

**Committee Report**

<b>Application No:</b>	<b>DC/16/01079/FUL</b>
<b>Case Officer</b>	<b>Andrew C Softley</b>
<b>Date Application Valid</b>	<b>14 October 2016</b>
<b>Applicant</b>	<b>Buckley Burnett Development Ltd</b>
<b>Site:</b>	<b>Marley Hill Primary School Church Street Marley Hill Newcastle Upon Tyne</b>
<b>Ward:</b>	<b>Whickham South And Sunnyside</b>
<b>Proposal:</b>	<b>Conversion of main school building to include partial demolition to create two residential properties and the erection of 20 dwellings to the rear, to include two x 2 bed semi-detached properties, three x 3 bed terraced properties, four x 3 bed detached properties and eleven x 4 bed detached properties with associated landscaping, parking, services and highway works (amended 22/11/16, 03/02/17, 17/02/17 and 10/05/2017 and additional information received 03/02/17, 09/02/17, 17/02/17 and 12/05/2017).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:****1.1 DESCRIPTION OF THE SITE**

The application site is the former Marley Hill Primary School and the school field associated with the building, which has overall dimensions of approximately 105m by 83m. The school was built, with the adjoining school house, in 1895 and just pre-dates the pit village housing that began to be developed around that time. The former school building is a typical, though attractive, tall single-storey stone and slate Board School. It is symmetrical with wings projecting forward. Windows are mullioned and transomed, with some breaking the eaves line to form half-dormers. There is a central cupola housing the school bell and capped by an ogee roof. There are several later extensions to the rear of the school, which are unsympathetic flat roof brick building that are in a poor state. There is also a separate prefabricated building to the side/rear of the main school building. To the rear of the buildings (south/south-east) is the school field, with a mature landscaped boundary to define the site from the surrounding land. The site is also defined with fencing along all boundaries.

1.2 The former school site is towards the western end of Marley Hill Village, the whole of which forms Marley Hill Conservation Area. The village and surrounding areas are all within Green Belt, however, the village itself, which

includes the whole school site is also within the settlement envelope of Marley Hill. The site has a vehicular access point and a second combined vehicular/pedestrian access point to the front of the site from the A692 Church Street.

### 1.3 DESCRIPTION OF THE APPLICATION

This application proposes the conversion of main school building to include partial demolition to create two residential properties and the erection of 20 dwellings to the rear, to include two x 2 bed semi-detached properties, three x 3 bed terraced properties, four x 3 bed detached properties and eleven x 4 bed detached properties with associated landscaping, parking, services and highway works. The access road would be at the western edge of the site and would lead to the rear of the school building where the 20 new houses would be laid out in three linear rows of 5, 7 and 8 houses respectively. The first row of 5 houses would replace the existing prefabricated building that would be removed and would be made up of smaller 2 and 3 bed houses in a semi-detached and terrace of 3 layout. The next row would replace the existing unsympathetic extensions that would be demolished and would be made up of detached houses.

### 1.4 PLANNING HISTORY

There is no planning history pertaining to this proposed development.

## 2.0 Consultation Responses:

Coal Authority	No objection, subject to conditioning further intrusive site investigation works.
Northumbria Police	No comments.
Northumbria Water	No objections, subject to conditions.
Sport England	Object to the loss of the playing field on a non-statutory basis.
Tyne And Wear Archaeologist	No further archaeological work is required on the field.  The former school building is of high historic interest and thus a programme of building recording should be conditioned to take place prior to its conversion.
Tyne & Wear Fire & Rescue Service	No objections.

