

**GATESHEAD METROPOLITAN BOROUGH COUNCIL**  
**PLANNING AND DEVELOPMENT COMMITTEE MEETING**

**Wednesday, 2 October 2024**

**PRESENT:** Councillor H Kelly

Councillor(s): J Turner, V Anderson, D Burnett, P Burns, L Caffrey, S Dickie, P Elliott, A Geddes, T Graham, K McCartney, J Mohammed, L Moir, C Ord, I Patterson, S Potts, K Walker, D Welsh, K Wood and D Weatherley

**APOLOGIES:** Councillor(s): E McMaster

**PD27 MINUTES**

The minutes of the meeting held on 4 September 2024 were approved as a correct record and signed by the Chair.

**PD28 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**PD29 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.

**PD30 NO.1 - LAND BETWEEN QUEEN VICTORIA STREET ALLOTMENTS AND WYNN GARDENS**

**Application:** DC/24/00670/FUL

**Address:** Land between Queen Victoria Street Allotments and Wynn Gardens

**Applicant:** Mrs Louise Wilson

**Proposal:** Variation of conditions 1, 7, 15, 16, 20, 21, 29 and 30 of application reference DC/23/01045/FUL (Proposed erection of 20 self-contained, one - bedroom apartments (Use Class C3) to provide supported housing, including dedicated space for support work, external landscaping and associated works (amended/additional information received 12/01/23, 16/01/24, 18/01/24, 19/01/24, 25/01/24,02/02/24,

06/02/24, 08/02/24 and 15/02/24). Amendments required to address existing slope instability issues identified during detailed site investigation works and include for revised landscape proposals, boundary treatments and associated ecology, arboricultural, drainage, construction, and management plans.

**Speakers and details of any additional information submitted:**

An update report was provided to the Committee on the 1<sup>st</sup> October 2024.

Cllr A Wintcher spoke as a Ward Councillor against the application.

Ian Vaughan spoke against the application.

Neil Harbron spoke against the application.

Louise Wilson spoke in favour of the application.

Ian Prescott spoke in favour of the application.

**RESOLVED:**

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 -

Location Plan - (2-)001 P04  
Existing Site - (2-)002 P03  
Proposed Site - (2-)003 P11  
Ownership Plan - (2)004 P02  
Proposed Boundary Treatment - (2)005 P03  
Proposed GF - (2-)010 P05  
Proposed FF - (2-)011 P05  
Proposed Roof - (2-)012 P04  
Planting Plan - VEC474.02v5  
NDSS Layout: Type 1 - (2-)013 P02  
NDSS Layout: Type 1A - (2-)014 P02  
NDSS Layout: Type 2 - (2-)015 P02  
NDSS Layout: Type 3 - (2-)016 P02  
Proposed Elevations - (2-)020 P06  
Proposed Elevations - (2-)021 P04  
Proposed Site Section - (2-)030 P05  
Proposed Site Section B - (2-)031 P03  
Proposed Site Section C - (2-)032 P03

Design and Access Statement - Nov 2023  
Arboricultural Impact Assessment and Method Statement for Trees on Land Adjacent to Portland Street, Pelaw - All About Trees

AIA and AMS - Existing Site Plan  
 AIA and AMS - Tree Protection Plan  
 Transport Statement  
 NDSS and Part M Statement  
 Affordable Housing Statement  
 Planning Statement  
 S170919 Phase 1 Desk Study Queen Victoria Street, Gateshead  
 Queen Victoria St SI Report amended may 2018  
 Ph II Geo-Environmental Site Assessment - 23-1806-r01/RevB  
 23-1806-lr1 Portland St Cover System Addendum Statement – 15 August  
 2024  
 SK05- Soil Depth Areas  
 Gas Verification Strategy - 23-1806-REM  
 Planting Plan - VEC474.02 V5  
 24221 EA v1 Ecological Appraisal  
 24221 BNG v5.pdf Biodiversity Net Gain Assessment  
 24221 BNG v5.xlsm Biodiversity Net Gain Metric  
 24221 HMMP v5  
 Tyne Housing Statement - Construction Management Plan - July2024  
 Daylight and Sunlight Report - February 2024  
 Flood Risk Assessment & Drainage Strategy, Portland Consulting, ref  
 2023056, Rev D, July 2024  
 Impermeable Areas, 000-01-C  
 SuDs Details, 000-02-D  
 Construction Phase Drainage Plan, 000-03-E  
 External Levels, 003-C  
 Drainage Layout, 010-F  
 Field Drain Calculations 28.05.24  
 SW Calcs - 28.05.24 (Micro Drainage)  
 Road Coring Works - Land at Portland Street, Pelaw, Portland Consulting,  
 Ref: 23-1806-LR1, 15 February 2024.

