

**Date of Committee: Wednesday 6<sup>th</sup> December 2023**

<p><b>Application Number and Address:</b></p> <p><b>DC/22/01038/FUL</b>          Site 18 - 19, Whinfield Way, Highfield,          Rowlands Gill, Gateshead, NE39 1EH</p>	<p><b>Applicant:</b></p> <p>Mr Stephen Whale Toward</p>				
<p><b>Proposal:</b></p> <p>Change of use of land to storage and distribution (Use Class B8), erection of perimeter fence and gates and erection of storage containers and container office including solar panels to roof (amended description 14.11.2022) (additional/amended plans 14.11.2022, 29.12.2022, 24.07.23, 26.07.23, 20.10.23 and 03/11/23)</p>					
<p><b>Declarations of Interest:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 50%;">Name</th> <th style="text-align: left; width: 50%;">Nature of Interest</th> </tr> </thead> <tbody> <tr> <td>None</td> <td>None</td> </tr> </tbody> </table>		Name	Nature of Interest	None	None
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None	None				
<p><b>List of speakers and details of any additional information submitted:</b></p> <p>None.</p>					
<p>GRANT permission 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:</p> <p>1.          The development shall be carried out in complete accordance with the approved plan(s) as detailed below:</p> <ul style="list-style-type: none"> <li>• THD22-123 01 revP3 Location Plan</li> <li>• THD22-123 03 revP7 Proposed Block Plan</li> <li>• 087S22G1M Container spec</li> <li>• JAM78S30 585-610/GR Solar Panel Specification</li> <li>• PALI-KIT-0004 - 2.4m high palisade dig in fencing kit triple pointed w pale revA, sheet 1 of 6</li> <li>• 2.4m w palisade pales actual height 2350mm revA, sheet 2 of 6</li> <li>• Rails for w palisade fencing 2.75m wide revA, Sheet 3 of 6</li> <li>• PALI-BAY-0004 - 2.4m high dig in palisade post - AL 3125mm revA, sheet 4 of 6</li> <li>• Palisade fencing 90v corner post detail revA, sheet 5 of 6</li> <li>• Palisade fencing end post detail revA, sheet 6 of 6</li> <li>• PALI-KIT-1566 - 2.4m x 7.0m wide triple pointed double leaf dig in palisade gate kit revA sheet 1 of 6</li> <li>• PALI-KIT-1566 - 2.4m X 7.0m wide triple pointed double leaf dig in palisade gate kit revA, sheet 2 of 6</li> <li>• PALI-POS-0024 -2.4m high dig in palisade hinge gate post 150x150 box section revA, sheet 3 of 6</li> <li>• PALI-KIT-2566 - 2.4m X 7.0m wide triple pointed double leaf bolt down palisade gate kit revA, sheet 4 of 6</li> </ul>					

- PALI-KIT-2566 - 2.4m X 7.0m wide triple pointed double leaf bolt down palisade gate kit revA, sheet 5 of 6
- PALI-POS-1024-2.4m high bolt down palisade hinge gate post 150x150 box section revA, sheet 6 of 6

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

#### Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2.

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

3.

There shall be no stacking of storage containers on the site at any time.

4.

Site activity and deliveries to and from the site shall be restricted to the following hours only:

- 0800 – 1800 Mondays to Fridays;
- 0800 – 1200 Saturdays;
- No times on Sundays or bank holidays

This condition does not prevent staff from entering the site outside of these hours or using the site office.

5.

Prior to the commencement of use of the development hereby approved, a Construction and Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

6.

All future site operations shall strictly adhere to the approved Construction and Noise Management Plan approved under condition 5 at all times.

7.

A method statement and risk assessment (RAMS) shall be produced by the appointed fencing contractor and submitted for the written approval of the LPA prior to the installation of the proposed perimeter fencing.

8.

The approved perimeter fencing shall be installed in strict accordance with the details approved under condition 7.

9.

Any soil arisings generated from excavations for fence post installation, shall be placed directly into a closable skip and disposed of offsite to landfill by a registered Waste Operator.

10.

Should any obvious contaminated soils, (e.g., asbestos, hydrocarbon contaminated, or discoloured soils), be encountered during fence post installation works, then works shall cease immediately, the LPA informed, and updated RAMS produced for the written approval of the LPA.

11.

No vegetation clearance works shall be undertaken unless outside the bird nesting season (March to August inclusive). Where this is not possible, a nesting bird checking survey must be undertaken immediately prior (i.e., no more than 48hrs.) to the undertaking of any such works to confirm the presence/absence of nesting birds. Where the presence of nesting birds is confirmed, the nest(s) must remain intact and undisturbed through the provision of a suitably sized buffer/exclusion zone. All survey work and, where required, the establishment of a suitably sized buffer/exclusion zone must be undertaken/determined by a suitably qualified and experienced ecologist in accordance with the appropriate good practice guidelines and industry standards.

12.

No development, other than the approved vegetation clearance works, shall be undertaken prior to the installation of protective fencing preventing encroachment (including temporary) into areas of existing habitat to be retained within and immediately outwith the red line boundary of the site.

13.

Notwithstanding the submitted information, no development shall be undertaken on site until details of the boundary treatments, including any internal fencing required to protect areas of retained/created habitat, have been submitted to and approved in writing by the LPA. The submitted details shall including the following:

- Suitably scaled plan showing the precise position of such features;
- Detailed specification showing dimensions, materials and construction method including the disposal of any arisings;
- Timetable for implementation;

14.

The boundary treatments, including internal fencing, shall be installed in accordance with the details/timetable approved under condition 13 and thereafter be maintained for the life of the development.

