

Committee Report

Application No:	DC/24/01084/FUL
Case Officer	David Morton
Date Application Valid	14 January 2025
Applicant	Mr Jim Gillon
Site:	Dunston Leisure Centre Dunston Bank Gateshead NE11 9PY
Ward:	Dunston Hill And Whickham East
Proposal:	Installation of a 300-panel solar photovoltaic (PV) array adjacent to the leisure centre building and car park. (Amended 11.03.2025)
Recommendation:	GRANT TEMPORARY PERMISSION
Application Type	Full Application

1.0 The Application:**1.1 DESCRIPTION OF THE SITE**

1.2 The application site is located within the grounds of Dunston Leisure Centre. The site consists of an area of open grassland located southwest of the main building and adjacent to the existing car park. The nearest residential properties are situated to the north of the site on Dunston Bank including those at North Eastern Court.

1.3 The site is not formally designated as recreational space. The site does not form part of a formal playing field, park, or designated public recreational area. However, the land is used informally. The Council's Open Space Assessment (2018) identifies the land as low to medium quality green space.

1.4 The site is within a designated Wildlife Corridor but does not fall within or adjacent to any statutory nature conservation sites.

1.5 DESCRIPTION OF THE APPLICATION

1.6 The application seeks full planning permission for the installation of a 300-panel ground-mounted solar photovoltaic (PV) array covering an area adjacent to the leisure centre. The panels would be arranged in a uniform layout, set at a low angle, and installed with associated electrical infrastructure, including inverters and cabling connecting to the leisure centre's energy system. The electricity generated will be used directly by the leisure centre, reducing its reliance on the national grid, with any excess electricity being supplied back to the National Grid.

1.7 The proposed panels would be enclosed by paladin fencing, at a height of 2.4 metres. No lighting is proposed as part of the development.

- 1.8 The development would be accessed for maintenance via the existing car park. As such, it does not require alterations to existing access arrangements, and no Public Rights of Way will be affected.
- 1.9 The application is supported by a Design and Access Statement, a Preliminary Ecological Appraisal, a BNG Assessment and a Coal Mining Risk Assessment.
- 1.10 PLANNING HISTORY
- 1.11 There is no planning history directly associated with the current planning application.

2.0 Consultation Responses:

Coal Authority	No objection.
Newcastle Airport	No objection.

3.0 Representations:

- 3.1 Neighbouring properties were notified by letter, and a site notice was erected. Two rounds of neighbour notification were carried out: the first, upon receipt of the application, resulted in five objections, while the second, following the submission of an updated site location plan and an amended BNG Assessment, resulted in a further 16 objections. In total, 21 objections were received, raising the following concerns:
- Residential Amenity
 - Overlooking from upper floors reducing privacy.
 - Overshadowing affecting daylight to adjacent properties.
 - Noise from additional residents and vehicles.
 - Highways & Parking
 - Insufficient on-site parking increasing on-street congestion.
 - Increased traffic raising safety concerns, particularly near schools.
 - Poor access for emergency services.
 - Design & Character
 - Height and scale out of character with surrounding buildings.
 - Overdevelopment creating a cramped appearance.
 - Materials and design not in keeping with the area.
 - Environmental Impact
 - Loss of trees and green space.
 - Negative effects on local wildlife.
 - Increased risk of surface water flooding.
 - Policy Compliance
 - Conflicts with local planning policies on density and design.
 - Fails to meet sustainability or energy efficiency requirements.
 - Impact on conservation area or heritage assets.
 - Loss of property value.
 - Disruption during construction (noise, dust, road closures).
 - Loss of private views.

- Impact on existing businesses.
- Health concerns related to noise, dust, or disruption.
- Effects on elderly or vulnerable residents.
- Personal financial implications.
- Disruption to established routines or lifestyles.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS18 Green Infrastructure/Natural Environment

MSGP15 Transport Aspects of Design of Dev

MSGP16 Safeguarded Land for Transport Imp

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP22 Aircraft Safety

MSGP24 Design Quality

MSGP28 Renewable and Low Carbon Energy

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP39 Protecting Open Space/Sport/Recreation

5.0 Assessment:

5.1 The main planning issues in this case are considered to be the principle of development and the impact on design, amenity, highways, land conditions, ecology, CIL as well as other any material planning considerations.

