

---

**TOWN AND COUNTRY PLANNING ACT 1990**

**GRANT OF PLANNING PERMISSION**

**TO:** Tyne Rowing Club  
c/o Fao Ian Stratford  
Water Row  
Newburn  
Newcastle upon Tyne  
NE15 8NL

**PARTICULARS OF APPLICATION**

**RECEIVED:** 26 September 2013

**REFERENCE:** 2013/1466/01/DET

**PROPOSAL:** Erection of new clubhouse with boat storage, changing room facilities, training areas, bar, kitchen and conference/function room following demolition of existing clubhouse/boat storage building.

**LOCATION:** Tyne Rowing Club, The Boat House, Water Row, Newburn, Newcastle upon Tyne, NE15 8NL

**APPLICANT:** Tyne Rowing Club

**PARTICULARS OF DECISION**

**Date of Decision:** 11 December 2013

**Planning permission granted** for development in accordance with the information contained in the application **subject to the following conditions:**

- 1 The development to which this permission relates shall begin not later than the expiration of three years beginning with the date of this decision.  
Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development to which this permission relates shall be carried out in accordance with the approved plans:  
  
2682 050-01-REV02: LOCATION PLAN;  
2682 020-01-REV01: EXISTING SITE LEVEL PLAN;  
2682 200-01-REV02: PROPOSED SITE PLAN;

**GRDETZ**

All correspondence to:  
Development Management  
Civic Centre  
Newcastle upon Tyne  
NE1 8PD

2013/1466/01/DET



**HEAD OF DEVELOPMENT MANAGEMENT**

2682 200-03-REV01: SITE PLAN - EXISTING AND PROPOSED BUILDING  
FOOTPRINT COMPARISON;  
2682 200-02-REV01: PROPOSED SITE LEVEL PLAN;  
2682 300-01-REV01: PROPOSED GROUND FLOOR GA PLAN;  
2682 300-02-REV01: PROPOSED FIRST FLOOR GA PLAN;  
2682 360-01-REV01: PROPOSED GA ELEVATIONS - BUILDING IN USE  
2682 360-02-REV01: PROPOSED GA ELEVATIONS - BUILDING NOT IN USE  
2682 360-03-REV01: PROPOSED GA ELEVATIONS - BUILDING PARTIAL USE  
2682 370-01-REV01: PROPOSED GA SECTION;  
2682 170-02-REV01: PERSPECTIVE IMAGES.

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and saved Policy EN1.1 of the Unitary Development Plan.

- 3 Development shall not commence until samples of the materials to be used in the construction of the external surfaces above ground level of the rowing clubhouse; have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and H2 of the Unitary Development Plan.

- 4 Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. wheel washing facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. measures to control vibration;
- vii. measures to control the emission of dust and dirt;
- viii. a scheme for the recycling and disposing of waste as a result of construction works;
- ix. hours of operation;
- x. the erection and maintenance of security hoardings, including decorative displays and facilities for public viewing; and
- xi. communication plan for liaising with the public.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies H2, POL7 and T7.1 of the Unitary Development Plan.

- 5 Development shall not commence until a scheme for reducing the use of low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall remain operational thereafter.

Reason: To ensure that the development includes the use of renewable energy to reduce the consumption of resources, in accordance with the National Planning Policy Framework and saved Policies SD1, SD1.1 and SD1.4 of the Unitary Development Plan.

- 6 Development shall not commence until an Investigation and Risk Assessment to assess the nature and extent of any contamination on the site (whether or not it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The details of the Investigation and Risk Assessment shall include measures to provide for:
- i a survey of the extent, scale and nature of contamination based on the Desk Top Study and conceptual site model;
  - ii an assessment of the potential risks to:
    - \* human health;
    - \* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
    - \* adjoining land;
    - \* ground waters and surface waters;
    - \* ecological systems;
    - \* archaeological sites and ancient monuments; and
  - iii an appraisal of remedial options, and proposal of the preferred option(s).

