

Committee Report

Application No:	DC/17/00963/FUL
Case Officer	Graham Stephenson
Date Application Valid	31 August 2017
Applicant	Mr Prime
Site:	The Springs Health Club Joicey Road Low Fell Gateshead NE9 5AT
Ward:	Saltwell
Proposal:	Demolition of the existing health club building (structure remaining following fire damage) and redevelopment to provide 22 apartments, associated car parking area and landscaping (Amended 24.10.2017).
Recommendation:	GRANT
Application Type	Full Application

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

The application site is part of a wider site which is occupied by Ashfield House (now a nursery), a vacant sports centre, a large area of woodland as well as hardstanding which provided parking for both the nursery and the sports centre. Both the nursery and the sports centre are accessed via a one-way, shared road which enters off Joicey Road and exits onto East Park Road. The area specific to this application only includes the shared access road, the area currently occupied by the sports centre and part of the hardstanding. The red line boundary does not extend into the woodland or include any part of Ashfield House. The area of the site within the red line is 0.4 hectares.

1.2 The former sports centre is a flat roofed building which was originally a squash club but had been extended and developed over the years (see planning history below). It is now vacant and has fallen into disrepair with a recent fire causing further damage. Although the building has been developed in the grounds of Ashfield House it has not resulted in any sub-division of the gardens.

1.3 Ample parking was available for both the sports centre and the nursery.

1.4 The trees within the woodland are protected as a result of them being located within the Saltwell Conservation Area but also through Tree Preservation Orders which are in place on the site.

1.5 The site is within Saltwell Conservation Area which was designated in 1990 and covers an area of Gateshead which was developed as a 'leafy' suburb for the upper middle classes. A strong characteristic of the conservation area is the low density development and the relationship between the buildings and

landscape, with large plots with mature tree cover and high-density boundary treatments that reinforce the seclusion of each development.

- 1.6 Much of the development along Durham Road, and East Park Road consisted of large villas set within large, mature landscaped grounds. Good, surviving examples of this period of development includes Whinney House; Heathfield House; Ashfield House and Forres Villa (the former Musgrave School). The extensive mature tree cover is another significant characteristic of the area.
- 1.7 Though many changes have taken place since the area was developed, it retains an impressive Arcadian feel.
- 1.8 The wider site primarily follows this characteristic and Ashfield House which is included on the Council's Local List of Buildings of Architectural or Historic Interest, which was adopted by the Council in 2004, is an attractive brick house with large stone bay windows, hipped slate roof brick and central brick chimney detail. Historically, the whole of the site formed the garden setting to Ashfield House, and included the lodge which faces onto East Park Road.
- 1.9 Land levels on site generally slope down in an east to west direction with Ashfield House located at a higher level than the sports centre.
- 1.10 To the north and east of the wider site there are residential properties, to the south beyond Joicey Road there is Saltwell Business Park and allotments and to the west beyond East Park Road there is Saltwell Park.
- 1.11 **DESCRIPTION OF THE APPLICATION**
The application proposes the demolition of the existing sports centre and the construction of a new apartment building in its place. The development is proposed to be four storeys and constructed using brick, clay cladding and stone with a sarnafill roof. The footprint of the building is proposed to be 690 sqm which is less than 50% of the existing building. The gross internal floor area of the building is 2366 sqm.
- 1.12 The development is proposed to provide a total of 22 x 2 bed apartments ranging in size from 83 sqm to 104 sqm.
- 1.13 The building has followed a contemporary design in the form of a pavilion block set within a formal landscaped garden and wider natural woodland. The main block is three storeys high with an additional fourth storey set back to form external terraces. Projecting balconies and ground floor terraces would provide private amenity space for the other floors. Large windows and areas of glazing are proposed as is a formal garden which would provide communal amenity space for residents.
- 1.14 Vehicular access is proposed off Joicey Road, which would continue to be shared with the nursery. Within the site the road system would be retained as one way with the exit onto East Park Road. A new pedestrian access/route is proposed off Joicey Road and a new footpath to the side of the internal road is proposed from East Park Road.

