

**Committee Report**

<b>Application No:</b>	<b>DC/17/00167/FUL</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>9 March 2017</b>
<b>Applicant</b>	<b>Gateshead Regeneration Partnership</b>
<b>Site:</b>	<b>Land At Whitehill Drive Felling</b>
<b>Ward:</b>	<b>Windy Nook And Whitehills</b>
<b>Proposal:</b>	<b>Proposed erection of 39 dwellings with associated works.</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 located within the Windy Nook area of Gateshead approximately 3km to the south east of the town centre. The application site is located to the north east of Whitehill Drive; the site is currently undeveloped open land.

1.2 Land levels on site are changeable although there is a general slope up to the north within the area, the application site sits below the highway to the south resulting in a 'bund' being located to the southern boundary of the site.

1.3 The application site extends to the north east (beyond the housing allocation boundary); this portion of the application site is to allow the site's drainage to connect to the wider drainage network.

1.4 The application site is allocated in the Local Plan as a housing site and is identified as wildlife corridor. The Local Plan identifies the areas abutting the site as a Local Nature Reserve, Accessible Green Space, Open Space and Urban Green Space.

**1.5 DESCRIPTION OF THE PROPOSAL**

The application seeks full planning permission for the erection of 39 dwellings and associated works. The housing would be located to the south of the application site (owing to site constraints), the proposed SuDS basin and an area of open space would be located to the north of the application site. A substation would be located adjacent to the site access.

1.6 The application proposes that the development be made up of 12 two bedroom dwellings, 20 three bedroom dwellings and 7 four bedroom dwellings. The dwellings would have a contemporary architectural style with a simple palette of materials, comprising of brick and tile.

- 1.7 A single vehicular access point is proposed to be taken from Whitehill Drive to the south. Three pedestrian accesses will be created one to the north western boundary and two to the south eastern boundary linking the site to the wider area.
- 1.8 It is proposed that the development be brought forward by Gateshead Regeneration Partnership (GRP) - a joint venture initiative between Galliford Try, Gateshead Council and Home group to provide exemplary homes on sites that would previously have been very difficult in terms of constraints and viability.
- 1.9 The application is accompanied by the following documents:
- Affordable Housing Statement
  - Drainage Assessment
  - Ecological Appraisal
  - Flood Risk Assessment
  - Ground Investigation Reports
  - Planning Statement
  - Statement of Community Involvement
  - Transport Assessment
- 1.10 **PLANNING HISTORY**  
The planning history of the site is summarised as follows;
- DC/04/01160/GBO; Planning permission granted for 'Development of 1.62ha of vacant land for residential purposes including an 8-bed childrens' home.' Date; 24 November 2004.
  - DC/07/00403/REM; Outline planning permission granted for 'Erection of 30 semi-detached and terraced dwellinghouses, 29 flats in 2-3 storey blocks and childrens care home (reserved matters application pursuant to DC/04/01160/GBO(amended 8.10.07 and 5.11.07).' Date; 15 November 2007.

## **2.0 Consultation Responses:**

Northumbrian Water      No objection.

## **3.0 Representations:**

- 3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. A total of 9 objections including a request to speak at the Planning and Development Committee Meeting from a Ward Councillor (Councillor Tom Graham) have been received and are summarised as follows;
- The development would lead to the loss of a much utilised outdoor area;
  - The proposal would result in more development within the nature park;
  - The development would lead to a loss of habitat;

- The Council and volunteers have spent a lot of time and money on the upkeep of the area;
- There is insufficient highway capacity to deal with the development and;
- There is only a single bus link within the area.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC1D Protected Species

DC1J Substrata Drainage-Water Quality

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV49 Sites of Nature Conservation Importance

ENV54 Dev on Land Affected by Contamination

H3 Sites for New Housing

H5 Housing Choice

H9 Lifetime Homes

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR20 Local Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

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

GPGSPD Gateshead Placemaking Guide SPG

## **5.0 Assessment:**

5.1 The detailed planning considerations are the principle of the proposed development, open space and play area provision, flood risk, sustainable drainage, land contamination, affordable housing, highway safety, design, visual and residential amenity and ecology.