## 3.0 Representations:

- 3.1 Two letters of objection have been received from local residents and raise the following concerns:
- Adding this number of dwellings to Marley Hill will have a detrimental impact upon highway safety, as Marley Hill already suffers from congestion.
  - Building the new houses will create overlooking concerns to residents living on the edge of St Cuthberts Park, which will result in a loss of privacy.
  - This would be an overdevelopment of the site, which would be to detriment of Marley Hill Conservation Area and the former school building.
  - Marley Hill does not need any more houses, as there are always houses for sale in the area.
  - The development would harm the surrounding green belt land, e.g. increased footfall.
  - Extra houses in the village would place further strain on already overstretched public services, such street sweeping, road maintenance, etc.
  - This development could cause drainage issues and result in flooding in lower parts of the village.
  - It would create a precedent for further house building schemes.
  - It would infill green belt land.
  - These houses are likely to be out of reach of local people due to anticipated prices.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS19 Green Belt

H4 Windfall and Small Housing Sites

H5 Housing Choice

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

ENV3 The Built Environment - Character/Design

ENV7 Development within Conservation Areas

ENV23 Building Recording

ENV38 - Washed-Over Settlements in Green Belt

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV54 Dev on Land Affected by Contamination

DC1C Landform, landscape and after-use

DC2 Residential Amenity

MWR28 Prov of Facilities in new Developments

## **5.0 Assessment of the Proposal:**

### **5.1 ASSESSMENT**

The main planning issues to be considered are the principle of the development, loss of the playing field, CIL, viability, play and open space provision, green belt, design/conservation area, landscape, highway safety, drainage, contaminated land, coal mining legacy, refuse and residential amenity.

### **5.2 PRINCIPLE**

As the application site is not specifically allocated for housing in the UDP, proposals for housing would need to be considered in terms of windfall housing under policy H4 of the UDP.

5.3 The site forms a windfall site. The National Planning Policy Framework (NPPF) states that "... housing applications should be considered in the context of the presumption in favour of sustainable development."

5.4 With regards to sustainable development, this is a largely residential area, albeit towards the edge of the village. However, there are retail and other service facilities nearby. It is considered that this proposal would not be at odds with the established character of the area and the amenity of future residential occupiers can be safeguarded. This will be discussed in more detail later in the report. As a result the principle of developing this site for residential use is considered acceptable should all other material planning considerations be satisfied.

5.5 Range and choice of housing

The Local Plan seeks to increase the range and choice of housing across Gateshead by improving the balance of the borough's housing stock in terms of dwelling size, type and tenure. Accordingly, policy CS11 of the Core Strategy and Urban Core Plan (CSUCP) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). Saved Unitary Development Plan (UDP) policy H5 also seeks to improve the choice of housing in Gateshead. This proposal seeks to provide a range of housing in which over 60% will be suitable and attractive to families. Overall this application is in accordance with the Council's objectives regarding improving the range and choice of housing.

5.6 Policy CS11 of the CSUCP requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". This proposal is considered to accord with policy CS11 in this regard.

5.7 LOSS OF FORMER PLAYING FIELD

The land in question has not been used as a playing field for more than five years. The Council has recently prepared an up-to-date Playing Pitch Strategy (PPS), which was approved by Gateshead Council's Cabinet at their meeting of 13th December 2016 along with an Indoor and Built Sports Facilities Strategy and Football Plan document. These documents comply with Sport England's requirements for assessing needs and opportunities for sports facilities, while the Football Plan provides a strategic framework for the future provision of facilities for football in Gateshead. The audit of pitches carried out for the PPS Assessment Report does not identify the former Marley Hill School playing fields, either as a pitch currently in use, or as a lapsed/disused site. The former Marley Hill School playing fields have not been maintained since the school was closed in 2010; the fields provide a small site in a relatively isolated location and there is no prospect of them being brought into use as playing fields in the foreseeable future. Therefore, officers are confident that this proposal does not result in the loss of a valid playing field and hence accords with the NPPF and policy CS14 of the CSUCP.

5.8 Nonetheless, Sport England has chosen to object to the loss of the former playing field but on a non-statutory basis.

5.9 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 1st January 2017 Gateshead Council became a CIL Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development, as it is housing related. The area of the site that comprises the former school building and the first row of houses (plots 16-20) fall within Charging Zone C, which has a levy of £0 per square metre for this type of development and as such no CIL charge is liable. However, plots 1-15 fall within charging Zone A, which has a levy of £60 per square metre for this type of development and as such a CIL charge is liable and is chargeable at the decision date.

