

----- Original Message -----

From: [George Mansbridge](mailto:George.Mansbridge@southtyneside.gov.uk)

To: daw50nmdj@hotmail.co.uk

Cc: [Customer Advocates](#)

Sent: Monday, December 19, 2016 12:28 PM

Subject: FW: 248789 - Slipway Development, River Drive [NOT PROTECTIVELY MARKED]

This email has been classified as: NOT PROTECTIVELY MARKED

Mr Dawson

I have copied in Customer Advocacy into this email, with whom this complaint should go to, as previously mentioned (Also can send to complaints@southtyneside.gov.uk or by telephone at 0191 424 6028).

I will ask that they come back to you today to acknowledge your email. Please note all future emails of complaint should be sent to them directly and not to George.

Thank you in advance.

Leanne

Leanne Bootes

Business Support Officer to

George Mansbridge, Head of Development Services

Andrew Whittaker, Corporate Lead – Area Management

T: 0191 424 7566 (Direct)

From: Michael Dawson [<mailto:daw50nmdj@hotmail.co.uk>]

Sent: 09 December 2016 12:42

To: George Mansbridge

Subject: Fw: 248789 - Slipway Development, River Drive

Dear Mr Mansbridge,

I am having problems establishing the fact that the Council have misinformed the Local Government Ombudsman (LGO) about my complaint that the enclosure on the slipway is not only too wide but also 2.7m too tall.

I have twice written to the Council about 248789 where the misrepresentations about drawings 8296/1A, 1B and 14 first occur and they have replied that while the complaint reference numbers I have quoted both refer to this matter; 253539 refers to the more formal responses to me at stages 2 and 3 of the Council's complaints procedure.

When I look back through my early correspondence re: 248789, I see that I should have written to you rather than to the Planning Manager on the 3rd February 2014 - see the last of his paragraphs below. My excuse is that I thought I was still discussing the validity of the Council's claim that the enclosure was not 2.7m too high. My actual complaint was that it had been built without planning permission. There was no reference number on his email. He actually did not use any reference number until he wrote to me on 25th April saying that you would respond to the residents about our Petition and other complaints about UK Docks. It was my response your letter to Residents, 2nd May that has given rise to 253539.

My original complaint and I attach a copy because it does not appear to have been formally registered as 248789, makes the use of:

- UK Dock's drawing – 8296/1B for the width;
- the Agent's drawing – ditto/14, for the height and width
- the 1996 drawing – ditto/1A to show that the Council were involved at that time.

I use 1B to show the enclosure is nearly a meter than planned but not for the height. When

UK Docks use it to claim the proper height they are quoting an error on an unauthorised drawing to make it. The other end of this drawing shows a height of 15.5m therefore one can claim the landward end has a planned height of 12.8m.

8296/14 is only drawing in the public domain. I have attached a copy of the annotated one I sent to the Council in January 2014 and I used it because the draughtsperson appears to reference the only approved drawing from 1996 which gives an indication of the planned height. That drawing is 8296/2 and it shows an overall height of 16m from the surveyor's levels shown on it. I calculated from 8296/14 the planned height of the river end as 15.6m which equates more nearly to 8296/2 than does UK Docks or the Council's interpretation of 8296/1B.

I did not use either 1A or 1B for the height because they are not approved plans and the comments above about 1B apply to 1A – both ends are shown as 15.5m in spite of the gradient of 2.7m between them.

I have attached the Planning Manager's response from 15th January because if you read it carefully you will see he does not actually say that 8296/1A is authorised. He also says that the dimensions of the steelwork have been checked and they are in accordance with the approved drawings which, as you can see, does not appear to be true.

In his opening paragraph of his email of the 28th he says it is reasonable to say that 1A and 1B represent the development which was approved in 1996. 1B doesn't as it was drawn in 1997 and neither that nor 1A bear any stamps of the Tyne and Wear Development Corporation. I think I have shown that it is unreasonable to say they represent the development of 1996.

It appears that the Planning Manager returns to unapproved drawings of 1996/7 to support the Council's contention that the enclosure is built to the correct height which in my opinion is wrong. I think this is to draw people's attention away from 8296/14 which in October 2013 he approved as part of the decision notice for ST/1146/13/COND.

Anyone in the Council who has access to the full sized 8296/14 can measure for themselves the height of the gable end which is drawn quite accurately to a scale of 1:100. It's 16cm and corresponds to a planned height of 16m.

He suggests that if I wish to pursue this matter further I ask you, to respond to any remaining points I may have, formally under stage 2 of the Council's complaints procedure. If you look through your records you will see I have not done this. I am unhappy about the use by the Council of drawings 8296/1A or 1B to claim that the enclosure is not too high.

I request a review of all the correspondence misusing these drawings, since January 2014 be made so the question of whether the Council have misinformed the LGO about my complaint that the enclosure, or shed, is nearly 3m higher than planned can be settled.

