

Committee Report

Application No:	DC/16/01335/FUL
Case Officer	Lois Lovely
Date Application Valid	20 December 2016
Applicant	Team Valley S.a.r.l
Site:	Team Valley Retail Park Tenth Avenue West Gateshead
Ward:	Lamesley
Proposal:	Erection of new commercial units within existing car park (use classes A1 and A3) new pedestrian walkways, landscaping and alterations to car park layout (additional information received 24/01/17, 07/03/17, 08/03/17 and 19/04/17 and amended 07/03/17 and 19/04/17).
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

The application site is within Team Valley Retail World and is owned by Team Valley S.à.r.l, which is managed by ARES Management L.P. (ARES). ARES is an asset manager which acquired Team Valley Retail World in late 2015 from the previous owners, Land Securities. It had been in the same ownership for over 15 years.

- 1.1 Team Valley Retail World is located on Tenth Avenue West, accessed off Kingsway which leads off the A1 motorway. Kingsway provides access to a number of branch roads within the wider Team Valley employment area.
- 1.2 The Retail Park is a well established retail destination, comprising approximately 35,117 sqm of retail floor space. It provides large format retail accommodation and performs a complementary role to the retail offer of the town and district centres by providing suitable accommodation for retailers with larger format requirements. The Park provides a good standard of retail warehouse accommodation arranged in a 'U' shaped layout facing onto a large, level car parking area for approximately 1,200 vehicles.
- 1.3 The food and drink offer is limited compared to other comparative retail destinations. The only standalone branded food and drink offer the Retail Park currently has is the McDonalds unit located off Tenth Avenue West. There is also a Starbucks coffee shop, however, that is located within the Next unit on the first floor level. Other cafes are ancillary in-house operations. There is also a burger van in the car park.

- 1.4 The immediate context of the surrounding area is predominantly made up of large metal and brick clad industrial buildings. The Retail Park was partly refurbished a few years ago with new upgraded elevations to several of the units located to the south of the Retail Park.
- 1.5 The development area for the proposed retail units is predominantly hard landscaping, consisting mainly of permeable asphalt parking areas as well as soft landscaping strips, consisting of low level vegetation.
- 1.7 DESCRIPTION OF THE PROPOSAL
The proposal is to erect four units, one detached and three in a terrace, on an area of the existing car parking within the central area of Team Valley Retail Park, in the area between McDonald's and the row of units to the east.
- 1.8 The proposed use of the 4no new units is A1 and A3, for food and drink use to provide additional facilities for visitors to the park. The proposal also includes external seating areas for the units. The proposed GIA floor space of the units are;
- Unit 22 186 sqm;
Unit 23 272 sqm;
Unit 24 200 sqm; and
Unit 25 400 sqm.
- 1.9 The proposed units are single storey with a flat roof. One unit is detached the other three are arranged in a terrace. The design of the units is contemporary with structural curtain wall glazing and Corten steel panels.
- 1.10 The proposal also includes a new vehicular access to the car parks and improved car parking areas to the Retail Park. Some existing car parking spaces will be lost due to the introduction of the new units, however new car parking spaces are proposed through the reconfiguration of some of the road layouts.
- 1.11 The current car park at Team Valley Retail Park contains a total of 1,194 car parking spaces. This parking total is comprised of 1,098 Regular Car Parking Spaces, 86 disabled Car Parking Spaces and 10 Parent and Child Car Parking Spaces.
- 1.12 The car parking area is to be reconfigured in order to accommodate the new units. As a result the number of spaces within the application site is reduced by 14 from 549 to 535.
- 1.13 It is proposed to service the new units along a newly proposed pedestrian spine route outside of shop trading hours so that there is no conflict with users of the Retail Park. Retractable bollards are proposed to allow delivery vehicle access when the Retail Park is closed to the public.
- 1.14 In addition, the proposal includes the provision of additional cycle parking and the aforementioned substantial pedestrianised spine which dissects the

southern car park connecting Tenth Avenue West with the new units and the existing retail units on southern terrace of the Retail Park, that incorporates pedestrian crossings. The proposal, whilst reconfiguring this area, includes landscaped buffers between pedestrian paths and car parking. The planting scheme includes semi mature plant specimens in order to give an established feel to the planting beds.

1.15 The application is supported by the following documents:

- A Landscape Strategy plan
- A Drainage Strategy
- A Flood Risk Assessment
- A Retail Statement
- A Transport Assessment
- A Preliminary Risk Assessment
- A Travel Plan Framework

1.16 Relevant Planning History

The Retail Park was developed pursuant to the Gateshead No.3 (Team Valley South) Enterprise Zone scheme, dated April 1986. The retail units can sell any non-food goods. The sale of food, drink and tobacco is not permitted from more than 250 sqm of floorspace in each of the retail units.

1.17 On 25 January 2012 Outline planning permission: DC/11/00934/OUT was granted for the erection of two cafe/restaurant/coffee shop units with associated parking and drive-thru facilities (use classes A1/ A3/ A5)' at the Junction Of Tenth Avenue West and Dukesway i.e. the site of the former petrol filling station which is now used as a car wash.

1.18 The 2012 food and drink scheme for two units was granted a flexible permission meaning the units could be used with Use Classes A1, A3 and A5. The Council recognised that some food and drink operators require Class A1 use consents in order to operate. This permission was never implemented and has now lapsed.

2.0 Consultation Responses:

Northumbria Water

NWL has no issues to raise provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment". In this document it states that foul flows from the proposed development will discharge to the existing foul sewer, whilst surface water will discharge to the existing surface water sewer at a restricted rate of 5l/sec.

NWL has requested that the Flood Risk Assessment form part of the approved documents as part of any planning approval and

the development to be implemented in accordance with this document.

Natural England

No Comments

Environment Agency

The Environment Agency has no objections to the proposed development but has advised the developer consider mitigation measures against extreme future flood events such as raised ground/ finished floor levels.