#### 5.10 VIABILITY

There are two key factors when considering viability for this proposed development. The first is the impact of CIL, as set out above, and the second is the drainage requirement from Northumbrian Water for the developer to pay for a new surface water sewer to connect the new development into the existing sewer system at St Cuthberts Park. These two factors add a considerable amount of expense and are non-negotiable. The applicant has submitted a comprehensive viability statement, which has been assessed by officers, that demonstrates that the scheme is marginal at best due to the CIL and drainage requirements. Additional requirements in respect of affordable housing and play space provision make the scheme unviable. Officers are therefore satisfied in this case that the scheme could not realistically proceed with an affordable housing element included or play area provision.

#### 5.11 PLAY AREA PROVISION

Saved UDP policies CFR28, CFR29 and CFR30 relating to the provision of play areas apply to the current application. Based on viability grounds, it is considered in this case that requiring the developer to provide an on-site toddler play area or providing an off-site contribution towards junior and teenage provision would make the scheme unviable. Therefore, while it cannot be concluded that the proposed development would comply with saved policies CFR28, CFR29 and CFR30 of the UDP, it is considered that other material planning considerations outweigh the UDP policies.

#### 5.12 OPEN SPACE

The application site is not located within a neighbourhood that is deficient in open space provision; therefore there would be no requirement for this development to provide any.

#### 5.13 GREEN BELT

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.14 The application site is located within the area of Green Belt that helps to prevent Gateshead merging with County Durham and also looks to safeguard the countryside in this area from encroachment, as set out in paragraphs 79 and 80 of the NPPF and policy CS19 of the CSUCP.

5.15 That said, paragraph 85 of the NPPF covers how Local Planning Authorities (LPA) define Green Belt boundaries and sets out, amongst other things, not to include land which is unnecessary to keep permanently open and Green Belt boundaries should follow physical features that are readily recognisable and likely to be permanent.

5.16 Paragraph 86 of the NPPF goes on to say that villages that fall within Green Belt areas should not be covered by Green Belt policy unless the settlement has a specific open character that contributes to the openness of the Green Belt. Otherwise, if the character of a settlement needs to be protected for other

reasons, other means should be used, such as a conservation area for example.

5.17 In this case, the entire application site falls within the settlement boundary of Marley Hill village, which is classified as a "washed-over settlement within the green belt", as per saved policy ENV38 of the UDP. Policy ENV38 represents Gateshead Council's interpretation of paragraphs 85 and 86 of the NPPF in that the special character of Marley Hill villages relates to historic value, as a former coal mining village, and hence it is unnecessary to keep land within the village permanently open and the washed over settlement boundary follows clear and defined physical boundaries that make up the outer perimeter of the village.

5.18 Therefore, whilst Marley Hill village, and hence the application site, is not out with the Green Belt boundary, it is within the washed over settlement of Marley Hill. Saved policy ENV38 of the UDP sets out that infill residential development is acceptable within a washed over settlement providing that it does not have an adverse effect on the character of the settlement concerned and satisfies other detailed planning considerations. The other material considerations will be addressed later in the report but subject to them the proposal is considered to accord with national and local Green Belt policy.

#### 5.19 ARCHAEOLOGY

An archaeological assessment and geophysical survey have been submitted as part of this application. The geophysical survey across the rear field was undertaken due to the supposed line of an early 18th waggonway crossing the site. No archaeological anomalies were identified; therefore no further archaeological work is required on the field to the rear of the former school.

5.20 The school building is an early example of a board school and is of high historic significance. Therefore, it is considered necessary that a building recording exercise takes place prior to its conversion (condition 3). Subject to the condition the proposal accords with the NPPF and saved policy ENV23 of the UDP.