5.2 PRINCIPLE

5.3 Climate Change

5.4 The NPPF places strong emphasis on supporting renewable energy to tackle climate change. Policy CS16 of the Local Plan reinforces the importance of reducing carbon emissions and promoting sustainable energy. Policy MSGP28 supports the implementation of renewable energy projects where they do not cause unacceptable harm to local amenity or biodiversity.

5.5 The proposed solar array will generate renewable electricity to be used directly by the leisure centre, reducing its reliance on the national grid and contributing to local and national carbon reduction targets. Gateshead Council has declared a Climate Change Emergency, strengthening the case for approving low-carbon developments such as this.

5.6 Open Space

5.7 The site is not formally designated as recreational space. The site does not form part of a formal playing field, park, or designated public recreational area.

5.8 However, the land is used informally. Policy MSGP39 seeks to protect open spaces unless it can be demonstrated that their loss would not harm public accessibility or recreational value. The Council's Open Space Assessment (2018) identifies the land as low to medium quality green space. Furthermore, The Open Space Assessment confirms that Dunston and Whickham East ward is not deficient in open space. Given that the land is not formally allocated for recreational use and alternative green spaces are available in the vicinity, the loss of this area is not considered significant.

5.9 It is considered that the principle of the development is acceptable in accordance with the NPPF, and Policies CS16, MSGP28, and MSGP39, as it promotes renewable energy without resulting in an unacceptable loss of open space.

5.10 RESIDENTIAL AMENITY

5.11 Policy MSGP17 requires developments to safeguard residential amenity, with key considerations including visual intrusion, noise, glint and glare and construction disruption.

5.12 As part of a 2015–2016 review, the Council assessed the suitability of rooftops on public buildings for solar PV installation, including Dunston Leisure Centre. While solar panels were installed on 35 public buildings and schools, Dunston Leisure Centre's roof was deemed structurally unsuitable. The only viable alternative is the proposed application site, as the solar PV must be installed on or near the building to connect directly to the centre and offset its energy consumption. Remote installation is not feasible.

5.13 The nearest residential properties are located to the north of the site on lower land. In terms of the visual impact of the development it is considered this will not be significant.

- 5.14 The proposed solar photovoltaic (PV) array will be located adjacent to the leisure centre and car park. While it introduces a new built form, its scale, height, and positioning ensure no unacceptable impact on residential amenity.
- 5.15 The panels will be installed at a low height and set at a shallow angle (20–25 degrees), making them unobtrusive. Their placement next to existing built infrastructure ensures they integrate with the surroundings rather than appearing as an isolated or intrusive feature. These factors coupled with residents being on lower land levels means the visual impact of the development will be reduced.
- 5.16 Furthermore, no trees will be lost or affected, as confirmed by the Council's Arboricultural Officer, and all existing hedging around the site will remain in place, maintaining some natural screening from the surrounding area. In addition, the dark green colour of the panels will help them blend into the environment.
- 5.17 The development does not include additional lighting. Fencing is proposed however it is considered that both of these elements can be controlled via planning condition to ensure no unacceptable impact would occur. All plant equipment and similar will be subject to a separate planning approval and is likely to be located close to the existing leisure centre.
- 5.18 In terms of noise, the solar panels themselves do not generate any sound. However, the associated electrical infrastructure (the electrical inverters) has the potential to emit noise. The applicant has confirmed that four inverters are proposed, and these will be placed inside the plant room of the Leisure Centre building. The reason for this is to ensure acoustic attenuation and for the security of the inverters.
- 5.19 The Council's Environmental Health Officer, has advised placing the inverters inside the Leisure Centre, would mean the noise source is further away from residents. Furthermore, the building envelope of the plant room would reduce noise and alleviate noise concerns. Considering four converters are proposed and these will be housed internally, the Environmental Health Officer advises the possibility of the development causing adverse noise impact on residents is minimal. Nevertheless, a condition is recommended to ensure further details of the plant room are submitted including the plant room facade, the roof and noise reduction values to ensure any noise levels do not impact on the amenity of residents nearby.
- 5.20 In terms of glint and glare, the proposed solar photovoltaic (PV) array will feature modern panels with anti-reflective coatings and nanostructured surfaces that minimise glint and glare. These panels, which will be installed facing south and at an optimal angle, will be positioned away from nearby residential properties, further reducing any potential for glare. The anti-reflective coatings, consisting of thin layers of material, reduce contrast between the panel surface and the air, allowing more sunlight to be absorbed rather than reflected. The panels' low placement and natural screening from existing tree cover ensure that glint and glare effects on nearby homes will be

minimal; the Environmental Health Officer has reviewed the information submitted in support of the application and raises no objection.