15.

Notwithstanding the approved plans, prior to the commencement of development, details of a biodiversity net gain compensation scheme, including the mechanism(s) for delivery of on and off site measures, which delivers a biodiversity net gain, as demonstrated through application of the Defra metric 3.1, to be delivered on suitable land, and including timescales for delivery, shall be submitted to and approved in writing by the Local Planning Authority.

16.

The biodiversity net gain compensation scheme approved under condition 15 shall be implemented in full accordance with the approved measures and timescales and maintained thereafter for a minimum of 30 years.

17.

The development hereby approved shall not be brought into operation until a concise 30-year management plan detailing the maintenance measures to be undertaken in relation to the retained/created habitats on site shall be submitted to and approved in writing by the LPA. The submitted management plan shall include the following:

- Suitably scaled plan identifying onsite retained/created habitats;
- Brief description of retained/created habitats including their conservation value;
- Aims and objectives of management plan;
- List/description of maintenance operations, including timings;
- Maintenance programme capable of being rolled forward every 5 yrs;
- Arrangements for identifying, agreeing and implementing changes to the management plan, including any requirement for remedial measures;
- Persons responsible for ensuring delivery;

18.

The habitat management plan approved under condition 17 shall be implemented in full for a minimum 30 years.

19.

Prior to the installation of any security lighting on or around the site, lighting details, positioning and specifications shall be submitted to and approved in writing by the Local Planning Authority.

20.

Security lighting approved under condition 17 shall be installed only in full accordance with the approved details.

21.

Once operational, no vehicles larger than transit vans shall access the site at any time.

22.

There shall be no outdoor storage of materials at any time.

23.

The approval hereby granted relates solely to the purposes applied for (B8 use class) and for the storage and distribution of materials as specified in the application for the lifetime of the development, unless a Noise Impact Assessment is otherwise submitted to and approved in writing by the LPA.

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

That permission be granted subject to conditions.

**Date of Committee: Wednesday 6<sup>th</sup> December 2023**

**Application Number and Address:**

**DC/23/00739/HHA**  
305 Durham Road  
Gateshead  
NE9 5AH

**Applicant:**

Mrs Sharon Fearby

**Proposal:**

Retrospective application for detached garage to include loft living space and associated works (amended plans received 16.11.2023)

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

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

Reason for Minor Update

Following the receipt of amended plans on 16.11.2023, a two week re-consultation was carried out with all neighbours. This re-consultation expired on 01.12.2023. Three objections were received from three properties with existing objections against the proposal. These three objections can be summarised as follows:

- Objection to the application remains.
- Overly dominant
- Concern with siting of the south facing first floor doorway.
- Amendment to solid door does not overcome privacy concern.
- Lowering the landing areas of the staircase does not materially alter the privacy concerns.

Two of the objections submitted had the same grounds of objection as set out in the main agenda.

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 -

BC\_00\_03 Rev.5 Proposed Site Plan

BC\_00\_05 Rev. 5 Proposed Roof Plan

BC\_00\_06 Rev.7 Proposed South and East Elevations

BC\_00\_06 Rev.7 Proposed North and West Elevations

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 development hereby permitted shall be constructed entirely of the materials detailed on:

BC\_00\_03 Rev.5 Proposed Site Plan

BC\_00\_05 Rev. 5 Proposed Roof Plan

BC\_00\_06 Rev.7 Proposed South and East Elevations

BC\_00\_06 Rev.7 Proposed North and West Elevations

For the avoidance of doubt, the door to be installed at first floor level on the south elevation shall be of solid construction, without incorporating any glazing.

4

Notwithstanding the information on the submitted plans, details of the paint colour to be used for the painting of the cladding of the building shall be submitted and approved in writing by Local Planning Authority before the painting is carried out. Thereafter, the development shall be delivered in accordance with the approved details.

5

No external lighting shall be fixed to, or installed in order to illuminate the outbuilding, without measures being taken to prevent light spillage beyond the site boundary. All such external lighting shall be retained in a way that prevents light spillage beyond the site boundary.

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

That permission be granted subject to conditions.

**Date of Committee: Wednesday 6<sup>th</sup> December 2023**

**Application Number and Address:**

**DC/23/00757/FUL**

The Runhead  
Holburn Lane  
Ryton  
NE40 3HJ

**Applicant:**

Malhotra Group Plc

**Proposal:**

Extension of current temporary approval (ref. DC/22/00182/FUL) for 1 year for the retention of Tipi within the beer garden, 1no. timber clad container and associated decked area.

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

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

Councillor Chris Buckley spoke as a ward councillor against the application.  
Tom Gibson spoke as Agent in favour of the application.

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

-Drawing Number 100 Site Location Plan

-Drawing Number 102/P6 Proposed Site Plan

-Drawing Number 300/P5 Proposed Elevations

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 consent hereby granted shall be for a limited period only of 1 year from the date of the decision. 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.

3

The development hereby approved shall be managed in complete accordance with the submitted Noise Management Plan 'Document reference number: NMP01/8673.1F Revision: F', dated: 1 August 2022.

If at any time the Noise Management Plan 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 Noise Management Plan is possible.

4

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

5

The method of heating the tipi and container shall be restricted to the internal silent operation patio heaters only as detailed on the approved plan reference 'Drawing Number 102/P6 Proposed Site Plan', and fully maintained as such for the duration of the development.

6

The external lighting layout related to the use of the tipi and 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), shall be fully maintained in accordance with the layout as detailed on the approved plan 'Drawing Number 102/P6 Proposed Site Plan' for the duration of the development.

7

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.

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

That permission be granted subject to conditions.