#### 5.21 LANDSCAPE/TREES

The site is visible within the landscape due to the topography of the surrounding area. However, the rear boundary of the site has a significant landscaping strip, which is mature but in need of attention. It is considered that maintaining and improving the existing landscaping strip would help to soften the development and the linear arrangement and simplified house types would follow the visual theme of housing in Marley Hill. It is also considered that the school site is viewed as an enclave within the wider landscape and the new dwellings would replace the existing extensions to the rear of the main school building. As a result, it is considered that the site would still be viewed as an enclave within the wider landscape. Therefore, subject to conditioning a final landscaping scheme and providing tree protection measures for the existing landscaping to be retained, it is considered that the proposal would accord with the NPPF, policy CS15 and CS18 of the CSUCP and saved policies DC1(c), ENV3 and ENV44 of the UDP (conditions 4 and 5 - tree protection and conditions 6, 7 and 8 - landscaping).

## 5.22 CONTAMINATED LAND/COAL MINING LEGACY

Ordnance Survey plans indicate that the site was agricultural land prior to being developed into its current form as Marley Hill Community Primary School, in Victorian times and further extensions / buildings have been added over the years. The open land to the rear has remained undeveloped, being used for play areas / sports pitches. However, the site is classified by the Coal Authority as being in a Development High Risk Area and this is supported by the fact that a former colliery shaft is located in the north east corner of the site, indicating that the site was a historical colliery site with potential associated made ground and potential contamination.

5.23 The site has been assessed as part of the Local Authority's obligations under Part IIA of the Environmental Protection Act of 1990 and the site has not been classified as "contaminated land". However, the site has been assessed as being situated on "potentially contaminated land" based on the fact that the site has historically been a colliery and thus there is a possibility that 'potentially contaminated' made ground may exist on the site from its use as a colliery site, and historic imported materials associated with the previous development /materials (e.g. asbestos) used in construction materials.

5.24 The findings of the submitted Phase 1 Land Contamination assessment and the Coal Mining Risk Assessment are considered to be acceptable and both recommend that further intrusive site investigation works (Phase 2) should be conditioned if planning permission is granted to ensure that the development accords with the NPPF, policy CS14 of the CSUCP and saved policy ENV54 of the UDP (conditions 9-14).

## 5.25 DRAINAGE

The principle of the revised drainage strategy is considered to be acceptable and hence it is considered acceptable to condition the final details, including maintenance provision, to ensure that the development accords with the NPPF and policy CS17 of the CSUCP (conditions 15-20).

## 5.26 DESIGN/CONSERVATION AREA

The design, scale, layout, height, density and appearance of the proposed houses are considered to be sympathetic to the surrounding area and would not appear out of keeping with the existing housing stock and other buildings as a result. Furthermore, the design of the properties would safeguard visual amenity and the character and appearance of the conservation area. This is based on the proposed linear arrangement of the proposed new dwellings, and the simple pitched roof layouts, in rows that reflect the appearance of the terraced houses that characterise Marley Hill. It is also proposed to use a sympathetic red brick for the elevations and natural slate for the roof coverings, which would also be complementary to the visual amenity of the streetscene.

5.27 With regard to the conversion of the former school, the works are considered to be sympathetic, including the addition of a modest number of rooflight windows and ultimately the main character and appearance of the building would be preserved. Furthermore, the removal of the unsympathetic extensions and



modular building would also be to the betterment of the conservation area. It is also worth noting that allowing for the development of the new dwellings underpins the conversion of the former school, which will safeguard its position within Marley Hill for another 100 years.