The Investigation and Risk Assessment shall be implemented as approved and must be conducted in accordance with DEFRA and the Environment Agency's (Model Procedures for the Management of Land Contamination CLR11).

Reason: 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 the National Planning Policy Framework and saved Policy POL6 of the Unitary Development Plan.

- 7 Development shall not commence until a detailed Remediation Scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The Remediation Scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation Scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme.

Reason: 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 the National Planning Policy Framework and saved Policy POL6 of the Unitary Development Plan.

- 8 No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site

can be preserved wherever possible and recorded, and , if necessary, emergency salvage undertaken in accordance with saved Unitary Development Plan Policies C4.2, C4.3, C4.4.

- 9 The development shall not commence until such time as a scheme for the suitable discharge of surface/storm water from the development has been submitted to and approved by the Local Planning Authority. The approved surface/storm water drainage scheme shall be implemented in accordance with the approved details before the development is brought into use and thereafter maintained in accordance with the approved details.  
Reason: In the interests of ensuring that the development does not contribute to flooding by ensuring for the satisfactory storage of and disposal of surface/storm water from the site in accordance with the National Planning Policy Framework and saved policy SD1 of the Unitary Development Plan.
- 10 Development shall not commence until a scheme of bat mitigation measures, including a programme for implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved bat mitigation measures shall be implemented in accordance with the agreed programme and thereafter retained in accordance with the approved scheme.  
Reason: In order to avoid undue disturbance to a protected wildlife species and its habitat in accordance with its protected status under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats, & c) Regulations 1994, Countryside Rights of Way Act 2000 and in accordance with the National Planning Policy Framework and saved Policy NC1.7 of the Unitary Development Plan.
- 11 Development shall not commence until details of fencing to protect established landscape features to be retained on the site have been submitted to and approved in writing by the Local Planning Authority and erected on site in accordance with the approved details. The fencing and other measures shall be retained intact for the duration of construction works and there shall be no access, storage, ground disturbance or contamination within the established landscape protection areas. Where access is required into the established landscape protection areas this shall be in accordance with a method statement provided as part of the approved details.  
Reason: To ensure the protection of existing landscape features, in line with advice contained in the current version of British Standard 5837 "Trees in relation to construction", in the interests of visual amenity in accordance with the National Planning Policy Framework and saved Policies NC1.7, EN3 and EN3.2 of the Unitary Development Plan.
- 12 No development shall take place outside the hours of 08:00 and 18:00 on Mondays to Fridays and 08:00 and 13:00 on Saturdays. No development shall take place on Sundays, Bank or Public Holidays.  
Reason: To prevent nuisance from noise in the interests of residential amenity, in accordance with the National Planning Policy Framework and saved Policy H2 of the Unitary Development Plan.
- 13 The Development shall not be occupied until details of soft landscape works to enhance the perimeter of the existing car park area have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include existing trees, shrubs and other landscape features (indicating which are to be retained and which removed). The approved landscape works shall be completed no later than the end of the first planting season following first occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. The approved landscape works shall be maintained in accordance with the current version of British Standard 4428 for a period of five years commencing on the date of Practical Completion and during this period any trees

or plants which die or become diseased shall be replaced in the first available planting season with others of similar size and species and any grass that fails to establish shall be re-established.

Reason: In the interests of the visual amenity of the locality, in accordance with the National Planning Policy Framework and saved Policies NC1.7, EN1.1, EN3 and EN3.2 of the Unitary Development Plan.

- 14 The development shall not be brought into use until full details of the proposed pedestrian access ramp and new steps linking the bankside area up to the car park have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the pedestrian access ramp and steps shall be retained in accordance with the approved details.

Reason: In the interests of pedestrian and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, T4.5 and T7.1 of the Unitary Development Plan.

- 15 The development shall not be brought into use until details of the car parking arrangements to separate the car parking bays within the reduced existing car parking area in accordance with the submitted plans have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and saved Policies T4.5 and T7.1 of the Unitary Development Plan.