### 5.2 PRINCIPLE

#### 5.3 Allocation

The majority of the application site (excluding the area required for the drainage connection) is allocated for housing under saved UDP Policy H3. The policy offers a capacity of 36 units for the site within the supporting text; this figure is not defined as a maximum housing level within the policy. Therefore, subject to satisfying other material considerations, the principle of erecting 39 housing on the site would be acceptable.

#### 5.4 Family Homes

CSUCP policy CS11(1) 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 UDP policy H5 also seeks to improve the choice of housing in Gateshead.

5.5 The proposed development would provide 69% family homes. Therefore, the proposal is in accordance with CSUCP policy CS11(1) and saved UDP policy H5, contributing to the requirement for the totality of development across the plan area to provide 60% family housing.

#### 5.6 Affordable Housing

Policy CS11 requires that where there is evidence of a need for affordable housing, the Council will seek the provision of a proportion of affordable housing on all housing developments on sites of 0.5 hectares or more in size or with the potential for the development of 15 or more dwellings. The applicant has indicated that no affordable units would be provided as part of the current development.

- 5.7 In the case of the GRP redevelopment, it has been agreed that the total of affordable housing to be provided will be calculated holistically with reference to the total provided across the GRP portfolio in order to satisfy Core Strategy policy CS11. The applicant has indicated that;  
*"Schemes have already commenced or completed at Avon Street, Trilogy I Saltwell, Birtley Phases I & II and are proposed at Trilogy II Kelvin Grove have/will provide a total of 63no. affordable homes for Home Group."*
- 5.8 Residential space standards  
Policy CS11(4) requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". It is considered based upon the submitted information that the application meets the above requirements, providing an acceptable level of internal and external space for future residents.
- 5.9 It is considered that the principle of residential development of this site is acceptable, subject to all other material planning considerations being satisfied and would be in accord with saved UDP policies H5, and H9 of the UDP, policy CS11 of the CSUCP as well as the NPPF.
- 5.10 DESIGN ISSUES  
The NPPF encourages design quality and sets the scene for building a strong and competitive economy. Good design is identified specifically as being important in establishing a strong sense of place. New development should optimise the potential of a site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. The NPPF states that new development should respond to local character and history, reflecting the identity of local surroundings.
- 5.11 The CSUCP reflects the general aims of the NPPF encouraging economic growth and identifying the importance of quality of place. Policy CS15 refers specifically to Place Making and the need for new development to demonstrate high and consistent design standards in line with the Council's design guidance contained in the Gateshead Placemaking SPD.
- 5.12 The NPPF requires that development should 'make a positive contribution to local character and distinctiveness' (paragraphs 126 and 131). This is reinforced by paragraphs 58, 60, 61 and 64. These require development to respond to local character by promoting or reinforcing local distinctiveness, reflect the identity of local surroundings and materials and promote good architecture and appropriate landscaping. Development of poor design which fails to respond to opportunities for improving the character and quality of an area should be refused.
- 5.13 Overall, it is considered that the site provides a good quality design response to the constraints of the site.
- 5.14 The development looks outwards on two of its three sides demonstrating an effort to engage positively with the surrounding areas by exploiting views out of

the site and interacting positively with the valuable assets surrounding the site, including the local nature reserve and links to the wider footpath network.