- 5.28 That said, officers consider it is necessary to condition the final approval of materials, including the type of hardstanding for the driveway and footpaths (conditions 21 and 22) the proposals to safeguard visual amenity and preserve the character and appearance of the conservation area.
- 5.29 Furthermore, the boundary treatments proposed are considered to be acceptable and hence it is considered appropriate to condition that the development be implemented in accordance with the submitted information (condition 23).
- 5.30 On that basis the design of the proposal would safeguard visual amenity and the character and appearance of Marley Conservation Area and thus accord with the NPPF, policy CS15 of the CSUCP and saved policies ENV and ENV7 of the UDP.
- 5.31 HIGHWAY SAFETY  
The internal layout of the site has been revised in consultation with the Council's Transport Planning section, while many requirements dealing with the location of calming features, carriageway and footway widths, visitor parking and pedestrian links have now been agreed there are other elements that the applicant has chosen not to address at this stage and consequently conditions will be required.
- 5.32 The access and access road into the site has been subject to significant review due to concerns surrounding its geometry and how it ties in with the existing highway at the A692. Given these concerns, a stage 1 road safety audit (RSA) has been undertaken by independent road safety auditors, the issues raised in the audit have been addressed by the applicants design team and the access arrangement have now been deemed acceptable, subject to detailed design including street lighting being agreed. This can be dealt with by condition (conditions 24 and 25).
- 5.33 Design changes associated with the access road and in particular forward visibility have been made, however, the applicant has yet to clarify the final position in respect of forward visibility through the internal bend. Therefore, it is considered that further information is required in relation to forward visibility through the internal bend and to ensure that the agreed visibility splay is kept clear of obstruction (conditions 26 and 27).
- 5.34 Given the constraints of the access road it is necessary to ensure that there is no entrance point associated with the units within the former school building directly onto the access road and this can be secured through condition (condition 28).
- 5.35 There are insufficient reversing aisles for the driveways off the shared drives, with the exception of plots 19-20, and the 7 bays adjacent to plot 16. Where a

2.4m bay is used a reversing aisle of 6m is generally required. In order to overcome this issue the bays and double drives can be widened, while some revised tracking has been received, this does not correspond with the submitted layout drawings. Therefore, it is considered necessary to condition amendments to the driveways, parking bays and aisle widths to ensure that vehicles can manoeuvre acceptably within the site; this will be demonstrated using tracking (conditions 29 and 30).

- 5.36 Final details of the internal traffic calming features and how this ties in with visitor parking bays should be provided to ensure highway safety is maintained. This can be addressed by condition (conditions 31 and 32).
- 5.37 Cycle parking has been indicated for each of the individual units but final details have not been submitted. Such details can be addressed by condition (conditions 33 and 34).
- 5.38 Internal footpaths linking from the parking bays to the school building and the footpath link to the north of plots 16-18 have been widened to 1.8m and hence are acceptable.
- 5.39 As part of the scheme delivery there is a requirement for offsite highway works to be carried out, details relating to these works and a timetable for delivery will need to be secured under a condition (conditions 35 and 36), the works include:
- Realignment of kerb line
  - Footway widening/carriageway narrowing
  - Changes to road markings
  - Removal of guardrail
  - Removal of scholars bus stops
  - Revoking/creation of TRO's
  - Making good of redundant access's
  - 20MPH zone signage.
  - Pedestrian crossing on A692 linking the site with existing bus infrastructure.
  - Measures to tie the pedestrian/cycle link into existing infrastructure.
- 5.40 A travel plan for the site is yet to be agreed, inadequacies were identified within the original submission which will need to be addressed and agreed prior to occupation of any of the units and include clear timetables for implementation of measures, surveys and monitoring and review. Identification of a travel plan co-ordinator and funding proposals will also be required as a minimum (conditions 37 and 38).
- 5.41 Subject to the above conditions it is considered that the proposal would accord with the NPPF and policy CS13 of the CSUCP.
- 5.42 RESIDENTIAL AMENITY

It is considered that the orientation of windows, the layout of the site, including car parking, and the drop in land level from north to south should help to safeguard residential amenity to neighbouring properties, both existing and proposed. Furthermore, the separation distances to the nearest properties in St Cuthberts Park are in excess of 100m and therefore a loss of privacy is not considered to be an issue. Therefore, the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policy DC2 of the UDP.

5.43 In addition to the comments above, it is considered reasonable to condition that construction works should only take place during typical daytime hours of 8am-5pm Monday to Friday in order to safeguard residential amenity. Subject to that condition the proposal would accord with the NPPF, policy CS14 of the CSUCP and policy DC2 of the UDP (condition 39).