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 proposed tenure of the dwellinghouses here by approved shall be limited to adults with a long history of rough sleeping and/or with complex needs to help them recover from rough sleeping and its underlying causes.
3. 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 where requested 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.
4. The development hereby approved shall be undertaken in accordance with the materials schedule approved at Condition 3.

5. The development hereby approved shall be managed in full accordance with Appendix A (Management & support statement for proposed project) of the approved Planning Statement (Sadler Brown, November 2023) for the lifetime of the development.
6. The development hereby approved shall be undertaken in full accordance with the Tyne Housing Statement - Construction Management Plan - July 2024, other than the Surface Water Management Plan.

Further, 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, unless otherwise approved in writing by the Local Planning Authority.

7. No later than one month after practicable completion of the development hereby approved, a road condition assessment and a schedule of repair works, including a timetable for implementation for the unadopted portion of the Portland Street access road shall be submitted to and approved in writing by the Local Highway Authority.
8. Any works approved to the unadopted portion of the Portland Street access road under Condition 8 shall be undertaken in full accordance with the approved details and timescale for implementation.
9. Notwithstanding the approved plans, prior to the first occupation of any unit hereby approved a servicing plan shall be submitted to and approved in writing by the Local Planning Authority. This shall clearly set out but not be limited to:
  - Routing within the site
  - Maximum size of vehicle
  - Number and location of private and public bins
  - Frequency of litter collections
10. The development shall be serviced in full accordance with the servicing plan approved under Condition 9 for the lifetime of the development.
11. Notwithstanding the submitted details, prior to the first occupation of any unit hereby approved final details of cycle storage include details of the locking mechanism, anchor point and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.
12. The cycle storage provision shall be installed in accordance with the details and timetable for implementation approved under Condition 11.
13. Prior to the first occupation of any unit hereby approved the pedestrian access linking the site to the existing adopted highway on Portland Street (show on approved plan Proposed Site - (2-)003 P11) shall be completed in

full. Unless otherwise approved in writing by the Local Planning Authority.

Thereafter the footpath shall remain open to pedestrians at all times. No barriers or other physical impediments to the use of this road by pedestrians shall be put in place without the prior written consent of the Local Planning Authority.

14. Prior to the first occupation of any unit hereby approved a Drainage Verification Report (DVR) for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Drainage Strategy, (Flood Risk Assessment & Drainage Strategy, Portland Consulting, ref 2023056, Rev D), July 2024) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
  - a) Demonstration that any departure from the agreed design is in keeping with the approved principles and that the modelled volumetric capacity has been achieved.
  - b) Evidence that the pervious road surfacing provides sufficient infiltration capacity as demonstrated via in-situ testing with results compared to inflow rates derived from the contributing catchment area and allowing loss in permeability over the lifetime of the development in accordance with best practice guidance.
  - c) Topographical survey evidence that finished ground levels across the proposed fruit tree area in proximity to the proposed rain gardens to mitigate the risk of flooding to adjacent apartments have been achieved.
  - d) Copies of any relevant approvals, such as for Sewer Adoption, Sewer Connection, etc.
  - e) Confirmation that the system is free from defects, damage and foreign objects.
15. Prior to first occupation of any unit hereby approved a Drainage Maintenance Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP should include a site plan identifying ownership and responsibility for all drainage components together with a maintenance schedule and inspection checklist. The DMP should identify any drainage components that may require replacement within the lifetime of development and a strategy for their renewal.
16. The approved drainage scheme shall be maintained in full accordance with the DMP approved as part of condition 15.
17. The soft landscaping and areas of habitat creation/enhancement listed in the onsite habitat creation/enhancement sections of the submitted biodiversity net gain assessment shall be completed in full accordance with the approved landscaping plans (Planting Plan - VEC474.02v5) prior to the first occupation of any unit hereby approved.
18. Prior to the first occupation of any unit hereby approved, a detailed Ecological and Landscape Management, Maintenance and Monitoring Plan, which includes arrangements to address any defects/issues adversely impacting the

biodiversity value and function of the soft landscaping and/or habitats provided on/off site, shall be submitted to and approved in writing by the Local Planning Authority.