- 5.15 The contemporary architectural style of the proposed dwellings is considered to be of good design quality and will achieve a positive impact on local character.
- 5.16 The design demonstrates a strong hierarchical approach to highway layout and uses a range of street types and surface materials to assist in creating a more visually rich and interesting public realm, and rightly aimed more towards pedestrian users.
- 5.17 Further, thought have been offered to the form and location of boundary treatments and a range of solutions has been offered, some incorporating soft landscaping, to deliver an intelligent and flexible approach to this important issue.
- 5.18 Final details of materials and boundary treatments (including locations) to be used across the site should be submitted to and approved in writing by the Local Planning Authority (Conditions 3, 4, 5 and 6) to ensure their acceptability in the context of the site and the wider area.
- 5.19 It is considered that the proposed development is acceptable from a design point of view and subject to the recommended conditions accords with the design aims and objectives of the NPPF, saved policy ENV3 of the Council's UDP and policy CS15 of the Council's CSUCP.
- 5.20 **RESIDENTIAL AMENITY ISSUES**  
Given the distances between the existing adjacent houses and the proposed development it is considered that the development would not cause any significant harm to the living conditions of adjacent residents through loss of light, overshadowing or visual intrusion.
- 5.21 It is considered that the internal separation distances within the site strike an appropriate balance between ensuring an acceptable level of residential amenity and encouraging an appropriate design solution. On this basis, the internal layout is considered to be acceptable would not cause any significant harm to the living conditions of the future occupiers of the proposed houses in terms of loss of light, overshadowing or visual intrusion.
- 5.22 Officers consider that the construction works associated with the development could impact on the living conditions of adjacent neighbours. It is recommended that conditions be imposed that would require the submission and approval of appropriate details in regard to hours of operation, location of the site compound (including locations for site vehicles and materials) and controls over dust and noise. (Conditions 7 and 8).
- 5.23 Officers are therefore of the opinion that subject to the above conditions, the proposed development would not harm the living conditions of adjacent residential properties and the living conditions of the future occupiers of the proposed houses. It is therefore considered that the development is acceptable

from a residential amenity point of view and accords with the aims and objectives of the NPPF, saved policy DC2 of the Council's UDP and policy CS14 of the Council's CSUCP.

## 5.24 TRANSPORT ISSUES

### 5.25 Access

A new vehicle access is proposed for the north west corner of the site off Whitehill Drive. There is no objection in principle to locating the vehicle access to the housing development in this location. The visibility splays for the proposed access have been adequately shown on submitted plans and the access design is considered to be acceptable; this requires the existing bus shelter to be relocated, extension of the footpath and the relocation of existing traffic calming measures on Whitehill Drive, these works could be secured through the imposition of planning conditions (Condition 9 and 10).

5.26 In addition to the proposed vehicle access, three pedestrian accesses are proposed one to the north adjacent to an area of open space and two to the south east connecting to the existing footpaths. An extension of the footpath across the frontage of the site will take place to allow pedestrians to cross Whitehill Drive safely (Condition 9 and 10).

### 5.27 Layout

The layout of the scheme is considered to be acceptable in highways terms offering a legible layout. However, there is some concern with the utilisation of grassed service strips to the shared surface in terms of usability by the visually impaired. The final surface materials would need to be submitted to and approved in writing by the LPA (Conditions 11 and 12), which will address the above point.

5.28 The crossing point within the application site (adjacent to plots 11 and 12) would be likely to create conflict with driveways and requires amendment; this will be secured through the use of appropriate conditions (Conditions 13 and 14).

5.29 Further, details of the bollards to be located adjacent to plot 23 need to be provided and implemented to ensure vehicles cannot access the site via the public footpath and vice versa (Conditions 15 and 16).

### 5.30 Traffic Generation

The development will increase traffic movements in the area and to the site. Council officers are of the opinion that the additional traffic movements associated with development would only add small numbers to the existing highway network (including during the peak periods), this increase is considered to be acceptable.

### 5.31 Car Parking Provision

The Council's Transport Technical Appendices sets out the levels of car parking for new residential developments. This states that new housing development should provide a minimum of 1 space per house and a maximum

of 2 spaces per house for residents on or off street. Visitor parking should also be provided on street at a ratio of a minimum of 1 space per 4 houses and a maximum of 1 space per 3 houses. Garages are counted as 0.5 of a space in the overall car parking provision.