#### 5.44 REFUSE

Each plot has sufficient rear garden space for the storage of wheeled bins with easy access to wheel them out for collection and the road layout is good and reduces the need for reversing for the 26 tonne HGV waste collection vehicles. Therefore, it is considered that the proposal accords with the NPPF and saved policy MWR28 of the UDP.

### 6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is recommended that planning permission be granted, as the proposal has been able to demonstrate that it would be acceptable, subject to conditions. It is considered that the proposal does accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

### 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, 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 -

- 311 001 - Location/Boundary Plan
- 311 002 Rev L - Proposed Site Layout
- 311 003 Rev E - Proposed Hard Landscape and Boundary Treatment Plan
- 311 004 Rev B - Proposed External Material Plan
- 311 005 - Proposed Block Plan
- 311 006 - Boundary Treatment Details
- 311 007 - Proposed Site Sections A-A and B-B.
- 311 001 Rev A Proposed Floor Plans and Elevations - House Types 1-5.

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 demolition/development shall take place until a programme of archaeological building recording has been completed. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason

To provide an archive record of the historic building and to accord with the National Planning Policy Framework and saved policy ENV23 of the Unitary Development Plan.

4

No development or any other operations shall commence on site until a scheme for the protection of the existing trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the National Planning Policy Framework, policy CS18 of the Core Strategy and Urban Core Plan and saved policies DC1(c) and ENV44 of the Unitary Development Plan.

5

The protective fencing approved under condition 4 must be installed prior to the commencement of the development and thereafter retained intact for the full duration of the demolition and construction works and

there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the National Planning Policy Framework, policy CS18 of the Core Strategy and Urban Core Plan and saved policies DC1(c) and ENV44 of the Unitary Development Plan.

6

The development hereby approved shall not be first occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with the National Planning Policy Framework, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and saved policies DC1(c), DC2 and ENV3 of the Unitary Development Plan.

7

The landscaping scheme approved under condition 6 shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

8

The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and in

accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

9

Prior to any demolition works and prior to the commencement of the development hereby permitted, with the exception of the tree protection measures and the archaeological building recording, an intrusive site investigation with a Phase 2 Detailed Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

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 policies DC1(p) and ENV54 of the Unitary Development Plan.

10

The details of the intrusive site investigation and the details of the Phase 2 Risk Assessment Report approved under condition 9 shall be implemented prior to commencement of the development hereby permitted, with the exception of the tree protection measures.

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 policies DC1(p) and ENV54 of the Unitary Development Plan.

11

Prior to any demolition works and prior to the commencement of the development hereby permitted, with the exception of the tree protection measures and the archaeological building recording, and subject to condition 9 above, 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.

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 policies DC1(p) and ENV54 of the Unitary Development Plan.

12

The details of remediation measures approved under condition 11 shall be implemented prior to the first occupation 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 policies DC1(p) and ENV54 of the Unitary Development Plan.

13

Following completion of the remediation measures approved under condition 11 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 policies DC1(p) and ENV54 of the Unitary Development Plan.

14

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. Following completion of measures identified in the approved remediation scheme

a verification report shall be submitted to and approved in writing by the Local Planning Authority.

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 policies DC1(p) and ENV54 of the Unitary Development Plan.

15

Prior to the commencement of the development hereby permitted, with the exception of the tree protection measures, the archaeological building recording and any demolition works, full details of the drainage of all vehicular areas including roadways, parking bays and driveway areas shall be submitted to and approved in writing by the Local Planning Authority. Road gullies alone will not be acceptable in terms of mitigation of pollutants.

Reason

To ensure that the drainage of these areas includes the necessary treatment to mitigate against vehicle pollutants in accordance with the National Planning Policy Framework, the SuDS Manual and policy CS17 of the Core Strategy and Urban Core Plan.

16

The details of drainage of vehicular areas approved under condition 15 shall be implemented prior to the first occupation of the development hereby permitted and maintained for the life of the development.