19. The Ecological and Landscape Management, Maintenance and Monitoring Plan, approved under Conditions 18, shall be implemented in full for the lifetime of the development.
20. No external lighting shall be provided until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity, including bats; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly be demonstrated that areas to be lit will not prevent bats and other wildlife using their territory or having access to their resting places
21. The external lighting strategy approved under condition 20 shall be implemented and retained in accordance with the approved details and timetable for implementation.
22. Prior to the first occupation of any unit hereby permitted full details including the number, specification and precise location (including an elevational detail) of integrated bird and bat boxes to be installed on site (including a timescale of installation), shall be submitted to and approved in writing by the Local Planning Authority.
23. The bat and bird box details approved at Condition 22 shall be implemented in full prior in accordance with the approved timescale.
24. Prior to the first occupation of any unit hereby permitted 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.
25. All boundary treatment shall be installed in full accordance with the detailed approved under Condition 24.
26. The approved AIA and AMS - Tree Protection Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the full duration of the construction works on that phase of the development 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.
27. The development hereby approved shall take place in full accordance with the approved contaminated land mitigation scheme detailed below;

- S170919 Phase 1 Desk Study Queen Victoria Street, Gateshead
- Queen Victoria St SI Report amended may 2018
- Ph II Geo-Environmental Site Assessment - 23-1806-r01/RevB
- 23-1806-lr1 Portland St Cover System Addendum Statement – 15 August 2024
- SK05- Soil Depth Areas
- Gas Verification Strategy - 23-1806-REM

Further, the Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works and the gas

28. Following completion of the remediation measures approved under condition 27 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of any unit hereby approved hereby approved.

29. 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.

30. Prior to the commencement of development hereby approved a detailed Drainage Construction Method Statement for the development shall be submitted to and approved by the Local Planning Authority in consultation with the LLFA.

31. The development shall be undertaken in full accordance with the Drainage Construction Method Statement approved as part of Condition 30.

**PD30a No.2 - Land off Eastern Avenue Gateshead**

**Application:** DC/24/00200/FUL

**Address:** Land off Eastern Avenue Gateshead, Low Fell

**Applicant:** AWH Homes Ltd

**Proposal:** Erection of 13 dwellings with associated infrastructure, landscaping and

parking

**Speakers:**

An update report was provided to the Committee on the 1<sup>st</sup> October 2024.

Freya Horsefield spoke against the application.

Stephen Litherland spoke in favour of the application.

**RESOLVED:**

That permission be REFUSED for the following reason(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the refusal reasons as necessary:

1. The proposed development, by virtue of the lack of on-site public open space provision and children's play facilities is contrary to the objectives of Policy MSGP40 of the Local Plan for Gateshead.
2. The proposed development, by virtue of overdevelopment of a constrained site, lack of private amenity space provision proportionate to the scale of dwellings proposed, absence of quality green infrastructure and open space provision, dense development form and poor reference to its immediate historic setting at the edge of a protected area represents poor design contrary to the objectives of the National Planning Policy Framework, S.72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act, and policies CS15, MSGP17, MSGP24, MSGP25, MSGP36 and MSGP40 of the Local Plan for Gateshead.
3. The proposed development, by virtue of its layout, and overdevelopment of the site, fails to demonstrate how the biodiversity mitigation hierarchy, as required by paragraph 186 (a) of the National Planning Policy Framework, has been considered and implemented in the design of the development.

The submitted Preliminary Ecological Appraisal (PEA) fails to provide an accurate representation of habits present on site immediately prior to habitat degradation activities were undertaken. In addition, the PEA fails to assess the impacts of the development proposals on the ecological connectivity and functionality of the designated Wildlife Corridor, within which the site is located. Consequently, the submitted Biodiversity Impact Assessment (which relies on the baseline survey information from the submitted PEA) does not include an accurate assessment of the baseline habitat types and conditions, nor does it allocate the appropriate 'Strategic Significance' score to the habitat parcels. As a result, it has not been possible for the Local Planning Authority to be satisfied that the development would comply with the National Planning Policy Framework, ODPM Circular 06/2005: Biodiversity and Geological Conservation, and policies CS18 and MSGP37 of the Local Plan for Gateshead.