- 16 Twelve months after first occupation of the development details of a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

i. details of and results from an initial membership travel to club survey and a survey of travel by competing clubs to major rowing event(s) held at the club facility and a survey of general activities not associated with rowing who use the facility;

ii. clearly specify ongoing targets for membership and competing club travel mode shares;

iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and

iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and saved Policies T6 and SD1 of the Unitary Development Plan.

- 17 The development shall not be brought into use until details of the external lighting of the building and external car parking area have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and retained as such thereafter.

Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and T7.1 of the Unitary Development Plan.

- 18 The development shall not be brought into use until details of external cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and retained as such thereafter.  
Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and saved Policies T4.5, T5.3 and T7.1 of the Unitary Development Plan.
- 19 The development shall not be brought into use until details of the noise limiters of any sound reproduction equipment to be used on the premises have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and retained as such thereafter.  
Reason: To prevent nuisance from noise in the interests of the amenity of the surrounding area, in accordance with the National Planning Policy Framework and saved Policies POL7 and H2 of the Unitary Development Plan.
- 20 The development shall not be brought into use until a scheme for the extraction of fumes and odours, has been submitted to and approved in writing by the Local Planning Authority. The submitted extraction scheme shall provide details of the termination points, filtration systems, and details of the acoustic qualities of the systems including any noise and/or vibration attenuation measures. The approved scheme shall be implemented before the development is brought into use and retained as such thereafter. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturers instructions.  
Reason: In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and H2 of the Unitary Development Plan.
- 21 At the site boundary the noise levels generated by the external plant shall not exceed the approved background noise level by more than 5dB(A).  
Reason: To prevent nuisance from noise in the interests of the amenity of the surrounding area, in accordance with the National Planning Policy Framework and saved policy POL7 of the Unitary Development Plan.
- 22 The development shall not be brought into use until details of any external plant, including extract ventilation facilities and air conditioning equipment, and their noise generation levels, and any noise attenuation measures, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and maintained as such thereafter.  
Reason: To prevent nuisance from noise in the interests of the amenity of the surrounding area, in accordance with the National Planning Policy Framework and saved Policies POL7 and H2 of the Unitary Development Plan.
- 23 The development shall not be brought into use until the approved refuse storage area has been formed in accordance with the approved plans. The approved refuse storage area shall thereafter be retained for the storage of refuse at all times.  
Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, H2 and T7.1 of the Unitary Development Plan.
- 24 No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, H2 and T7.1 of the Unitary Development Plan.

- 25 No glass material or bottles shall be deposited in any skip, bin or other container which is located outside of the building, between the hours of 22:30 and 08:00 and any such skip, bin or container shall not be removed from the premises between those hours. Details of internal bottle storage to be provided on the premises shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and shall be retained at all times.

Reason: In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and H2 of the Unitary Development Plan.

- 26 The Approved Remediation Scheme shall be implemented in accordance with the approved timetable of works. Within six months of the completion of measures identified in the Approved Remediation Scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: 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 the National Planning Policy Framework and saved Policy POL6 of the Unitary Development Plan.

- 27 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. A Risk Assessment must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a Remediation Scheme must be prepared and submitted to the Local Planning Authority in accordance with the requirements of condition 7.

Following completion of measures identified in the Approved Remediation Scheme a verification report must be prepared and submitted in accordance with condition 26.

Reason: 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 the National Planning Policy Framework and saved Policy POL6 of the Unitary Development Plan.

- 28 The development shall not be brought into use until details of the proposals for the improvement of the adjoining access road including lighting, leading from Hadrian's Way to the entrance to the existing car park area and speed limiting details on the lower part of this access road have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and maintained as such thereafter.

Reason: In the interests of highway, cycle and pedestrian safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, T4.5 and T7.1 of the Unitary Development Plan.