- 5.32 Based on these car parking guidelines a housing development of 39 houses should normally provide a minimum of 39 resident spaces and 10 on street visitor spaces giving a total of 49 car parking spaces and a maximum of 78 resident spaces and 13 on street visitor spaces giving a total of 91 car parking spaces.
- 5.33 The layout provides a total of 67 car parking spaces, comprising of 55 spaces off street resident parking spaces and 12 on street visitor car parking spaces. It is therefore considered that sufficient car parking spaces have been provided as part of this development and the concentration of visitor parking has been adequately dispersed around the application site.
- 5.34 **Cycle Parking Provision**  
Cycle parking will be provided within a storage shed within the curtilage of the dwellings. The provision of the cycle storage will be secured through an appropriate planning condition (Condition 17).
- 5.35 **Bin Storage/Collection**  
Each property has sufficient space within their rear gardens to store refuse bins with space to wheel the bins to the street for bin collection day. The proposed road layout within the site allows sufficient space for a bin collection lorry to collect the bins and turn around, subject to the provision of bin stores within the site, the final details of these stores and delivery could be secured through planning conditions (Conditions 18 and 19).
- 5.36 **Travel Plan Measures**  
To help promote sustainable travel choices it is considered that each house should be provided with a travel welcome pack that should include bus timetables along with information on the walking and cycling options available in the area. Council officers consider that this issue can be covered by a planning condition (Condition 20).
- 5.37 It is therefore considered that subject to the above conditions the proposed development is acceptable in highways terms and would accord with the aims and objectives of the NPPF and policy CS13 of the Council's CSUCP.
- 5.38 **TREES/LANDSCAPING**  
A Tree Survey and Arboricultural Impact Assessment have been submitted as part of this planning application. The report indicated that a total of seven individual trees are to be removed as part of the development proposal along with two groups of trees (the second of which is to be removed to allow a drainage connection). The report identifies that the loss of the specimens will only be negative at site level i.e. not from outside of the application site. Officers agree with this conclusion.



- 5.39 It is proposed that the remainder of the trees within the application site would be protected through the use of the protective fencing, to this end a tree protection plan has been submitted as part of the application. The installation of the protective fencing and the display of the tree protection plan on site will be secured through planning conditions (Conditions 21 and 22).
- 5.40 The loss of the trees would need to be compensated for through the provision of appropriate landscaping on the site. The applicant has provided an indicative landscape plan, however this does not adequately take account of constraints on site e.g. the high pressure water main to the boundary with Whitehill Drive. Therefore, it is considered necessary to condition that a fully detailed landscaping scheme (including a schedule of maintenance) be submitted for approval (Conditions 23, 24 and 25).
- 5.41 Subject to these tree/landscaping related planning conditions, it is considered that the proposed development is acceptable in terms of impact on the existing trees and accords with the aims and objectives of the NPPF, saved policies ENV44 of the Council's UDP and policy CS18 of the CSUCP.
- 5.42 **ECOLOGY ISSUES**  
The application site is located immediately adjacent to the Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site, and is situated entirely within a designated Wildlife Corridor. The application site boundary has been extended eastwards into the nature park/Local Nature Reserve where it is proposed to provide/construct a drainage connection.
- 5.43 Given the scale and ecological sensitivity of the application site an Ecological Appraisal has been submitted as part of the planning application.
- 5.44 The application site supports a number of different habitats including semi-improved acid grassland, lowland heath, inundation grassland, species poor neutral grassland, bare ground, scrub, ruderals and plantation woodland. Individually, it is considered that the habitats do not qualify as Priority Habitat in the Durham Biodiversity Action Plan (DBAP).
- 5.45 Officers disagree to some extent with some of the findings of the submitted Ecological Appraisal. It is the view of officers that the habitats, when considered collectively, qualify as the DBAP Priority Habitat Early Successional Brownfield Land. In addition to incorrectly mapping the full extent of heathland, acid grassland and inundation grassland habitats within the site, the submitted Ecological Appraisal failed to record the presence and abundance of several species of bryophyte and lichen which form an important component of such habitats and increase their relative ecological value. Such areas have the potential to support valuable invertebrate assemblages and although a butterfly survey comprising three survey visits (one each in June, August and September) resulted in no priority butterfly species being recorded, it is still considered that the 'brownfield' elements of the site are likely to be of at least local value.