3.0 Representations:

3.1 No letters of representation have been received.

4.0 Policies:

CS1 Spatial Strategy for Sustainable Growth

CS5 Employment-Economic Growth Priorities

CS6 Employment Land

CS7 Retail and Centres

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

RCL5 District and Local Centres

JE4 Sustainable Economic Development

DC1P Contamination, derelict land, stability

ENV3 The Built Environment - Character/Design

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

5.0 Assessment of the Proposal:

The main planning issues are considered to be the principle of the development, contaminated land, flood risk implications, SuDS, impact on highway safety including traffic generation, servicing, parking provision, cycle parking provision, and sustainable travel measures, visual appearance, sustainability, landscape and biodiversity, and CIL.

5.1 PRINCIPLE

The site in question is at the Retail World Retail Park located within Team Valley south of Gateshead town centre and considered as out of centre in retail policy terms.

5.2 The NPPF is in favour of sustainable development (paragraph 14).

Government expects that this presumption should run as a golden thread through all plan making and decisions on planning applications.

5.3 The NPPF places significant weight on the need to support economic growth (paragraph 19) to help achieve economic growth and in assessing and determining planning applications, LPAs should apply the presumption in favour of sustainable development (paragraph 197). This is reflected in CSUCP policy CS1; however, this policy prioritises the Urban Core as the location for, amongst other things, major retail development.

5.4 CSUCP policy CS5 states that Gateshead will play a major role in the economic growth of the North East and the Council will continue to develop a diverse economy with accessible employment and deliver significant increases in the number of businesses and jobs.

5.5 Food and drink units operated by national brands, as envisaged for the proposed development, tend to provide positions which are available to unemployed and young people, among whom unemployment levels are particularly high, due to low barriers to entry and flexible working hours etc. The provision of around 63 new jobs will contribute to the reduction in unemployment and the increase in the level of local earnings which will help to support businesses and job creation in the local area.

5.6 The application site is not within the Urban Core; however, it is an established retail destination in Gateshead which is recognised in the Core Strategy at paragraph 9.34 which explains that retail provision elsewhere is focussed on out of centre Retail Parks such as Retail World at Team Valley.

5.7 Policy CS1 also focuses economic development at a series of locations, which includes Team Valley. The application site for the proposal falls within the Retail Park area which is not specifically allocated for development for employment, however, the proposal carries significant economic benefits.

- 5.8 NPPF paragraphs 24 to 27 set out that retail development proposals which are not in accordance with the Development Plan and located outside of any centres, should be subject to the sequential test. Where out of centre retail proposals are more than 2,500 sqm of floorspace an impact test is required.
- 5.9 As the application is for 1,127 sqm of floorspace only, it follows that an impact assessment is not required in this instance, however, a proportionate assessment is provided for completeness. The scope of the assessment was agreed with officers prior to submission of the application.
- 5.10 In terms of retail policy, Policy CS7 identifies a hierarchy of retail centres to be maintained and enhanced and sets out the criteria for how applications for both retail and other town centre uses (such as facilities for food and drink) should be assessed.
- 5.11 Although retail parks perform a significant role in terms of comparison shopping, in retail policy terms they are not identified as centres and are therefore excluded from the retail hierarchy. Therefore, as with the Metro Centre, any proposals for additional provision will need to be assessed in accordance with national planning policy. Thus whilst acknowledged as an existing retail destination, Retail World is not a recognised centre in terms of the retail hierarchy set out in policy CS7 of the CSUCP, and therefore proposals for additional retail or complimentary floorspace will be subject to the requirements of the NPPF and policy CS7.
- 5.12 The proposal is for 1128sqm spread across 4 units on what is currently car park in close proximity to the existing McDonalds restaurant.
- 5.13 A previous planning permission (DC/11/00934/OUT) was granted for similar complementary uses on the adjacent Minories site although it was not implemented. Officers concluded on that occasion that the proposal was that such the development would meet a locational need without undermining the vitality and viability of any nearby centres.
- 5.14 A sequential assessment has been submitted in support of this application which concludes that the proposal:
- Would not meet the needs of existing visitors to Retail World and Team Valley if located elsewhere;
 - Would not come forward on sites allocated for retail in the Core Strategy, or within vacant units in Gateshead Town Centre specific sites assessed include:
 - High Street South Site / Gateshead Central Sub Area (Policy GC1)
 - Old Town Hall Area (Policy GC2)
 - High Street Area (Policy GC2)
 - Jackson Street (Policy GC2)
 - The Exemplar Neighbourhood Key Site (Policy SG2)
 - Gateshead Quays Key Site (Policy QB2)
 - Quays and Baltic Development Opportunity Sites (Policy QB3 Hudson Street/ Half Moon Lane (3) and Baltic Business Quarter (5))

346-354 High Street

- 5.15 Officers accept that there are no sequential opportunities which would be suitable or capable of meeting the needs the proposal seeks to serve.
- 5.16 The application includes a brief statement regarding the impact of the proposal on Gateshead Centre and given the scale of the proposal this is broadly in line with the requirements of policy CS7 requiring consideration of impacts where there could be adverse impacts on a designated centre (regardless of development size). Paragraph 9.32 of the CSUCP states such assessments should be proportionate and will be assessed in accordance with the criteria set out in Planning Practice Guidance in relation to scale, viability, cumulative effects, whether local town centres are vulnerable and the likely effects of development on any town centre strategy or impact on any other planned investment.
- 5.17 The assessment reports that there are no major planned investments in Gateshead Centre currently that would be affected by the proposal, given the completion of Trinity Square and the improved vitality and viability of the Primary Shopping Area. This is a modest proposal for food and drink units to serve customers at Team Valley Retail World.
- 5.18 Whilst the statement overstates the health of Gateshead Centre, given vacancy rates and the scope for further development, it is accepted that the proposal is meeting an existing need at Retail World and is unlikely to have a negative impact on Gateshead Centre.
- 5.19 Given that the demand from the proposal arises almost entirely from existing customers to Team Valley it can be concluded that the site is an appropriate location for the proposed food and drink development and therefore the proposal accords with Paragraph 17 of the NPPF.
- 5.20 Given the above the proposal is considered to be acceptable in terms of retail matters, the overall conclusion is that the proposal complies with Policy CS7 as there are no sequentially preferable sites located within or on the edge of Gateshead Town Centre. This Statement has demonstrated the comprehensive sequential assessment that has been undertaken on behalf of the applicant considering sites allocated for retail in the development plan and current vacant units in the town centre. It has shown that the application site is the most sequentially preferable site and therefore the sequential test is passed.
- 5.21 Although the amount of floorspace proposed falls well below the local and national threshold for when an impact assessment is required, a proportionate assessment has been provided. The assessment shows clearly that the proposal will not lead to a significant adverse impact on the vitality and viability of the Town Centre. There are no planned investments for retail development in the town centre. The proposal is therefore acceptable in impact terms and in accordance with CSUCP policy CS7 and the NPPF however, it is recommended that conditions are imposed to ensure the units remain

complementary and consistent with the application's supporting evidence to prevent the future amalgamation of units (CONDITION 3) and to restrict occupation of the larger stand alone unit so that it is not for A1 use in its entirety (CONDITION 4)

5.22 CONTAMINATED LAND

Policy CS14 of the Core Strategy relates to Health and Wellbeing. It states that the health of communities will be maintained by preventing negative impacts on public safety arising from ground and water contamination. The application is supported by a Ground Conditions report.