- 1.15 Some trees are proposed to be removed to accommodate the new pedestrian access off Joicey Road.
- 1.16 Formal parking bays are primarily proposed to be laid out on the existing hardstanding although some of the area of hardstanding is to be reduced by the side of the access road of Joicey Road, with the parking bays re-configured to provide parallel parking bays. In total 34 bays are proposed to be allocated to the development. Separate parking will be retained for the nursery.
- 1.17 Secure cycle parking and bin stores are proposed for the development in a detached storage shed.
- 1.18 Amended plans were received on the 24th October 2017 to address some minor issues which were raised as part of the application. This included the use of natural stone rather than cast stone, amendments to the stone banding around the top of the brickwork, the introduction of an extended footpath and dropped kerb on East Park Road, the introduction of a chicane on pedestrian access off Joicey Road and the inclusion of signage for the one way system.
- 1.19 The following information has been submitted with the application:

Design and Access Statement
Phase 1 Land Investigation Report
Drainage Assessment
Heritage Assessment
Tree Survey
Ecology Survey
Bat/Barn Owl Survey
Planning Statement
Transport Statement/Travel Plan
Coal Mining Risk Assessment

1.20 PLANNING HISTORY

DC/15/00339/FUL - Planning permission refused for the residential development of the site, comprising 11 x three storey dwellings located in three terraced blocks. 28.08.2015.

1111/01 - Approval for the pruning of one sycamore tree (T17) protected by TPO No.76. 25.10.2001

1010/00 - Planning approval for alterations to and extension of car park at rear of health club and alterations to vehicular entrance/egress arrangements (revision of previous approval ref. 1027/96)(amended 20/10/00). 23.11.2000

1027/96 - Planning approval for alterations and extensions to car park at rear of health club and alterations to vehicular entrance/egress arrangements (amended 24/4/97). 01.12.1997

1030/89 - Planning approval for the extension to existing leisure club to provide entrance lobby, office, shop, reception and bar facilities - 05.10.1989

784/85 - Planning approval for the erection of extension to provide exhibition squash court and installation of spiral staircase on south-west elevation of squash club with associated paved/childrens play area. 05.09.1985

903/72 - Planning approval for the erection of building to contain 6 squash courts and parking. Granted 28.11.1972

2.0 Consultation Responses:

Northumbria Water No Objections

Coal Authority No Objection subject to Conditions

3.0 Representations:

3.1 Neighbour notifications, press and site notices were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) (England) Order 2015. and the Planning (Listed Building and Conservation Areas) Act 1990. 4 letters of objection have been received and the issues raised have been summarised below:

- During construction and then as a result of the development there will be an increase in vehicle movements from the development onto East Park Road, which could have an impact on the state of the road surface and the highway drainage.
- The developer is only proposing to fix the current wrought iron railings along the perimeter of its development. This needs to be a more adequate fencing to stop the Council owned land from being used as a dumping ground
- East Park Road is on a single lane road and has some double yellow lines, some are missing and need replacing. Construction vehicles could park here and block the road and also on Heathfield Place
- The proposed development is 4 storeys high, which will take it above the tree level.
- The size and scale of the development is out of proportion to the surrounding buildings.
- The privacy of neighbouring properties will be compromised as the flats will overlook the garden to the west and will allow direct sight through the entirety of the living room and kitchen which is comprised of glass walls
- The plans appear to claim the sites road is a one way system, this is untrue as the site was blocked at the East park road end until very recently.
- The plans appear to call for some additional land around the flats which is outside the previous development boundary.

- The car park area also appears to be using land outside the permitted development area and will greatly impinge on Ashfield House an important local building.
- The lack of proposals for remainder of site which attracts vandals, has had problems with arsonists setting fires in the grounds surrounding the health club, rough sleepers, and a number of reports made by the council which have noted it as overgrown with diseased trees and subject to people dumping rubbish and garden waste
- The development will destroy nature, increase traffic causing chaos on already very narrow, East Park road, which will negatively influence the safety of vulnerable adults on nearby estates as well as similar residents on adjoining estate/ care home .
- The development would affect the privacy of neighbours who share a boundary with Spring Health club site .