- 5.46 The Ecological Appraisal rightly recognises the fact that development of the site will result in a significant impact on the connectivity provided by the designated Wildlife Corridor, and as such is will reduce ecological connectivity. The report correctly identifies the need for significant remedial action to maintain the value and function of the Wildlife Corridor through improvements (i.e. habitat creation, restoration and/or enhancement) to the area of land immediately east of the proposed development site. The report goes on to recommend that the details of such measures be agreed with the Council to ensure an appropriate treatment and acceptable outcome.
- 5.47 It is considered without appropriate mitigation, that the proposed development is likely to result in:
- direct loss of up to 0.5ha of priority habitat/habitat of high ecological value in the local context, and the direct loss of approx. 1ha of habitat of low ecological value
  - significant attenuation of the Wildlife Corridor and a reduction in ecological connectivity
  - increased disturbance of designated sites/priority habitats and the disturbance, displacement and predation of wildlife potentially including protected and priority species
- 5.48 Further discussion have taken place and an effective ecological mitigation strategy has been agreed between the applicant and officers. This includes the improvement of the area directly to the east of the application site, which is currently considered to be of low ecological value. It is considered necessary to condition the following;
- protective fencing to prevent incursion into ecologically sensitive areas (Conditions 26 and 27);
  - the submission of an ecologically sensitive lighting scheme (Conditions 28 and 29);
  - a working method statement for all works taking place within Windy Nook Nature Park Local Nature Reserve (Condition 30 and 31) and;
  - Details of ecological compensatory works (Conditions 32, 33 and 34).
- 5.49 On the basis of the above assessment and subject to conditions, the proposal is acceptable from an ecological point of view, in accordance with the aims and objectives of the NPPF, saved policies DC1(d), ENV46, ENV47 and ENV49 of the Council's UDP and policy CS18 of the Council's CSUCP.
- 5.50 FLOOD RISK/DRAINAGE  
A Flood Risk Assessment (FRA) which includes a drainage strategy has been submitted as part of this planning application.
- 5.51 The application site is situated within Flood Zone 1. The Environment Agency Flood Risk from Surface Water Mapping and the Council's Strategic Flood Risk Assessment both show that a flow route passes through the application site.
- 5.52 The submitted FRA explains that the development is shown to be underlain by clay and given the contaminated nature of the site it is considered that the site

is unsuitable for the use of infiltration techniques. Surface water is therefore proposed to be discharged via a new outfall to the wider Northumbrian Water system. It is proposed that discharge rates will be restricted to below greenfield runoff. A series of detention basins are proposed at the northern end of the site in addition to permeable paving under driveways.

- 5.53 The information submitted by the applicant has shown that due to raising the levels (by up to 1.1 metres above the existing) houses within the flow route would not be at risk of flooding. Further, the water which forms the flow route i.e. from within the application site, will be absorbed within the development's drainage system.
- 5.54 It is accepted, broadly, that the proposed drainage system offers a workable solution to dealing with the drainage associated with the site. However, officers consider additional information is required and should be secured by conditions. It is considered necessary to condition the following;
- a detailed drainage scheme including detailed drainage drawings, electronic model, adoption arrangements and health and safety assessment in accordance with the Council's SuDS Guidelines (Conditions 35 and 36);
  - SuDS and landscape management plans to be agreed and implemented for lifetime of development (Conditions 37 and 38);
  - construction management plan to be agreed and implemented for lifetime of development (Conditions 39 and 40);
  - maintenance of the permeable paving of dwellings (Conditions 37 and 38) and;
  - a SuDS information and communication plan, including information pack for residents (Conditions 41 and 42).
- 5.55 Subject to these planning conditions the proposal is considered to be acceptable from a flood risk and drainage point of view and would accord with the aims and objectives of the NPPF, saved policy DC1 (j) of the Council's UDP and policy CS17 of the Council's Core Strategy and Urban Core Plan.
- 5.56 **LAND CONTAMINATION**  
From old OS plans the northern part of the site / land to the north was a deep former sandstone quarry, with a shallower benched area (extracted sandstone) to the south. The quarry was later backfilled and subsequently was used as a tip for domestic waste. The land filling extended above and beyond the quarry walls, and was capped with a layer of clay to form the landscaped mounding that exists today.
- 5.57 To this end a number of contaminated land reports/investigations have been submitted in support of the application. The findings of the site investigations indicate that some elevated soil contamination has been found at the site both within the soils in the plan area of the deep quarry and also some within soils in the land to the south of the deep quarry area. Colliery ash is present in made ground and in some locations the calorific value is such that there is some (low) potential combustion risk.