- 5.21 Overall, the proposal has been designed to ensure that no significant adverse impacts on residential amenity will arise in terms of visual impact, noise and glint and glare.
- 5.22 Based on the above assessment, it is considered that the development is acceptable in terms of amenity and accords with the aims and objectives of the NPPF, Policies CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.23 VISUAL AMENITY
- 5.24 Policies CS15 and MSGP24 require developments to respect the character and appearance of their surroundings.
- 5.25 The site is currently open grassland, and while the panels will introduce a new feature into the landscape, they will be low in height and set against the backdrop of the leisure centre, minimising their visibility. The existing tree cover provides natural screening, which will be supplemented by additional planting.
- 5.26 The design of the scheme is functional and unobtrusive and is considered to comply with the aims and objectives of the NPPF and Policies CS15 and MSGP24 of the Local Plan, ensuring that visual impact is minimised through appropriate siting.
- 5.27 TRANSPORT
- 5.28 Policy MSGP15 requires developments to consider their impact on the local highway network.
- 5.29 Once operational, the solar array will require minimal vehicle movements, limited to occasional maintenance visits. The Transport Officer has confirmed that the proposal will not impact highway safety or capacity. Construction traffic will be temporary, and a Construction Management Plan (CMP) will be secured by condition to manage vehicle movements and prevent disruption.
- 5.30 Subject to these conditions, the development is considered to comply with the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.
- 5.31 LAND CONDITIONS
- 5.32 The site has not been identified as contaminated land. However, as with any groundworks, there is a possibility of encountering unexpected contamination. A condition will be applied requiring work to cease if any contamination is discovered, pending further investigation (Conditions 6 and 7).
- 5.33 The site is within a Coal Authority Development High Risk Area, but the Coal Authority has confirmed there are no significant coal mining risks. There are no recorded mine entries or subsidence risks affecting the development area.

5.34 Subject to the above conditions, the development is considered to comply with the requirements of Policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.35 ECOLOGY

5.36 The site is located within a designated Wildlife Corridor, and Policy MSGP37 (Biodiversity and Geodiversity) requires developments to protect and enhance biodiversity.

5.37 A Biodiversity Net Gain (BNG) Assessment has been submitted, confirming that the proposal will result in an 86.25% net gain in biodiversity, exceeding the mandatory 10% requirement; this will be secured by planning condition (Conditions 8 to 12).

5.38 Further conditions should include (Conditions 14 - 19):

- A Construction Environmental Management Plan (CEMP);
- A Lighting Design Strategy; and
- Hedgehog-friendly fencing.

5.39 Subject to the above conditions, it is considered that the development complies with the aims and objectives of the NPPF and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

5.40 COMMUNITY INFRASTRUCTURE LEVY

5.41 On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not chargeable development.

5.42 OTHER MATTERS

5.43 This section addresses any additional objections raised that have not been covered in previous sections;

- Long-Term Maintenance - The site will be actively maintained, and the temporary 25-year permission ensures its use is not permanent.
- Tree Loss and Screening - The Council's Arboricultural Officer has confirmed that no trees will be lost or impacted.
- Pre-application Consultation - The application has been subject to consultation in accordance with national and local requirements. While some objectors noted a lack of consultation prior to submission, this is not a material planning consideration.
- Heritage - Although the site was historically part of Dunston Hill Park, any heritage value was lost due to previous development, including the construction of the leisure centre.
- Non-Material Planning Considerations - Objections relating to property values, loss of private views, impact on existing businesses, and personal circumstances (health concerns, effects on a particular resident group, financial implications, disruption to routines) are noted but are not material planning considerations and cannot be afforded weight.

5.44 It is considered that all other material planning considerations raised have been addressed within the main body of the report.

6.0 Conclusion

6.1 The proposed development aligns with national and local policies supporting renewable energy while minimising impacts. The proposal does not cause unacceptable harm to residential amenity, visual character, ecology, transport, or land conditions.