- 29 A limitation on the 'active' adult membership of the rowing club shall be limited to 200 in accordance with the projected membership figures submitted for Sport England funding for

the project over the 5 year period, in order to review the impact of this increase in adult membership against a future requirement for highway related improvements to take place for improving the amount of off street car parking close to the development site and the creation of a separate vehicle access to the site from Station Road to alleviate pressure on the Hadrian's Way sole access currently used for the development.

Reason: in the interests of highway, cycle and pedestrian safety in accordance with the National Planning Policy Framework and saved policies T4.5 and T7.1 of the Unitary Development Plan.

- 30 The building shall not be brought into use until the report of the results of observations of the groundworks pursuant to condition 8 has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with saved Unitary Development Plan Policies C4.2, C4.3, C4.4.

**NB: Please read any notes below and those on the attached sheet.**

- 1 The Environment Agency has recommended that any surrounding woodland and or scrub is retained and integrated within the development site in order to assist with the maintenance of habitat for otters. During the actual construction works a method statement is to be made available to all site operatives so that if otters are encountered during the construction, all site operatives know how to react and who to contact.

Biodiversity measures should be in place and strictly adhered to by all site operatives following the Clean and Dry campaign as a minimum standard. For more information on biosecurity see the following link:

<https://secure.fera.defra.gov.uk/nonnativespecies/checkcleandry/index.cfm>

- 2 With regard to condition 26 Limitation on 'active' adult membership, this refers to that part of the adult membership (over 18) of the rowing club who regularly take part in water based rowing activity associated with the club which results in concurrent adult membership with the British Rowing Association.
- 3 You are advised that there is an established right of way/ public footpath which goes through the existing car park area of the rowing club and its route is also located to the north of the existing rowing club building. The route is also very close to the north east corner of the proposed new clubhouse building. If this right of way cannot be used continuously during the period of construction it will be necessary to formally stop up/ divert the public use of this footpath onto other rights of way prior to the commencement with an appropriate Traffic Regulation Order. You should contact the Simon Carey, Public Rights of Way Officer, Development Management on (0191) 277 8955, email: [simon.carey@newcastle.gov.uk](mailto:simon.carey@newcastle.gov.uk), in order to confirm the legal, public advertisement, public notice and payment arrangements for the order to be established.

**Reasons for Granting Permission**



The proposal is considered acceptable having regard to all material planning considerations including statutory duties, national and regional planning policy guidance, consultee responses, public representations and the following policies and proposals of the Unitary Development Plan and Supplementary Planning Guidance:

-

In dealing with the application we have worked with the applicant in a positive and pro active manner and have implemented the requirement in the NPPF para 187

## **NOTICE TO APPLICANT**

### **APPEALS TO THE SECRETARY OF STATE**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Department of the Environment, The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on-line at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under the Order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decisions on a direction given by him.

### **PURCHASE NOTICES**

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the City Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **COMPENSATION**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part IV and related provisions of the Town and Country Planning Act 1990.

### **FURTHER NOTES RELEVANT ONLY IF APPLICATION APPROVED**

#### **Failure to comply with conditions could make the development hereby permitted unauthorised**

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
  - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

- (b) You or your agent or any other person responsible for implementing this permission should inform Planning Control immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
  - 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
    - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
    - (b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

- 4) This certificate is issued under the Town and Country Planning Acts and Orders and does not constitute a permission, approval or consent for any other purpose. Applications must therefore be made for any other permission, approval or consent (including Building Regulations approval of the approval of the City Council as ground landlord where appropriate) which may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development.
- 5) If this application relates to the erection or extension of a building, attention is drawn to the provisions of Section 24 of the Tyne and Wear Act 1980, under which it is possible for the Council to refuse building regulation consent for this proposal on the grounds that there will be inadequate access for the Fire Brigade to the building or to neighbouring buildings.
- 6) If you are applying for planning permission to build and/or provide a service, you should note the application of the Disability Discrimination Act 1995. You are advised to seek professional advice to ensure that you meet your legal obligations under the Act, especially with regard to Part III thereof.