5.23 The subject site was occupied by woodland and agricultural land and the majority remained as such until its current development. However, a drift mine was located to the west of the site and from the 1930s railway lines and sidings ran from the location currently occupied by the Smyths and Sports Direct stores at the western boundary of the subject site, to under the current Halfords unit on the eastern boundary of the Retail Park site passing under the vicinity of the proposed development.

5.24 There is potential for contaminated soils to exist below current hard standing areas from historic site uses, and material used in development platforms. However, the qualitative level of risk associated with any made ground contamination being present is has been assessed to be that the site is considered suitable for present use and environmental setting. Contaminants maybe present but are very unlikely to have unacceptable impact.

5.25 This status would be required to be reassessed prior to any redevelopment of the site or change of use. Any proposed development will require a full Phase 2 Risk assessment.

5.26 The development will involve the breaking of ground for the new development. Whilst the majority of the completed development will be hard cover (new buildings / roads, and pavements) that will provide protection to any underlying contamination, there will be excavation of underlying potentially contaminated soils that could potentially pose a risk to construction workers and users of the Retail Park during construction works. Additionally, there are new proposed landscaping areas to be located in current hard standing areas that may contain contaminated soils/underlying contamination, related to the existing hard cover surface. As such a phase 2 intrusive site investigation will be required to assess potential contamination risks affecting the proposed development.

5.27 Therefore considering the above, conditions are recommended relating to the provision of a Phase 2 Detailed Risk Assessment with remediation and verification of the treatment of contaminated land if necessary (CONDITIONS 5 - 10 (inclusive)).

5.28 Given the above, the proposal is considered to be acceptable subject to the recommended conditions and in accordance with CSUCP policy CS14 of the

Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

5.29 FLOOD RISK

CSUCP Policy CS17 relates to Flood Risk and Water Management. The policy requires a Flood Risk Assessment for sites over 0.5ha in Critical Drainage Areas as identified in the Council's Strategic Flood Risk Assessments.

5.30 Sequential Test

The applicant has submitted sequential test to demonstrate that there are no reasonably available alternative sites within the catchment area and within Retail World.

5.31 The sequential test does not strictly follow the Environment Agency standing advice as it has not compared the risk of flooding at the proposal site with the risk of flooding at the alternative sites which have been discounted. However, the proposed retail development can be classified as "Less Vulnerable" according to Tables 2 and 3 of the Flood Risk and Coastal Change Planning Practice Guidance (PPG) (Section 4.1). From Table 3 in the PPG, the proposed development is suitable for this site, therefore the Sequential Test is considered to be satisfied and no Exception Test is required.

5.32 Sequential Approach

In accordance with Policy CS17:1i of the Core Strategy, NPPF paragraph 103 and National PPG the layout should avoid all sources flood risk. Reflecting NPPF paragraph 103 within the site the most vulnerable development i.e. buildings, should be located in the areas of lowest flood risk unless there are overriding reasons to prefer a different location. The SuDS, green infrastructure and car parking should be located in the parts of the site with the higher risk of flooding. The layout of the development should be informed the flood risk assessment and drainage assessment: it is not clear from the FRA and the planning/design and access statements how this iterative process has informed the layout.

5.33 A Flood Risk Assessment (FRA) and drainage strategy report has been submitted in support of the application that evaluates the proposals with regard to flood risk and drainage, and identifies potential flood risk to and from the development site.

5.34 Flood Risk

The FRA identifies that the proposal is at high risk of fluvial flooding i.e. at risk during a 1 in 100 year fluvial event.

5.35 Whilst the less vulnerable uses are appropriate in flood zone 3a the high risk of fluvial flood risk still needs to be managed.

5.36 NWL has requested that the FRA be included as an approved document to ensure that finished floor levels are above the level at risk (CONDITIONS 1 and 32).

- 5.37 The FRA has been prepared in accordance with the NPPF and the NPPG. The southern section of the development site is within the Environment Agency's indicative flood envelopes and is therefore classed as being within flood zone 2. However this risk appears to be restricted to the south east section of the car parking area within the development and is outside of the areas where the units are proposed. The revised flood zone in the Strategic Flood Risk Assessment (SFRA) also indicates the risk is restricted to the existing car park. Therefore it is considered that flood risk to the units is not deemed to increase as a result of development.
- 5.38 The units that directly back onto the Lady Park Burn had internal flooding when the culvert was blocked in 2000. There are no recorded incidents of flooding from either surface water or fluvial sources which have directly affected the site within the red line boundary.
- 5.39 The Environment Agency has indicated that flooding is likely to be primarily diverted to the south of the proposed developed area of the site and consequently flood levels will be reduced. The recommendation of the FRA is that finished floor levels should be set at 13.15m AOD for the northern building (Unit 25) and 13.0m for the remainder (Units 22, 23 and 24) which is approximately 600mm above existing ground levels. A condition is recommended to secure these finished floor levels (CONDITION 32).
- 5.40 Any flooding diverted as a consequence of the proposed buildings would be accommodated in the existing car park and not impact on any adjacent buildings.
- 5.41 Permeable paving incorporated into the proposed landscaping areas should be designed to accommodate surface water runoff from the proposed development, providing treatment and consequently improving the water quality of surface water runoff from the development. The final details of hard surface treatment and SuDS features are recommended to be secured by condition (CONDITIONS 24 and 26).
- 5.42 Increased runoff from the introduction of impermeable surfaces will be attenuated on site to equivalent greenfield runoff rates to ensure no increase in flood risk occurs. Use of infiltration drainage is not suitable for this site as there are no open watercourses within the near vicinity of the site, Lady Park Burn being further away, therefore below ground storage tanks and oversized pipes are proposed. The final details of the SuDS measures are the subject of a recommended condition (CONDITION 24).
- 5.43 **Emergency Planning**
Reflecting NPPF (paragraph 103) the FRA should demonstrate safe access and escape routes. The FRA needs to take account of the safety of people within the buildings and external areas, including people who are less mobile or who have a physical impairment. It should demonstrate how users will exit a building during a design flood (1 in 100 year fluvial event) and to evacuate before an extreme flood (1 in 1000 year). This should have informed the development layout and access and egress to the site. Due to the flood risk in