4. Insufficient information has been provided to demonstrate the impact of noise and vibration from the existing railway line on the living conditions of occupiers of the proposed development or existing residential occupiers. Without the details of appropriate mitigation measures, it is not possible to establish whether the development can comply with the aims and requirements of the National Planning Policy Framework and policies CS14, MSGP17 and MSGP18 of the Local Plan for Gateshead.
5. Insufficient information has been submitted to demonstrate that the proposed development can be satisfactorily accommodated without being affected by flood risk or increasing flood risk elsewhere and without resulting in any water quality issues, contrary to Part 14 of the National Planning Policy Framework and policies CS16, CS17, CS18, MSGP29 and MSGP30 of the Local Plan for Gateshead.

**PD30b No.3 - Ouston Farms Ltd, Whickham, NE11 0HQ**

**Application:** DC/23/01100/FUL

**Address:** Ouston Farms Ltd, Trench Hall Farm, NE11 0HQ

**Applicant:** Mr Tina Gough

**Proposal:** Construction of two dwellings beneath partially retained Dutch Barns, including the conversion of a pigpen/slaughterhouse into living accommodation for one of the dwellings and the creation of private gardens and parking areas (amended description 09.08.2024 and amended plans received 01.08.2024).

**Speakers and details of any additional information submitted:**

A verbal update was provided to the Committee that an additional four letters of support has been received.

Councillor Wallace spoke in favour of the application.

Clare Grundy spoke in favour of the application.

**RESOLVED:**

That permission be REFUSED for the following reason(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the refusal reasons as necessary

1. The site is included within a Conservation Area that is designated as being Heritage at Risk. The site is also within a non-designated locally listed Park and Garden of special interest. The introduction of housing in this distinctively and long-established farming section of the estate is alien and harmful to the character and appearance of the area. Furthermore, the proposal would see the introduction of dwellings in the open barn structures that would be alien to and cause less than substantial harm to the significance of the heritage assets. No public benefit has been put forward to

outweigh this harm and therefore the proposal is considered to be contrary to local planning policies MSGP24, MSGP25 and MSGP26 and the National Planning Policy Framework on design and heritage impact grounds.

2. Insufficient information, in the form of noise and odour impact assessment, has been provided. Without such assessments it cannot be demonstrated that the proposal for new dwellings within a working farm would not cause an adverse impact on the residential amenity of the intended occupants. The proposal therefore fails to accord with residential amenity and noise policies MSGP17 and MSGP18 of the Local Plan and the NPPF.
3. The proposed development, which would be in close proximity to a working farm, has the potential for conflict between residential and agricultural traffic with safe access for all users not being demonstrated. The site is accessed by a poor access road that does not accommodate two-way traffic and there are no footways from the adopted highway to the site and no street lighting. Furthermore, the site would be located well away from any public transport links meaning there is no sustainable travel opportunities. The proposal is therefore unacceptable on transport and highway safety grounds due to a failure to comply with policy MSGP15 of the Local Plan and the National Planning Policy Framework.

**PD30c No.4 - 9 Riverside Way, Rowlands Gill, NE39 1EJ**

**Application:** DC/24/00466/COU

**Address:** 9 Riverside Way, Rowlands Gill, NE39 1EJ

**Applicant:** Joanne Burke

**Proposal:** Change of use of residential dwelling (use class C3) to children's home (use class C2).

**Speakers and details of any additional information submitted:**

An update report was provided to the Committee on the 1<sup>st</sup> October 2024.

David Collins spoke against the application.

Alexander Frankline spoke in favour of the application.

Dhiraj Rijhwani spoke in favour of the application.