Kind regards
Michael Dawson

From: Michael Dawson <daw50nmdj@hotmail.co.uk>

Sent: 03 February 2014 15:10

To: gordon.atkinson@southtyneside.gov.uk

Subject: Slipway Development, River Drive

From: Gordon Atkinson

To: M Dawson

Subject: Slipway Development, River Drive

Date: Tuesday, January 28, 2014 11:01 AM

This email has been classified as: **PROTECT**

Dear Mr. Dawson

Dear Mr Atkinson,

Thank you for your reply and attached documents. I am writing to you again because there are still outstanding issues. I am also concerned that you and your colleague Mr Peter Cunningham (e-mail dated 13th January) appear to be in too much haste to direct me to the complaints procedure. I do not consider my questions concerning the slipway development constitute a complaint.

The Council was contacted by local residents in early September 2013 when the steelwork erection commenced. We weren't able to immediately identify the archive case and the company provided from its own sources copies of drawings numbered 8296/1B and 8296/2, which is why those drawings are stamped received by us 6 Sep 2013. Following a search of our archived file the only drawings that we have that are stamped 'Approved by Tyne and Wear Development Corporation' are 8296/2 and 8296/4. 8296/1A and 8296/1B are consistent with these two stamped drawings in terms of overall dimensions. It is therefore reasonable to say that 8296/1A, 8296/1B, 8296/2 and 8296/4 represent the development which was approved in 1996 (the only difference between 1A and 1B being to the foundation detail).

My understanding from Mr Cunningham (meeting 25th November Council Offices) is that the Council had a meeting with the applicant or his representative on August 20th prior to the steelwork being erected. I am therefore curious as to why the Planning department did not have drawings to hand and had to consult their archive. You state it is "reasonable to say" that drawings 8296/1A and 1B "are consistent with these two stamped drawings in terms of overall dimensions" however the stamped drawings you refer to, 8296/2 and 4, have no dimensions. The only similarity between the drawings is the overall tapered shape. I therefore propose that your assertion that 1A and 1B represent the 1996 approved development is not 'reasonable'.

The dimensions measured by the Council in September are as follows:

Length 22.254m

Width 13.1m

Height at end facing River Drive 15.5m

Height at end facing river 18m

Thank you for confirmation that the current construction is a meter wider than the "approved plans" at 13.1m. I would like to direct your attention to the following communications between myself and your department:

To Peter Cunningham on 19th December 2013, "I have sufficient skills in surveying to be able to measure the width of the structure without access to the site and can say with confidence that it is 13.20m wide give or take 0.05m."

Response from Peter Cunningham 20th December: "I have measured the site and have copied the 1996 plans across to you twice already ... and I have explained during our meeting that the base and height are compliant."

E-mail received from yourself 15th January: "The dimensions of the steelwork have been checked on site and they are in accordance with the measurements shown on the approved drawings"

I hope this was not an attempt to evade the issue. I now feel confident to assert again, that the current structure is not built to "approved" plans.

8296/14 is the recent drawing and the only purpose of that is in regards to the condition dealing with the strip curtain door fixing details. You explain that you have measured the height from this drawing as 15.6m, and you seem to have assumed that is the riverside elevation, and have adjusted for the gradient of the slipway and concluded that the height at the River Drive side should be in the order of 3m less. In fact the 15.6m height is the height to River Drive and the height on the river side is some 3m greater.

With reference to the drawing 8296/14 I have made no assumptions regarding this drawing

but have taken my information from the drawing. There are three indicators that the elevation is the north end of the structure:

1. Detail notes on the drawing " strips to draw back to each side to allow access for boats"
2. The section at the door jam shows the cladding on the downward ie.North/river end. The alternative would have the cladding on the inside of the building.
3. The apparent use of third angle projection would imply that the door is at the north end.

The north elevation height is therefore 15.5m and subsequently the south elevation 12.5m. What made you determine that the elevation is the South end when there is no such detail on the drawing?

As I mentioned earlier, drawings of historic cases are not put on the Planning Explorer. Nevertheless, the files are publicly available for inspection and we have for several months shared all information that we have with the members of the public who are interested in this case. As requested, I attach the copies of 8296/2 and 8296/4.

There is no more I can add and I feel that we have answered all your questions. You say at the beginning of your message that you believe that the structure is not consistent with any of the drawings. We have looked at all the material available to us and measured the structural frame when it was erected. I have previously told you that the variation in angle of the pillars is not considered to be material. I can only suggest that if you do wish to pursue this matter further you ask that my Head of Service, George Mansbridge, responds to any remaining points you may have formally under stage 2 of the Council's complaints procedure. You will have to write to him and say specifically what you remain unhappy about.

Regards

Gordon Atkinson

As you can see there are questions to be answered. I still maintain particularly with your detailed measurements, that the structure is not consistent with any of the drawings. I would like to know why you consider the variation of the pillar angle is not material particularly as the Agent has had to provide a new drawing (Aug.'13) for the cladding and fixings.

I am very concerned, that considering the problems this planning application has caused in the past, that Council did not do more to consult local residents. I am aware that even the Council's own Environment Department made objection to the development in 1996.

The current structure does not conform to any approved plans. How can the council justify allowing work to continue when condition 2, and I quote "The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications" has not been discharged.

regards

Michael Dawson