the area this deemed an obvious omission. In particular to the proposal where the main mode of transport to access the facilities is likely to be via private motor vehicle which will be parked in an area of highest flood risk within the redline boundary. In the instance of a flooding event the application does not currently show how site users will exit the site. It is recommended that a flood warning and evacuation plan be secured by condition (CONDITION 30). The evacuation plan will need to be kept up to date for the lifetime of the development.

5.44 Flood risk elsewhere

Given the application site is situated within a Critical Drainage Area it is important that the proposal considers flood risk from elsewhere, in particular the land adjoining the proposal site such as the Tenth Avenue West and Dukesway roundabout. The developer should control surface water as near to source as possible including the use of SuDS to achieve greenfield runoff rates set out in the SuDS Technical Standards. This is particularly important given that the Council is working in partnership with the Environment Agency to consider strategic catchment management approach to reduce flood risk on Team Valley Trading Estate. The amended FRA reflects the requirements of C17:3 and demonstrates that consideration has been given to reducing flood risk elsewhere. This links to the important point of emergency planning and in the case of a significant storm safe access and escape routes to and from the site can be made.

5.45 SUDS

The FRA lists the general proposed SuDS components that are appropriate for this development and these along with the drainage design layout and how the components will be used, are embodied in the recommended condition (CONDITION 24) and include underground storage tanks, oversized pipes, rainwater gardens, and permeable hard surface to improve water quality of surface water runoff.

5.46 Water Quality

In accordance with NPPF paragraph 109, NPPG and CS17:3 regard should be had to the efforts required to improve water quality as part of new development. Particularly in the case of surface water runoff which may indirectly discharge in the River Team. The FRA proposes components for surface water runoff water quality improvements and the final detail is required by condition (CONDITION 24) as part of the overall SuDS site methodology.

5.47 Given the above the proposal, subject to the recommended conditions, is considered to be acceptable in terms of flood risk and provision of SuDS drainage and in accordance with CSUCP policy CS17.

5.48 HIGHWAY ISSUES

Section 4 of the NPPF relates to promoting sustainable transport. Paragraph 32 requires all developments that generate significant amounts of movement be supported by a Transport Statement or Transport Assessment and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to

reduce the need for major transport infrastructure; and that safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be or refused on transport grounds where the residual cumulative impacts of development are severe.'

- 5.49 Policy CS13 of the Core Strategy relates to Transport. It sets out a series of measures and principles intended to achieve the enhancement and delivery of an integrated transport network to support sustainable development and economic growth.
- 5.50 Team Valley is accessible by a range of modes of transport. 34 buses per hour serve the Team Valley Employment Area. Services 93 and 94 run every 15 minutes and connect the site with Gateshead Interchange, the Maingate Centre, Felling, Beacon Lough Road and Gateshead College amongst other locations. Other services which serve Team Valley include numbers 90, 91 and the 939. Bus stops are located on Tenth Avenue West and Dukesway directly opposite Team Valley Retail World.
- 5.51 Pedestrian crossings are located in close proximity to the bus stop to provide access to the Retail Park. The Retail Park has provision for cycle parking spaces and motorcycle parking spaces. Staff have the option of a car sharing scheme run by Share Smarter which can be accessed from the Team Valley Links website.
- 5.52 Cycle routes are not widespread due to the park being bound by the A1. Cycle access can be gained from the east and from the north and south along Kingsway. New covered cycle parking is proposed adjacent to the units, which will be in addition to that already provided within the Retail Park.
- 5.53 The existing car parking area is proposed to be reconfigured. It is to be laid out with perimeter parking together with central double aisles resulting in an overall loss of 29 spaces, improved pedestrian facilities have been incorporated as part of the reconfiguration. The layout as proposed takes account of minimum space requirements to accommodate parking spaces and associated aisles. The layout enables a key central pedestrian link across the site and supplementary facilities thus seeks to markedly improve connectivity for pedestrians through the Retail Park. Given the walking distances within the Retail Park can be substantial for pedestrians the proposed units would create a respite island reducing the perceived distances and adding more interest and variety for the public.
- 5.54 The proposals retain the same number of vehicular entry/egress points from Tenth Avenue West and Dukesway as present.. Retention of existing points of access/egress and replacement of those that will be lost ensures that the current site remains recognisable, and that the access strategy as a whole will not be detrimental to the immediate highways infrastructure.