Reason

To ensure that the drainage of these areas includes the necessary treatment to mitigate against vehicle pollutants in accordance with the National Planning Policy Framework, the SuDS Manual and policy CS17 of the Core Strategy and Urban Core Plan.

17

Development shall not commence in respect of the soakaway system until full details of the geocellular storage or soakaway system have been provided, including details of pollutant mitigation measures to treat runoff from all hard surfaces to the soakaway feature, CCTV and maintenance access into the structure.

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.



18

The details of the soakaway feature approved under condition 17 shall be implemented prior to the first occupation of the development hereby permitted 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 National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

19

Prior to the first occupation of the development hereby approved a drainage maintenance plan, including specification and schedule, and designed to be a working document for use by maintenance operatives, shall be submitted to and approved in writing by the Local Planning Authority. This shall include maintenance specification and timings for the geocellular storage devices, hydrobrakes, manholes, gullies, and any other flow controls or water treatment devices. The plan shall also set out details of the arrangements for the ongoing maintenance of the drainage system over the lifetime of the development, and set out clearly where responsibility lies for the maintenance of all drainage features including underground storage, oversize pipes, permeable paving, flow control and water treatment devices.

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

20

The details of the drainage maintenance plan approved under condition 19 shall be implemented prior to the first occupation of the development hereby permitted 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 National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

21

Development shall not commence until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies

CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

22

The development shall be completed using the materials approved under Condition 21, and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

23

The boundary treatment details shown on plan references 003 Rev E and 006 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and the character and appearance of Low Fell Conservation Area, in accordance with the NPPF, saved policies DC2, ENV3 and ENV7 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

24

Prior to the first occupation of the development hereby approved full details of the proposed street lighting scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

25

The street lighting details approved by condition 24 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

26

Prior to the construction of the internal road within the site hereby approved, final details to demonstrate that forward visibility can be

achieved through the internal bend to ensure that the agreed visibility splay is kept clear of obstruction shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

27

The forward visibility details approved by condition 26 shall be provided on site prior to the first occupation of the development and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

28

No entrance point associated with the "Unit 1" within the former school building shall open directly onto the access road.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

29

Prior to the construction of the reversing aisles for the driveways off the shared drives and the 7 bays adjacent to plot 16, final details showing amendments to the driveways, parking bays and aisle widths to ensure that vehicles can manoeuvre acceptably within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

30

The revised aisle and parking bay widths approved by condition 29 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

31

Prior to the construction of the internal road final details of the internal traffic calming features and how this ties-in with visitor parking bays should be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

32

The internal traffic calming measures approved by condition 31 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

33

Notwithstanding the details of the submitted application and prior to the first occupation of the development hereby approved, a scheme for the provision of secure and weather resistant cycle parking facilities for each property shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists and in compliance with the NPPF and policy CS13 of the CSUCP.

34

The cycle parking details approved by condition 33 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

35

Prior to any off-site highway works commencing in respect of the development hereby approved full details of the following points, including a timetable for delivery shall be submitted to and approved in writing by the Local Planning Authority:

- Realignment of kerb line
- Footway widening/carriageway narrowing
- Changes to road markings
- Removal of guardrail
- Removal of scholars bus stops
- Revoking/creation of TRO's
- Making good of redundant access's
- 20MPH zone signage.
- Pedestrian crossing on A692 linking the site with existing bus infrastructure.

- Measure to tie the pedestrian/cycle link into existing infrastructure.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

36

The off-site highway works approved by condition 35 shall be provided on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

37

No buildings hereby approved shall be occupied until the submission of a Travel Plan for the application site has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with the NPPF and policy CS13 of the CSUCP;
- 3) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 4) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Evidence of the travel plans implementation 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.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

38

The travel plan approved by condition 37 shall be implemented on site as per the developer's construction timetable and maintained as such thereafter.

Reason

In the interests of highway safety and in order to accord with the NPPF and policy CS13 of the CSUCP.

39

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

**Reason**

To safeguard the amenities of nearby residents and in accordance with the NPPF, saved policies DC1(h), DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