6.2 It is recommended that planning permission be granted, subject to conditions.

7.0 Recommendation:

7.1 That temporary 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 plans as detailed below –

100:02 - Site Location Plan
C3742 Rev A - Photovoltaic System Schematic
10295-ARP-PV-GF-PL-V - Mounting System Site Elevation
10295-ARP-PV-GF-PL-V - Mounting System Front Elevation
10295-ARP-PV-GF-PL-V - Mounting System Back Elevation
Proposed Panel Information, Deep Blue 4.0
Proposed Inverter Information, Solar Edge
Project Overview Document, AR Power

Coal Mining Risk Assessment, The Coal Authority, December 2024 (71009810622001)

Design and Access Statement, Gradon Architecture, March 2025 (Rev D)

BNG Metric, OS Ecology, November 2024

BNG Net Gain Assessment, OS Ecology, March 2025 (24371 BNG v2)

Preliminary Ecology Appraisal, Equans, October 2024 (24371 PEA v1)

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.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Within three months of the expiry of this permission or the cessation of the development for which permission is hereby granted, whichever is the sooner, the site shall be cleared of all hardstanding, any structures and materials connected with the development and the land returned to its former condition, or such alternative scheme as may be submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the amenities of the area to accord with the National Planning Policy Framework and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan for Gateshead.

4

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

The DMP 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.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction phases of the development in accordance with the NPPF and policies CS14 and MSGP17 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 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.

5

The development shall be implemented in accordance with the Demolition and Construction Management Plan measures approved at condition 4.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction phases of the development in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

6

During development works, any undesirable material observed during excavation of the existing ground should be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations should cease until the exposed material has been chemically tested. A risk assessment of the development should then be undertaken, to determine whether remedial works are necessary. The risk assessment (including a remediation strategy and timescale for implementation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the NPPF and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

7

Any remediation works deemed to necessary by the LPA following testing (as part of Condition 6) shall be carried out in accordance with the timescales approved under Condition 6.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the NPPF and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

8

Development shall not be begun unless: a Biodiversity Gain Plan has been submitted to the planning authority; and the planning authority has approved the plan. The biodiversity gain plan must include: information

about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

- the pre-development biodiversity value of the onsite habitat;
- the post-development biodiversity value of the onsite habitat;
- any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- any biodiversity credits purchased for the development; and
- any such other matters as the Secretary of State may by regulations specify.

Reason

To enhance biodiversity in accordance with the National Planning Policy Framework.

Reason for pre commencement

To ensure the statutorily required Biodiversity Net Gain is achieved and in accordance with paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

9

The development shall take place in strict accordance with the Biodiversity Net Gain Plan to be approved under condition 8.

Reason

The enhance biodiversity in accordance with the National Planning Policy Framework.

10

The Biodiversity Gain Plan (pursuant to condition 8) shall be prepared in accordance with the BNG Assessment Report (Document Ref: 24371 BNG v2) prepared by OS Ecology and approved as part of this application.

Reason

To enhance biodiversity in accordance with the National Planning Policy Framework.

11

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan required under condition 7 and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- full details of the planned habitat creation and enhancement works to create or improve habitat to

achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

- a timescale for the implementation and completion of the planned habitat creation and enhancement works;
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the 'completion of habitat creation and enhancement works'; and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

Reason

To enhance biodiversity in accordance with the National Planning Policy Framework.

12

The habitat creation and enhancement works as set out in the approved Habitat Management and Monitoring Plan (HMMP) shall be completed in full accordance with the timescales set out in the HMMP; and within one calendar month of completion of the works, a completion report, evidencing the completed habitat creation and/or enhancements, shall be submitted for approval by the Local Planning Authority.

Reason

To enhance biodiversity in accordance with the National Planning Policy Framework.

13

The created and/or enhanced habitat specified in the approved Habitat Management and Monitoring Plan (HMMP) shall be managed and monitored in accordance with the approved HMMP.

Reason

To enhance biodiversity in accordance with the National Planning Policy Framework.

14

No development shall take place until a construction environmental management plan (CEMP: Biodiversity) (prepared in consultation with a Suitably Qualified Ecologist (SQE)) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;

- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones" e.g. tree protection zones in accordance with BS5837-2012 'Trees in relation to construction';
- 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 hedgehog during construction.

- The location and timing of sensitive works to avoid harm to biodiversity features
- Any times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs where appropriate.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority species during the site clearance and construction phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

Reason For Pre Commencement Condition

This pre commencement condition is required as all development works need to be undertaken with an approved CEMP.