- 5.55 The Transport Statement submitted in support of the application includes surveys focussing on parking accumulation and access that have been carried out during the Friday and Saturday peak periods, the conclusion drawn by the Applicant is that these surveys have demonstrated that spare capacity exists in the TVRP on both of these days. However officers consider that, on review of the surveys, it is clear that certain parts of the overall site are operating close to capacity and in some instances over capacity, consequently it is has been vital that measures were taken to spread the parking demand across the whole site and furthermore avoid the occurrences of visitors re-parking during a single visit to the site.
- 5.56 The Transport Statement identified that over 50% of the vehicles visiting the site during the Saturday survey period entered the car parks using the access to the east of McDonalds, the traffic survey results raised concerns that the internal changes would result in additional queuing on the highway during peak periods. Queue length surveys carried out on behalf of the Applicant suggest that some additional queuing would not have a detrimental impact. This data has been provided in part and the Applicant has given an assurance that the remainder will be provided and an update report on this matter will be presented to committee.
- 5.57 Following submission of this application officers considered that the proposed layout and in particular changes to access would have an impact on the local highway in the vicinity of the site, while design changes have been incorporated to at least partly address these concerns final details of the car park layout and associated pedestrian routes are required to demonstrate landscape proposals do not impact on visibility, access to the McDonalds car park does not impact upon pedestrian movements, pedestrian routes are highlighted in a different surface colour, the pedestrian crossing at McDonalds is amended so that it does not run into the layby, details of the curtailment of pedestrian routes at the end of aisles, that cross aisle links are incorporated across the site. Additionally, final details relating to the proposed EV charging points, motor cycle parking, , long stay cycle parking the entrance to the service yard and final construction details together with materials and street furniture will be required (CONDITION 35).
- 5.58 The proposed service road will only be accessible outside retail opening hours, it does not allow two vehicles to pass one another, there is only one passing place indicated and there is a need to remove street furniture associated with unit 25 to allow access draft servicing strategy has been provided by the Applicant which sets out some key principles, however, a final servicing strategy is recommended to be secured by condition to be approved prior to first occupation, going forward any changes to the final strategy would need to be approved by the LPA prior to implementation.. (CONDITION 33).
- 5.59 The bin stores for all units and cold storage associated with unit 25 have access to the east of the units directly on to the new access road, Waste collection should be included within the servicing strategy to ensure the circulation of the car park is not hindered. A condition is required to ensure doors do not open outwards impacting on pedestrian routes. If emergency exits require outward

opening doors then measures will need to be incorporated to remove potential conflict with pedestrians (CONDITION 33).

- 5.60 A Framework Travel Plan has been submitted, however, a condition securing a final framework TP will be required and agreed prior to occupation of first new unit, the first surveys should be carried out within 3 months of first occupation and updated accordingly. The final framework travel plan should cover the full Retail Park, and it will need greater detail in relation to the measures to be included and when and how surveys will be carried out and modal split targets that reflect the measures included (CONDITION 37).
- 5.61 Given the above, and subject to the recommended conditions, it is considered that overall the proposals are acceptable and sustainable and accord with Policy CS13 of the Core Strategy and paragraph 32 of the NPPF.
- 5.62 **WASTE STORAGE AND COLLECTION**
The internal bin stores appear to be more than adequate in terms of capacity bearing in mind businesses can specify waste collections on a daily basis if required. It is recommended that a condition be imposed to ensure that the bin stores are implemented and retained for the life of the development (CONDITION 11).
- 5.63 Given the above, subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with the NPPF and CSUCP policy CS13.
- 5.64 **VISUAL APPEARANCE**
The relevant design policy from the Core Strategy is Policy CS15 that seeks development that will contribute to good placemaking through the delivery of high quality and sustainable design.
- 5.65 The proposal to introduce small scale, high quality A1/A3 units in this location is much welcomed. The accompanying high quality public realm improvements are also greatly applauded as this type of development in this location will not just enhance the general environment (of what is essentially just a car park at present), it will also encourage more people to walk around the Retail Park rather than drive, bringing greater pedestrian activity and social interaction to the wider retail area.
- 5.66 The proposed construction of the units is single storey flat roofed structure with aluminium louvres on the roof to conceal plant. The building itself is proposed to comprise frameless structural glazing and Corten steel panels, with a glazed canopy, with service doors to be of Corten steel finish and the door to the bin store and the fire exit to be aluminium and the bin store louvred. The proposed materials are considered to be acceptable however it is recommended that the final details of the materials for use on the building and surface materials be secured by condition (CONDITIONS 13 - 16 inclusive).

- 5.67 The design and materiality of the proposed units and of the public realm demonstrates a quality that will enhance the setting of the Retail Park and hopefully raise the bar for future development/refurbishment works.
- 5.68 The interface between the new service road/main pedestrian route that is proposed to run north/south through the new development, and the drive thru aspect of the adjacent existing McDonald's outlet has had sensitive treatment. This is currently screened and segregated to some degree by a 3-3.5m wide soft landscaping strip which will be lost due to the location of the new service road/main pedestrian route being tight up against the drive thru road. In addition to the proposed line of trees further separation of these two areas will be created by the rain gardens, bench seats and litter bins however these are of limited height and further visual separation is considered to be necessary to improve this new pedestrian environment. A condition is recommended to secure an additional screen as part of the landscaping scheme, possibly an ivy screen of 1200mm to 1500mm height to provide a continuous backdrop for the rain gardens and seats along the main pedestrian route (CONDITIONS 26 and 27).
- 5.69 It has become necessary for the Applicant to relocate unit 25 to the south as the actual route of one of the NWL pipes along the northern boundary, is beneath where unit 25 was initially proposed to be sited. Unit 25 has been moved southwards and adjusted to account for this as it is not possible to build over or in close proximity to the NWL pipes.
- 5.70 Some seating is proposed to the north, west and south of unit 25 and to the west of units 22 and 23. The seating to the north of unit 25 would be located against a north facing elevation, in shadow, and could be subjected to traffic noise, however, this is not a reason for refusal. Final details of the seating can be secured by condition (CONDITIONS 17 and 18) in addition bollards are proposed to the south of Unit 22 and details can be secured by condition (CONDITIONS 19 and 20).
- 5.71 The proposed units would benefit from good visibility due to their proposed location directly on the site entrance regardless of which way you enter the Retail Park. The elevations of the units from all angles will provide visual interest through use of contemporary high quality materials and the provision of tenant signage.
- 5.72 The scale of the proposed units is in keeping with the existing fast food unit already sited within the curtilage of the main retail car park.
- 5.73 A landscaped buffer is proposed to be retained, and enhanced to soften the edge and to enhance the experience of passers-by.
- 5.74 The western side of the application boundary will form a new key pedestrian route across the site. This boundary is proposed to be treated with a planting buffer of low level shrubs which provide a physical barrier to the customer car park but still allow views through to the Retail Park beyond.

