

**From:** Michael Dawson <daw50nmdj@hotmail.co.uk>  
**Sent:** 04 March 2014 11:09  
**To:** Gordon Atkinson <gordon.atkinson@southtyneside.gov.uk>  
**Cc:** Melanie Todd <melanietodd@me.com>; matthewburge1@me.com <matthewburge1@me.com>; Michelle Martin <mm.robinson62@gmail.com>; Peter Quin <sycopyltd@yahoo.co.uk>; Peter Hepburn <hepburnsenp@btinternet.com>  
**Subject:** RE: Slipway Development, River Drive

Dear Mr Atkinson,

With this e-mail I have agreed to act as spokesperson for the local Riverside Residents.

A meeting was held with members of the local community and I can now answer your question as to 'what kind of action we would like the Council to take'. Thank you also for confirming that the Slipway Shed is not built to the approved 1996 plans.

The immediate response from residents was to request the slipway construction be removed.

However the universally agreed request of Council, is that there is immediate cessation of work on the Slipway Shed until such time as appropriate community consultation with the relevant council departments can be arranged.

It has been brought to the notice of Residents that major work is planned for the remaining part of the site which includes two further and possibly larger sheds and a new slipway. We understand the nature of the work to be undertaken on completion of the planned development will constitute heavy engineering.

You must understand that there is serious concern among the local community over the impact of the current structure and future development of this site.

We look forward to your early response.

yours sincerely  
Michael Dawson

Please forward as required:

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From: Gordon.Atkinson@southtyneside.gov.uk  
To: daw50nmdj@hotmail.co.uk  
Date: Thu, 13 Feb 2014 13:39:01 +0000  
Subject: RE: Slipway Development, River Drive [NOT PROTECTIVELY MARKED]

**This email has been classified as: NOT PROTECTIVELY MARKED**

Dear Mr Dawson

Thank you for your email.

I'll try and answer your outstanding questions as best as I'm able:

1 why didn't we have drawings to hand on August 20<sup>th</sup>? The company had approached the Council in the summer about further developments at their River Drive site. This was the first recent contact with the applicant; they mentioned they were about to commence work to complete a boat shelter which had already received planning permission, but this initial discussion related only to further works and it was not

necessary for the Council to retrieve the drawings of the previous permission at that time. The Council had no reason to dispute that they were to continue that earlier development, and it only became necessary to retrieve drawings when we were contacted by local residents in early September.

2 the status of the drawings-8296/2 and 8296/4 at A1 size are to the scale stated on each plan; it is therefore reasonable to say the four plans are consistent.

They are not consistent.

3 the current structure is not built to "approved" plans (n.b. see note above about the plans)- Any deviation from the approved plans (and this also goes for the issue of the tapering of the vertical steelwork), needs to be considered on a case by case basis. If you are suggesting that the Council should be enforcing to secure implementation of only the approved scheme in all detail, I must say that any action the Council may take should be proportionate to any suspected breach of planning control. Since this continuing development was brought to our attention in September last year we have investigated the reports from residents, including retrieving records, carrying out site visits, speaking with the site operator and measuring the development. The structure has been engineered and built to greater detail than the drawings submitted for planning permission in 1996, and I would accept that there are variations from the approved plans. You have noted that the width of the structure is written on the approved plan at 12.2m but the requirement to improve the structural stability of the shelter by taking the steelwork to ground level has resulted in it being constructed to a width of 13.1m when measured at ground level.

The structure was a meter wider and 3m taller than the approved plans allowed.

4 why did we determine the elevation on 8296/14 is the south end? The drawing was submitted in discharge of condition 4 relating to fixing details of the end panels. Those details are the 1:10 sections and elevations at the left hand side of the sheet. The engineer chose to show a gable elevation of the structure (not drawn to scale) on the same drawing. It serves no purpose in discharging the condition. But neither does it conflict with the information to discharge the condition. I understand that on completion there is to be the opening on each of the gable ends.

The elevation on 8296/14 was on the north or river end.

5 Why do we consider the variation of the pillar angle is not material?-see answer 3 above.

His opinion.

6 Why did the Council not do more to consult local residents? I'm not sure what you are referring to here. If you are suggesting this in respect of the applications to discharge the two detailed conditions, this is not something we would do on matters of that nature, and I'm not sure what the benefit would have been if we had notified local residents.

Even he was saying as late as mid January that the shed was in accord with the approved plans.

7 How can the Council justify allowing work to continue when condition 2 has not been discharged? Condition 2 is not a condition that requires to be discharged (i.e. that requires to be 'signed off' in some way). It was a form of condition that was routinely applied to planning permissions in the past, but that practice was stopped some years ago as the wording served no purpose.

An excuse for taking no action.

I have gone through your email in some detail and hope I have identified and answered your outstanding questions; I can assure you there has been no attempt to evade any of the issues raised. The only thing I can

add is that if you feel the Council should be taking some action that it has not done already, then please let me know what that should be.

Regards

Gordon Atkinson

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

**Sent:** 03 February 2014 15:11

**To:** Gordon Atkinson

**Subject:** Slipway Development, River Drive

**From:** [Gordon Atkinson](#)

**To:** '[daw50nmdj@hotmail.co.uk](mailto:daw50nmdj@hotmail.co.uk)'

**Sent:** Tuesday, January 28, 2014 11:01 AM

**Subject:** RE: Slipway Development - Work Continues [NOT PROTECTIVELY MARKED]

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 13<sup>th</sup> 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 25<sup>th</sup> November Council Offices) is that the Council had a meeting with the applicant or his representative on August 20<sup>th</sup> 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 19<sup>th</sup> 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 20<sup>th</sup> 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 15<sup>th</sup> 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 Councils 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

**South Tyneside Council**

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