15

All site clearance and construction works shall take places in strict accordance with the CEMP approved under Condition 14, unless otherwise approved in writing by the LPA.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority species during the site clearance and construction phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

16

Prior to the development commencing, further details of the plant room (where the electrical inverters are to be housed) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include elements of the plant room facade and roof; density of the wall in kg/m³, and sound reduction values to demonstrate acceptable noise levels.

Reason:

To avoid nuisance to nearby residents, in accordance with the NPPF and Policy MSGP17 of the Local Plan for Gateshead.

17.

No external lighting shall be installed until an external lighting strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- Identify those areas/features on site or adjacent to site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Reason

To avoid adverse impacts on sensitive ecological receptors including protected and priority species in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

18

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy at condition 16.

Reason

To avoid adverse impacts on sensitive ecological receptors including protected and priority species in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

19

Prior to the installation of any boundary treatments an updated boundary treatment plan, allowing hedgehog access, and including a timescale for implementation, has been submitted to and approved in writing by the Local Planning Authority.

Reason

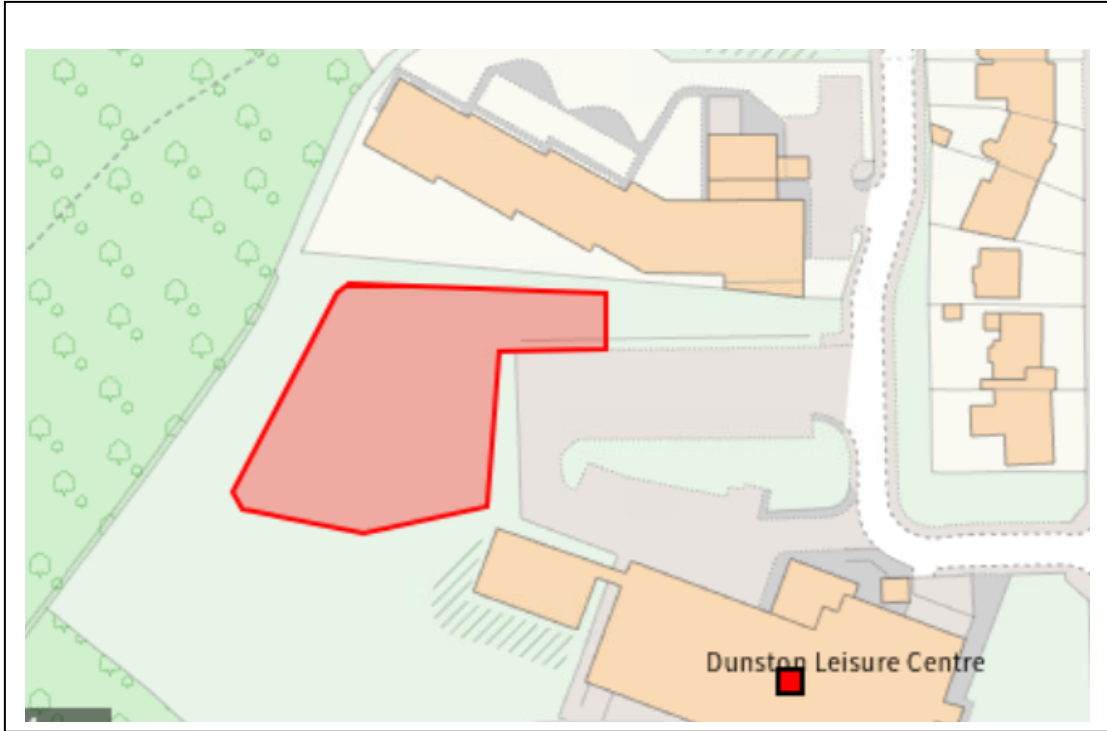
In the interests of protected mammal species and residential amenity in accordance with the NPPF, and policies CS14, CS18, MSGP17, MSGP31 and MSGP37 of the Local Plan for Gateshead.

20

All boundary treatment shall be installed in full accordance with the detailed approved under Condition 18.

Reason

In the interests of protected mammal species and residential amenity in accordance with the NPPF, and policies CS14, CS18, MSGP17, MSGP31 and MSGP37 of the Local Plan for Gateshead.



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