- 5.75 Given the above, and subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with CSUCP policy CS15 as the design of the scheme responds well to its surroundings. The units are in keeping and complementary to the design of the surrounding retail units. It is considered the development will make a valuable contribution to improve the visual appearance of the Retail Park.
- 5.76 **SUSTAINABILITY**
The site is highly accessible by sustainable transport modes and in accordance with CSUCP policy CS15. In addition, CSUCP Policy CS16 relates to climate change and sustainability. The proposal accords with Policy CS16 as the scheme embraces the principles of sustainable design and environmental best practice. In that the development has been designed, and will be constructed and operated in accordance with the aims of sustainable development. The site is a previously developed brownfield land and therefore the proposal accords with objectives to develop sustainably by reusing sites instead of building on green field land. The development proposes to use high quality materials to ensure a quality and lasting development. (CONDITIONS 13, 15, 17 and 19) and the scheme includes measures to encourage and increase the movement of pedestrians around the site.
- 5.77 The development proposes to use locally sourced sustainable materials and the scheme will embrace the principles of sustainable design. (CONDITIONS 13 and 15).
- 5.78 The scheme will not significantly increase the amount of impermeable areas and is an improvement on surface water run off so there will not be a significant impact on the local storm water network. (CONDITIONS 24 and 25).
- 5.79 During the construction phases the impacts of construction traffic, noise and dust will be minimised (CONDITIONS 21 - 23).
- 5.80 Given the above, and subject to the recommended conditions, the proposal is considered to accord with sustainable practices and CSUCP policies CS15 and CS16.
- 5.81 **LANDSCAPE**
Landscape information is provided although it is not a detailed scheme that does not clearly identify new tree planting and existing trees to be retained and is not to scale.
- 5.82 It would be beneficial for the trees in the north south line of Carpinus to be planted more frequently than at 10m intervals, to provide initial impact and given the death rate on this site. A number of birch trees will be lost where the development adjoins Tenth Avenue West. There is no new tree planting shown on this frontage in particular in the wide planted verge to the east, where the existing trees are relatively successful. New and replacement trees should be located here. A condition is recommended to secure a landscape scheme to include additional tree planting (CONDITIONS 26 and 27).

- 5.83 The location and easements for drainage need to be cross referenced with the detailed landscape proposals drawing. A North-South foul sewer is close to a line of trees, and may be in conflict with them.
- 5.84 Some of the trees are in shown in proprietary pits, with root cell products. These must be sized to contain soil volumes in accordance with the manufacturer's recommendations (CONDITIONS 26 and 27).
- 5.85 However, it is acknowledged that the proposals will improve the visual appearance of the scheme, and that the final details for those trees to be removed and a landscape scheme including the replanting of trees into an east west shrub strip where they have failed in the original development. The soil in this bed should be assessed and improved as necessary to ensure the new trees establish well, and suitably resilient and vigorous species should be selected, be secured by condition (CONDITIONS 26 and 27).
- 5.86 Given the above, and subject to the recommended conditions the proposal is considered to be acceptable and in accordance with policy CS18 of the CSUCP.
- 5.87 **BIODIVERSITY**
As the proposed development is located entirely within the existing car park, there are no concerns in relation to the likely impacts of the development on biodiversity.
- 5.88 The applicant has given an assurance that the adjacent Minorities site would not be used as a compound area or for site cabins to facilitate this development. If it were, this could damage ecological habitat and an ecological survey and potential mitigation measures would be required. A condition is recommended to ensure that the site is not used as a compound without an ecological survey having first been undertaken (CONDITIONS 37 and 38).
- 5.89 Given the above, the proposal is acceptable and in accordance with CSUCP policy CS18.
- 5.90 **COMMUNITY INFRASTRUCTURE LEVY**
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 CIL chargeable development as it is not for qualifying retail or housing related development. As such no CIL charge is liable.

6.0 **CONCLUSION**

- 6.1 Taking all of the above into account, it is considered that the proposal is acceptable.
- 6.2 Team Valley Retail World is recognised in the Development Plan as an established out of centre retail destination. The site is therefore part of an

established retail destination, which is a suitable location for the proposal, and where there is existing demand for the proposal.

- 6.3 The proposal carries various significant economic benefits and therefore complies with the Council's planning policies which seek to generate sustainable economic growth through investments and job creation.
- 6.4 The scheme embraces the principles of sustainable design and environmental best practice and therefore complies with the relevant Development Plan policies relating to design and sustainability.
- 6.5 The site is suitable for continued use in its current form, the flood risk assessment confirms that the proposal will not increase the risk of flooding at the site or elsewhere.
- 6.6 The proposal complies with the relevant Development Plan policies relating to highways and transport as it will not result in a significant adverse impact on the local highway network, and although the proposal will result in a minor loss of car parking spaces by 14 there is sufficient capacity to accommodate the proposed food and drink units. The proposal includes a series of measures aimed at increasing pedestrian movement within the site, as well as cycle hoops to encourage sustainable transport modes.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, delete, 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 -

URB TL[08] 00 01 Rev D03 Units 22 to 25 Site Plan
URB TL[08] 00 02 Rev D02 Units 22 to 25 Existing Site Plan
URB TL[08] 00 03 Rev D04 Units 22 to 25 Proposed Site Plan
URB TL[08] 00 04 Rev D02 Unit 25 Ground Floor Plan
URB TL[08] 00 05 Rev D02 Units 22 to 24 Ground Floor Plan
URB TL[08] 00 06 Rev D01 No Build Zone
URB TL[08] 20 02 Rev D02 Unit 25 Roof Plan
URB TL[08] 20 02 Rev D02 Units 22 to 24 Roof Plan
URB TL[08] 70 01 Rev D02 Unit 25 Proposed Elevations
URB TL[08] 70 02 Rev D02 Units 22 to 24 Proposed Elevations
URB TL[08] 80 01 Rev D02 Units 22 to 25 Proposed Sections
URB TL[03] 00 03 Rev D01NWL and SW Pipe Overlay Site Plan
116874/8001 Rev D Landscape Proposals Plan
URB TL [SK] 0005 - Section through proposed road
16337-SK-14 - Rigid Truck Swept Path Assessment
16337-SK-14 - Max Legal Arctic and Rigid Swept Path Assessment

Flood Risk Assessment Prepared By Fairhurst Author Steve Dickie dated 20.1.2017

DAS prepared by Urban Edge dated December 2016, DAS addendum dated February 2017 and DAS Landscape Principles Addendum prepared by Fairhurst dated 8.3.2017

Travel Plan Framework prepared by Dougal Baillie Associates Colin Weir April 2017

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

No individual unit hereby permitted shall amalgamate with another unit resulting in a larger floorspace, nor subdivide resulting in more, smaller, planning units.