RESOLVED

That Planning Permission is GRANTED subject to the following conditions:

1. The development shall be carried out in complete accordance with the approved plans and documents as detailed below:

Existing and Proposed Site Plan revision B  
Proposed Ground Floor Plan and Proposed Elevations

Amended Management Plan (received 12.09.2024)  
Location Plan  
Home and Surrounding area risk assessment  
Application form

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 three years from the date of this permission.
3. The children's care home hereby approved shall operate in full accordance with the details set out in the Site Specific Management Plan (received 12<sup>th</sup> September 2024). This includes details of staff/visitor numbers, shift patterns and visiting hours.

Any change to the management plan will require a revised plan to be submitted to and approved in writing by the Local Planning Authority.

4. The property shall be used solely as a children's home under Use Class C2 (residential institutions) of the Use Classes Order 1987 (as amended) with a maximum occupancy of no more than one child at any one time.
5. Prior to the first occupation of the use hereby permitted, final details of electric vehicle charging point(s) at the site shall be submitted for the consideration and written approval of the Local Planning Authority.
6. The electric vehicle charging point(s) approved under condition 6 shall be implemented wholly in accordance with the approved details prior to the first occupation of the hereby approved use of the property as a Children's Home. The electric vehicle charging point(s) shall be maintained and retained thereafter for the lifetime of the development.
7. Prior to the first occupation of the use hereby permitted, final details of secure and weatherproof cycle storage at the site shall be submitted for the consideration and written approval of the Local Planning Authority.
8. The cycle storage approved condition 8 shall be implemented wholly in accordance with the approved details prior to the first occupation of the hereby approved use of the property as a Children's Home. The cycle storage shall be maintained and retained thereafter for the lifetime of the development.

**PD30d No.5 - Woodside Lodge, Woodside Lane, Ryton, NE40 4SX**

**Application:** DC/24/00466/COU

**Address:** 9 Riverside Way, Rowlands Gill, NE39 1EJ

**Applicant:** Joanne Burke

**Proposal:** Change of use of residential dwelling (use class C3) to children's home (use class C2).

**Speakers and details of any additional information submitted:**

There were no speakers.

**RESOLVED:**

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 plans as detailed below –  
NB24\_06/01A Site Location Plan  
NB24\_06/02C Proposed Site Plan  
NB24\_06/04 Proposed Ground Floor Plan/ Elevations  
24-078/TK04 Site Access Swept Path Analysis

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 property shall be used solely as a children's home under Use Class C2 (residential institutions) of the Use Classes Order 1987 (as amended) with a maximum occupancy of no more than one child at any one time.
4. The children's care home hereby approved shall operate in full accordance with the details set out in the Site Specific Management Plan (received 13<sup>th</sup> September 2024). This includes details of staff/visitor numbers, shift patterns and visiting hours.

Any change to the management plan will require a revised plan to be submitted to and approved in writing by the Local Planning Authority.

5. Prior to the first use of the premises, secure and weatherproof cycle storage with the capacity to store two bicycles, shall be provided on site and thereafter permanently retained.
6. The electric vehicle charging point shown on plan number NB24\_06/02C (Proposed Site Plan) shall be installed prior to the first use of the premises. The electric vehicle charging point shall be maintained and retained thereafter for the lifetime of the development.

**PD31 ENFORCEMENT TEAM ACTIVITY**

The Committee received a report advising them of the Enforcement activity between 21<sup>st</sup> August 2024 and 23<sup>rd</sup> September 2024.

The Enforcement Team has received 224 new service requests, 649 cases under investigation. 220 resolved cases and 3 pending prosecution.

There was no court case during this period.

RESOLVED:

- i. That the information be noted.

**PD32 ENFORCEMENT ACTION**

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

RESOLVED:

- i. That the information be noted.

**PD33 PLANNING ENFORCEMENT APPEALS**

The Committee received a report advising them on new appeals against enforcement action received and to report the decisions of the planning inspectorate received during the report period.

There have been no new appeal received since an update was provided to the Committee.

There has been one new appeal decision since the last Committee.

RESOLVED:

- i. That the information be noted.

**PD34 PLANNING APPEALS**

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

There has been two new appeals received since the last Committee.

There has been no new appeal decisions since the last Committee.

There have been no new cost decisions received since the last Committee.

RESOLVED:

- i. That the information be noted.

**PD35 PLANNING OBLIGATIONS**

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

There has been one new planning obligations since the last Committee.

RESOLVED:

- i. That the information be noted.

**Chair.....**