- 5.58 It is considered that the contamination on site can be dealt with through the imposition of conditions requiring the submission of an appropriate remediation strategy and subsequent verification report (Conditions 43, 44 and 45).
- 5.59 Further, it is considered necessary to condition that if any previously unidentified contamination is found it should be screened, removed and disposed of appropriately (Conditions 46 and 47).
- 5.60 These planning conditions will ensure that the proposed development is acceptable from a contaminated land point of view and accord with the aims and objectives of the NPPF, saved policies DC1(p) and ENV54 of the Council's UDP and policy CS14 of the CSUCP.
- 5.61 **OPEN SPACE**  
The site is located within a residential neighbourhood that is not deficient in open space provision. Further, the proposed layout includes the provision of amenity space within the application site. It is considered that this meets the requirements of saved UDP policies CFR20, CFR21, CFR22.
- 5.62 **PLAY SPACE**  
Pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which means that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project, unless specific projects can be identified.
- 5.63 The Council has already exceeded the five obligation maximum in respect of all three types of play (toddler, junior and teen) and for open space in this area and therefore cannot seek any further obligations in respect of these matters. Therefore, whilst the proposal is considered to be unacceptable in terms of on-site open space and play space provision and does not accord with saved UDP policies CFR28, CFR29 and CFR30, it is also not possible to require any contribution for either play or open space provision in this case, based on the above assessment.
- 5.64 **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 CIL chargeable development as it is for housing related development. The development is located within a charging zone with a levy of £0 per square metre for this type of development.
- 5.65 **OTHER ISSUES**  
It is considered that all material planning considerations raised by objectors have been considered fully within the main body of the report.

## **6.0 CONCLUSION**

- 6.1 Taking all the relevant issues into account, including the comments made by local residents, it is considered that the proposed development is acceptable

subject to the planning conditions below and therefore accords with the aims and objectives of both national and local planning policies. It is therefore recommended that planning permission be granted.

## **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 -

629-GRP SD-00.01 - Site Location Plan

629-GRP SD-00.02 - Site Plan Existing

629-GRP SD10.01 Rev E - Proposed Site Plan

629-GRP SD-20.01 Rev B - 2 Bed 4 Person Dwelling House

629-GRP SD-20.02 Rev B - 2 Bed 4 Person Dwelling House Corner Unit - Plots 19 & 39

629-GRP SD-20.03 Rev B - 2 Bed 4 Person Dwelling House Terraced - Plots 9-12

629-GRP SD-20.04 Rev B - 2 Bed 4 Person Dwelling House Terraced - Plots 19-22 & 36-39(h)

629-GRP SD-20.10 Rev B - 3 Bed 5 Person Dwelling House

629-GRP SD-20.20 Rev B - 3 Bed 5 Person Dwelling House 2.5 Storey

629-GRP SD-20.11 Rev B - 3 Bed 5 Person Dwelling House Semi-detached Units

629-GRP SD-20.22 Rev B - 3 Bed 5 Person Dwelling House Semi-Detached Pls. 3-8, 13/14, 17/18

629-GRP SD-20.23 Rev B - 3 Bed 5 Person Dwelling House Semi-Detached Plots 24-25

629-GRP SD-20.30 Rev B - 4 Bed 6 Person Dwelling House Plans and Sections

Proposed Substation Plans & Elevations

Proposed Substation Pre-Site Development

Location Plan Proposed Site Entrance

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 external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area 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.

4

The development shall be completed using the materials approved under Condition 3, and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area 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.

5

No boundary treatments shall be provided on site until a fully detailed scheme for the boundary treatment of and within the site (including a timescale for implementation) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of biodiversity and the visual amenity of the area and in accordance with the NPPF, saved policies DC2, ENV3 and ENV46 of the Unitary Development Plan and policies CS15 and CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

6

The development shall be implemented wholly in accordance with the approved boundary treatment details approved under condition 5 in accordance with the approved timescale.