Reason

In order to prevent larger or smaller floor plate units being created, and to ensure that the development is complementary to Team Valley Retail Park and in accordance with Saved UDP policy RCL5 and CSUCP Policy CS7.

4

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), the units hereby permitted shall either operate as A3 (food and drink) or mixed A1 (retail) and A3 (food and drink) premises. For the avoidance of doubt, no units hereby permitted shall operate solely under Use Class A1 (retail) nor

shall they operate at any time or to any extent under Use Class A5 (hot food takeaways)

Reason

To ensure that the development is complementary to Team Valley Retail Park and in accordance with Saved UDP policy RCL5 and CSUCP Policy CS7, and the Hot Food Takeaway SPD.

5

No development approved by this Planning permission shall be commenced until an intrusive site investigation is undertaken, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, insitu testing, soil sampling and chemical laboratory testing of samples to assess potential contamination issues, particularly relating to proposed new planting areas, and to inform foundation design.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works, in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to the environment, future users of the site and construction workers. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide where applicable, which will ensure safe redevelopment.

Reason

In order to ensure the land is suitable for its sensitive end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

6

Prior to commencement of the development hereby permitted, where required, 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 must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The 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.

N.B. The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in any proposed soft landscape areas.

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

7

The details of remediation measures approved under condition 6 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

8

Following completion of the remediation measures approved under condition 6 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

9

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. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local 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.

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 saved policies DC1(p), and ENV54 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

10

The details of remediation measures approved under condition 9 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

11

The bin stores as indicated on drawings URB TL 08 00 05 Rev DO2 Units 22 to 24 and URB TL 08 00 04 Rev DO2 Unit 25 shall be implemented in full accordance with the approved details prior to first occupation of the units hereby permitted and retained for the life of the development thereafter.

Reason

In order to avoid nuisance to the occupiers of adjacent properties in accordance with Saved Policy DC1 of the Unitary Development Plan and policies CS13 and CS14 of the CSUCP.

12

All vegetation clearance works will be undertaken outside the bird breeding season (March to August inclusive), and in accordance with an agreed careful working method to be submitted for consideration and written approval by the Local Planning Authority.

Where this is not possible a checking survey will be undertaken by a suitably qualified ecologist immediately prior to (no more than 48 hours) the commencement of vegetation clearance works on site. Where active nests are present these will remain undisturbed until the young have fledged and the nest is no longer in use.

Reason

To avoid/minimise harm to protected/priority species in accordance with the NPPF, Policy CS18 of the CSUCP, and saved policies of the UDP DC1(e) and ENV46.

13

Prior to the development hereby permitted progressing above damp proof level samples of materials for the buildings, including colours and finishes to be used on all external surfaces have been made available for inspection on site and subsequently approved in writing by the Local Planning Authority. The materials to be used shall be of the quality and nature described in the Design and Access Statement submitted with this application.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

14

The development hereby permitted shall be constructed entirely of the materials approved under condition 13, and retained thereafter.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

Prior to commencement of the development hereby permitted construction shall not progress above damp proof level, until final details of hard surface treatments, to include kerb edging materials, colours and finishes to be used, have been submitted for the consideration and subsequent written approval by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area, in the interests of highway safety and in accordance with Policy ENV3 of the Unitary Development Plan, and in order to accord with policies CS13 and CS14 of the CSUCP.

16

The surface treatment materials approved under condition 15 shall be used to complete the development hereby permitted and retained thereafter.

Reason

To safeguard the visual amenities of the area, in the interests of highway safety and in accordance with Policy ENV3 of the Unitary Development Plan, and in order to accord with policies CS13 and CS14 of the CSUCP.

17

Prior to the development hereby permitted progressing above damp proof level details of external seating, including colours and finishes shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

18

The external seating as approved under condition 17 shall be implemented in full accordance with the approved details and retained thereafter.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

19

Prior to the development hereby permitted progressing above damp proof level final details of the bollards shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

20

The bollards approved under condition 19 shall be implemented in accordance with the approved details and retained for the life of the development.

Reason

To ensure that the development presents a satisfactory appearance and having regard to the requirements of saved Unitary Development Plan policy ENV3 and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

21

No development shall take place, including any works of remediation until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for the recycling/disposing of waste arising from demolition and construction works.

Reason

In order to avoid nuisance to the occupiers of adjacent properties in accordance with Saved Policy DC1 of the Unitary Development Plan and policies CS13 and CS14 of the CSUCP.

22

The construction methodology approved under condition 21 shall be adhered to at all times during the construction of the development hereby permitted

Reason

In order to avoid nuisance to the occupiers of adjacent properties in accordance with Saved Policy DC1 of the Unitary Development Plan and policies CS13 and CS14 of the CSUCP.

23

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the works hereby approved, including the use of any equipment or deliveries to or collections from the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0800 hours and

1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of neighbouring occupants and in accordance with Saved UDP Policies DC1, and ENV61 and CSUCP Policy CS14.

24

The development hereby permitted shall not be commenced until a detailed drainage assessment in accordance with the CIRIA SuDS Manual (C753) has been submitted to and approved in writing by the Local Planning Authority. This shall assess the potential for disposing of surface water by means of a sustainable drainage system and shall consider the DEFRA Non-Technical Standards for SuDS. It shall include: detailed designs of the SuDS components, pipes, inlets and outlets; health and safety risk assessment; construction method statement; and maintenance plans.

A detailed drainage design should be submitted. This should include plans:

- showing impermeable areas used as the basis of the calculations
- showing the change in the hard and soft areas existing and proposed
- levels
- subcatchment areas, volumes/storage capacities, check dams/throttles
- discharge points
- confirmed discharge rate

And Information:

- an assessment using the simple index approach of the levels of likely pollutants entering the surface water and the stages of treatment within the SUDS scheme
- Micro drainage model and calculations
- details and cross sections
- evidence of agreed discharge rate from Northumbrian Water
- management and maintenance schedule and parties responsible
- timescales for implementation

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

25

The details of SuDS measures approved under condition 24 shall be implemented in accordance with the approved timings for implementation and maintained for the life of the development.

