development at each respective phase progresses above damp proof course:

REMEDICATION STRATEGY FOR LAND AT HYDE PARK, BENSAM,
GATESHEAD, produced by Dunelm, reference D9514B/01, dated 25.11.19

RE: GAS RISK ASSESSMENT - HYDE PARK, BENSAM, GATESHEAD.
produced by Dunelm, reference D9514/GRA , dated 16.09.19,

RE: DELINEATION OF ASBESTOS HOTSPOT - HYDE PARK, BENSAM,
Gateshead, produced by Dunelm, reference D9514A/01 rev.A, dated 28/11/19

SUPPLEMENTARY GEOENVIRONMENTAL APPRAISAL FOR LAND AT HYDE
PARK, BENSAM, GATESHEAD, produced by Dunelm, reference D10794, dated
30/10/2019

35

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

The works shall not continue until a Risk Assessment and, if required, remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

36

The remediation and monitoring measures approved under condition 35 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.

37

Where remediation is required (under conditions 34-36), following completion of the approved remediation and monitoring measures (relating to land contamination and gas risk, and including suitable clean topsoil layer of 300mm), no dwelling hereby approved shall occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

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

38

The development hereby approved shall not commence until a final detailed drainage scheme for the development, confirming flow rates for 1in1year and 1in100year events has been submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall ensure that foul flows discharge to the combined public sewers, Area 'A' will discharge into the combined sewer between manholes 0703 and 0801, foul flows from Area 'B' will discharge into the existing manhole upstream of 0701. Area 'C' will discharge into the existing combined public sewer at manhole 1706. Area 'D' will discharge into the combined public sewer between manholes 1705 and 1703 and ensure that surface water discharges to the combined sewer at manhole 0701 and between manholes 0801-0703 and 1703-1705.

The surface water discharge rate shall not exceed the available capacity of 18.5l/sec that has been identified in this sewer.

Reason for pre-commencement condition

To ensure an appropriate and adequate drainage scheme can be achieved on site before the development commences.

39

The development hereby approved shall be implemented in accordance with the details approved under condition 38 at all times and retained and maintained as such for the lifetime of the development.

40

No dwelling hereby approved shall be occupied until a Drainage Maintenance Plan (DMP) has been submitted to and approved in writing by the Local Planning Authority.

The DMP shall include demonstration that adequate access to flow controls will be available for inspection and de-silting operations. The location of tanks should be suitable for their potential removal and replacement during the lifetime of the development (residential lifetime 100years, crated tank service life, typically 50years).

41

The details approved under condition 40 shall be implemented at all times for the lifetime of the development.

42

The development hereby approved shall not be occupied until a Travel Plan has been submitted to the Local Planning Authority for consideration. The Travel Plan shall include:

- (a) 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.
- (b) Appointment of a travel plan co-ordinator and identification of associated budget
- (c) Clearly defined objectives, targets and indicators
- (d) Details of proposed measures
- (e) Detailed timetable for implementing measures
- (f) Proposals for maintaining momentum and publicising success
- (g) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- (h) Commitment to the use of the councils preferred monitoring database (currently Modeshift)
- (i) Two introductory travel tickets per dwelling equalling four weeks travel per ticket to be introduced to residents within their welcome packs

43

Within 24 months of the date of approval of condition 42, evidence of the implementation of the Travel Plan approved under condition 42 over a minimum period of 12 months following final completion, and any revisions, shall be submitted to the Local Planning Authority for consideration.

44

The Travel Plan and any revisions approved under conditions 42 and 43 shall be wholly implemented in accordance with the approved details for the lifetime of the development.

Date of Committee: 21 December 2022

Application Number and Address:

DC/22/01234/FUL

Applicant:

Mr Robert Waugh

Proposal:

Change of use from doctor's surgery (Class E) to community centre (Class F2(b))

Declarations of Interest:

Name

Nature of Interest

Councillor Robert Waugh

Personal and Prejudicial

Councillor Eileen McMaster

Personal and Prejudicial

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 -

AD21-12

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 use of the premises hereby approved shall only be open to the public between the hours of 07:00 and 22:00 on any day.

4

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

5

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