Reason

To ensure ecological connectivity and the satisfactory appearance of the development upon completion in the interests of biodiversity and the visual amenity of the area and in accordance with the NPPF, saved policies DC2, ENV3 and ENV46 of the Unitary Development Plan and policies CS15 and CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

7

Prior to the commencement of the development hereby approved, a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

8

The construction control plan approved under condition 7 shall be implemented and complied with in full during all stages of construction, until completion.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

9

Prior to commencement of the development hereby approved the detailed design of the relocation of the existing bus shelter (to the north east of the site), the extension of the footpath (to link up with the relocated bus shelter), the creation of a footpath (to the southern boundary) and the relocation of existing traffic calming measures on Whitehill Drive shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

10

The bus shelter relocation, footpath extension and traffic calming relocation details approved under condition 9 shall be implemented in full accordance with the approved details prior to first occupation of any unit hereby permitted

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

11

No individual hard landscaping material shall be used on site until a detailed hard landscaping plan (including a timescale of implementation) has been submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area 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.

12

All hard landscaping shall be completed in full accordance with the details approved under Condition 11 (including timescales for implementation), and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area 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.

13

Prior to commencement of the development hereby approved the final details of the location of the pedestrian crossing point (adjacent to units 11 and 12) (including timetable for implementation) shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

14

The details of the crossing location approved under condition 13 shall be implemented in full accordance with the approved details in accordance with the approved timetable.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

15

Prior to occupation of any unit hereby approved full details including type, number and location of security bollards preventing vehicle access



to the side (via the access adjacent to unit 23) shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

16

The security bollards approved under condition 15 shall be implemented on site in full accordance with the approved details prior to first occupation of any unit hereby permitted.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

17

The cycle parking facilities associated with each individual property (shown on approved plan 629-GRP SD10.01 Rev E - Proposed Site Plan) shall implemented in full accordance with the submitted details prior to first occupation of each unit hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.

Reason

In order to ensure adequate provision for cyclists and in accordance with policy CS13 of the Core Strategy and Urban Core Plan.

18

Prior to the occupation of any unit hereby approved the detailed design, location and timescales for implementation of the proposed bin storage (shown on approved plan 629-GRP SD10.01 Rev E - Proposed Site Plan) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

19

The bin store details approved under condition 18 shall be implemented in full accordance with the approved details and timescale. The bin stores shall be retained as approved for the lifetime of the development.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

20

Prior to occupation of any unit hereby approved, a Travel Plan, or 'Welcome Pack' shall be provided to the occupants of each dwelling, to encourage the use of alternative modes of travel to the site other than by private vehicle. This must include local cycle maps, bus stop locations, bus timetables and maps showing pedestrian routes to local amenities.

Reason

To encourage sustainable travel to and from the development in accordance with the NPPF and CSUCP policy CS13.

21

No development shall commence on site until the tree protection measures shown at Figure 4 of the approved Arboricultural Impact Assessment (prepared by Dendra, November 2016) have been installed in the locations identified in Appendix 1 of the same Arboricultural Impact Assessment. The approved scheme shall remain in situ until completion of the development.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the National Planning Policy Framework, policy CS18 of the CSUCP and saved policy ENV44 of the Unitary Development Plan.

22

The approved tree protection plan shall be displayed at all times outside the site office or in a location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of the daily checks being kept on file in the site office. The record shall include the date, time and name of the person carrying out the checks together with any problems identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the LPA being obtained all construction operations should stop until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the National Planning Policy Framework, policy CS18 of the CSUCP and saved policy ENV44 of the Unitary Development Plan.

23

No unit hereby approved shall be occupied until a fully detailed scheme for the landscaping of the site (including areas identified for SuDS components) has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a fully detailed landscaping scheme (ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting), proposed timings for implementation and a scheme and

maintenance of the landscaping (for a period of 5 years following 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 NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

24

The landscaping details approved under Condition 23 shall be implemented in accordance with the timings approved under Condition 17.

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.

25

The approved landscaping scheme shall be maintained in accordance with the details approved under condition 23.

Reason

To ensure that the landscaping scheme becomes well established and is satisfactorily maintained 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.

26

No development shall take place until the details and location of protective fencing and warning signs around the boundary of the site has been submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent incursion into and disturbance to Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

27

The fencing and warning signs approved under condition 26 shall be erected on site prior to the commencement of any works. All protective fencing and warning signs will be maintained in situ during the construction period in accordance with the approved details.