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

26

Notwithstanding the scheme indicated on drawing 116874/8001 Rev D full details of a landscaping scheme to include details and proposed phasing, timing of hard and soft landscaping to include replacement tree planting for all existing trees to be removed and trees and hedges to be retained, soil assessment, soil improvement measures for ground preparation, tree cells, rain gardens, a visual barrier and planting plans noting the species, plant sizes and planting densities for all new planting and details of a schedule of landscape maintenance for a minimum period of 5 years from the date of first occupation of the first unit of the development, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area in accordance with the NPPF and in accordance with Saved UDP Policy ENV3 and policies CS14 and CS18 of the CSUCP.

27

The Landscape Scheme approved under condition 26 shall be implemented in full prior to the first occupation of the development hereby permitted and maintained in accordance with the Landscape Maintenance Plan approved under condition 26.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area in accordance with the NPPF and in accordance with Saved UDP Policy ENV3 and policies CS14 and CS18 of the CSUCP.

28

No development or other operations shall commence on site until a detailed services layout and construction methodology has been submitted to and approved in writing by the Local Planning Authority. The layout shall provide for the long-term retention of the existing trees to remain on the site and demonstrate that any trenches will not cause damage to the root systems of the trees.

Reason

To ensure the satisfactory protection of trees in accordance with Saved UDP policies DC1 and ENV44 and CSUCP policies CS14 and CS18.

29

The services layout and construction methodology approved under condition 28 shall be implemented wholly in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees in accordance with Saved UDP policies DC1 and ENV44 and CSUCP policies CS14 and CS18.

30

Prior to first occupation of any individual building hereby permitted, a Flood Evacuation Plan for that building shall be submitted to the Local Planning Authority for written approval.

Reason

To ensure there is a safe egress available from the development in the event of a flood and in order to comply with NPPF and CSUCP Policy CS17.

31

The Evacuation Plan approved under condition 30 for any individual building shall be in place prior to first occupation of the building that it relates to and shall be maintained thereafter.

Reason

To ensure there is a safe egress available from the development in the event of a flood and in order to comply with NPPF and CSUCP Policy CS17.

32

The finished floor levels of the buildings hereby permitted shall be built in accordance the finished floor levels indicated in the Fairhurst Flood Risk Assessment prepared by Steve Dickie dated 13.04.2017

Reason

To reduce the risk of flooding to the development in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne

33

Prior to first occupation of the development hereby permitted final details relating to the servicing strategy for each of the individual units to include:

- details of how all the elements of the development will be adequately and safely serviced,
- details relating to time constraints for servicing,

- vehicle size constraints,
 - details on the numbers of deliveries and
 - how controls would be implemented
 - location of waste collection point
- in the form of a Service Management Plan for each unit.

Reason

To ensure adequate servicing arrangements are provided for all elements of the development and in accord with the NPPF and CSUCP policy CS13.

34

The measures contained within the approved servicing strategy shall be implemented in accordance with the approved details under condition 33 prior to the related element of the development being occupied and maintained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate servicing arrangements are provided for all elements of the development hereby permitted and in accordance with the NPPF and CSUCP policy CS13.

35

Prior to the development hereby permitted progressing above damp proof level final details of the car park layout to include:

Electric charging points parking;

Motorbike parking;

Accessible bays;

Cycle parking

Pedestrian routes/crossings

McDonalds Car Park Access

Access into units to open off pedestrian routes

in line with the Gateshead Cycling strategy, to include for each unit hereby permitted, long stay cycle parking and short stay cycle parking located conveniently throughout the site to serve each of the units and tie in with access points and the wider network.

Reason

To ensure adequate and sustainable parking arrangements are provided for all elements of the development hereby permitted and in accordance with the NPPF and CSUCP policy CS13 and Gateshead Cycling Strategy.

36

The Car Park Layout approved under condition 35 shall be implemented in full prior to first occupation of the first occupied unit hereby permitted and retained thereafter

Reason

To ensure adequate and sustainable parking arrangements are provided for all elements of the development hereby permitted and in accordance with the NPPF and CSUCP policy CS13 and Gateshead Cycling Strategy.

37

Notwithstanding the Framework Travel Plan as submitted a final Framework Travel Plan shall be submitted prior to the occupation of the first new unit to cover the full Retail Park, the first surveys shall be undertaken within three months of the first occupation, and submitted for the consideration and written approval of the Local Planning Authority.

Reason

In order to encourage sustainable travel and to accord with the NPPF and policy CS13 of the CSUCP.

38

Evidence of the implementation of the approved Framework Travel Plan over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Framework Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

In order to encourage sustainable travel and to accord with the NPPF and policy CS13 of the CSUCP.

39

No plant, machinery or equipment shall be installed on or attached to the exterior of any building or part of the development without the prior written approval of the Local Planning Authority.

Reason

To safeguard the amenities of nearby occupants and to ensure that any external equipment does not have an adverse effect upon the appearance of the area and in accordance with Saved UDP Policies DC1, ENV3 and ENV61 and CSUCP policy CS14.

40

No roller shutters shall be installed on any part of the development hereby approved until a detailed scheme for the roller shutters (which shall be fitted internally and have an open lattice design) has been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with Saved UDP Policy ENV3 or CSUCP policy CS15.

41

The roller shutter details approved under condition 40 shall be implemented in full accordance with the approved details and retained thereafter.

Reason

To safeguard the visual amenities of the area in accordance with Saved UDP Policy ENV3 or CSUCP policy CS15.

42

Before any A3 (food and drink) use is commenced, a detailed scheme covering the ventilation and control of cooking odours from within that building shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development is designed and adequately ventilated to control odour nuisance, in accordance with Saved UDP Policies DC1, ENV3 and ENV61 and CSUCP policy CS14.

43

The ventilation / extraction details approved under condition 42 shall be implemented in full prior to occupation of the relevant unit and retained thereafter.

Reason

To safeguard the amenities of nearby residents and to ensure that any external equipment does not have an adverse effect upon the appearance of the area and in accordance with Saved UDP Policies DC1, DC2, ENV3 and ENV61 and CSUCP policy CS14.