Reason

To prevent incursion into and disturbance to Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

28

Prior to occupation of any unit hereby approved, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not result in unacceptable disturbance to Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site.

Reason

To prevent any unacceptable impact on Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

29

All external lighting shall be installed in accordance with the specifications and locations approved under condition 28, and shall be maintained thereafter in accordance with the strategy.

Reason

To prevent any unacceptable impact on Windy Nook Nature Park Local Nature Reserve and Local Wildlife Site in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

30

No development shall take place within the portion of the site within Windy Nook Nature Park Local Nature Reserve until a working method statement for all works to take place within Windy Nook Nature Park Local Nature Reserve has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) disposal of any wastes arising from works.

Reason

To prevent any unacceptable impact on Windy Nook Nature Park Local Nature Reserve and protected species in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

31

All works within Windy Nook Nature Park Local and Nature Reserve shall be carried out strictly in accordance with the working method statement approved under condition 30.

Reason

To prevent any unacceptable impact on Windy Nook Nature Park Local Nature Reserve and protected species in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

32

No development shall commence on site until the details of the offsite habitat creation measures required to offset the direct loss of priority/notable habitats within the proposed development site, and to maintain the value and integrity of the designated Wildlife Corridor, have been submitted to and agreed in writing by the Council.

The details shall include the following:

- Purpose and conservation objectives for the proposed works
- Design and conservation objectives for the proposed works
- Extent and location/area of proposed works
- Type and source of materials to be used
- Timetable for implementation
- Persons responsible for implementing the works
- Details of initial aftercare and long-term maintenance
- Details for monitoring and remedial measures

In the interests of providing adequate ecological compensation for the harm caused as a direct result of the development in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

33

The ecology compensation scheme approved under condition 32 shall be carried out in full in accordance with the timescale approved under condition 32.

Reason

In the interests of providing adequate ecological compensation for the harm caused as a direct result of the development in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

34

The approved ecology compensation scheme shall be maintained in accordance with the details approved under condition 32.

Reason

In the interests of providing adequate ecological compensation for the harm caused as a direct result of the development in accordance with the NPPF, saved UDP policy DC1(d), ENV47 and ENV40 and Policy CS18 of the CSUCP.

35

No development shall take place until the final details of the drainage scheme has been submitted and approved in writing by the LPA. The scheme shall include detailed drainage drawings, electronic model and health and safety assessment in accordance with the Council's SuDS Guidelines

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

36

The final drainage scheme shall be carried out in full accordance with the details approved under condition 35 (including timings for implementation).

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

37

No work in relation to any proposed drainage features shall take place until a long-term management plan for the drainage scheme approved under condition 35 has been submitted to and approved in writing by the LPA.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

38

The drainage scheme approved under condition 35 shall be managed in full accordance with the management plan approved under condition 37 for the lifetime of the development.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

39

No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under condition 35 has been submitted to and approved in writing by the LPA.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

40

The drainage scheme approved under condition 35 shall be constructed in full accordance with the construction management plan approved under condition 39.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

41

Prior to the occupation of any unit hereby approved a SuDS information and communication plan, including information pack for residents shall be submitted to and approved in writing by the LPA.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

42

Prior to occupation of any unit hereby approved, the SuDS information and communication plan approved under condition 41, shall be provided to the occupants of each dwelling.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

43

Prior to commencement of the development hereby permitted, a detailed remediation scheme (including timings of works) 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 policy DC1(p) of the Unitary Development Plan.

44

The details of remediation measures approved under condition 43 shall be implemented in accordance with the timescale approved under condition 43 and shall be maintained for the life of the development.

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.



45

Following completion of the remediation measures approved under condition 43 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 any unit 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.

46

During development works, any undesirable material observed during excavation of the existing ground should be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations should cease until the exposed material has been chemically tested. A risk assessment of the development should then be undertaken, to determine whether remedial works are necessary. The risk assessment (including a remediation strategy and timescale for implementation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its 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.

47

Any remediation works deemed to necessary by the LPA following testing (as part of Condition 47) shall be carried out in full within in the timescales approved under Condition 6.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its 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.