3.2 An additional representation was also made stating that the previous application was more appropriate than this one but that they would prefer to have the current derelict building replaced and this proposal would achieve that without too much inconvenience.

4.0 Policies:

ENV61 New Noise-Generating Developments

IPA17 Conservation Area Character Statements

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

SPG4 Play Areas

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1J Substrata Drainage-Water Quality

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV7 Development within Conservation Areas

ENV10 Dev in Gdns/Grounds in Conservation Area

ENV18 Locally Listed Buildings

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

H1 Rate of Housing Provision

H2 Five Year Supply Figures

H4 Windfall and Small Housing Sites

H5 Housing Choice

H15 Play Areas in Housing Developments

T1 Transport req for New Developments

CS10 Delivering New Homes

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

5.0 Assessment of the Proposal:

- 5.1 The main planning issues in this case is the principle of development and the impact on the conservation area, amenity, highway safety, flooding and other material planning considerations.
- 5.2 **PRINCIPLE**
The site is not allocated in the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne (CSUCP) and is therefore considered as windfall housing in accordance with policy H4 of the Unitary Development Plan (UDP).
- 5.3 Policy CS11(1) of the CSUCP aims to ensure that 60% of new private housing across the plan area is suitable and attractive for families with a minimum of 16,000 new homes to have three or more bedrooms. Policy H5 of the UDP also seeks to improve the choice of housing in Gateshead.

- 5.4 In this case the proposal includes the demolition of the existing sports centre and the construction of a 4 storey residential development for 22 x 2 bed residential apartments.
- 5.5 It is acknowledged that taking this proposal in isolation, the provision of 22, 2 bed apartments would not directly contribute to the provision of family housing but the policy (CS11) is area wide and with a number of family dwellings being brought forward through other developments, there is scope to deliver developments which are made up solely of apartments. In addition given that the flats will range in size, from 83m² to 104m² gross internal floor areas, exceeding the Nationally Described Space Standards (NDSS), (NDSS requires min gross internal of 70m²), and level access is to be provided to all flats, this development could provide accommodation that would be attractive to those looking for a retirement living product, or to down size, so releasing family accommodation in the area.
- 5.6 Saved Unitary Development Plan (UDP) policy H5 also seeks to improve the choice of housing in Gateshead, and states that a "limited range of dwelling sizes and types may be acceptable on smaller sites (sites that are less than one hectare in size) and developments containing small flats or apartments will be acceptable where there is a shortfall in such accommodation, and it is in keeping with the character of the area". The site is 0.6 hectares in size and there is a high proportion of family housing in Low Fell. There are also other developments for flats being built along Durham Road, which does suggest there is a demand for such accommodation. Whether the development is in keeping with the area will be considered in more detail later in the report.
- 5.7 Therefore in light of the above, it is considered the proposed development would deliver desired housing, does not conflict with the housing targets set out in the Local Plan and does not conflict with the aims and objectives of the relevant paragraphs in the National Planning Policy Framework (NPPF) policy CS11 of the CSUCP or policy H5 of the UDP.
- 5.8 As a result it is considered that subject to all other material planning considerations being satisfied, the principle of apartments in this location is considered acceptable.
- 5.9 **AFFORDABLE HOUSING**
In accordance with the NPPF and policy CS11 of the CSUCP the provision of affordable housing is subject to viability. In this case a robust viability assessment has been submitted and concludes that 0% affordable housing should be provided. This has been independently assessed on behalf of the Council and the conclusions of the viability assessment have been accepted. Therefore the Local Planning Authority is not seeking any affordable housing on this site.
- 5.10 **LIFETIME AND WHEELCHAIR HOMES**
Whilst the proposal falls below the criteria of saved UDP policies H9 and H10 for Wheelchair Housing and Lifetime Homes, the provision of lift access to all flats is welcomed, and supports the wider objectives of CSUCP Policy CS11

(2). Given that this form of non-family accommodation would be very suited to those looking for retirement living, as well as smaller economically active households it is also considered that the proposed development satisfies the aims and objectives of CS11 (3) as well, which aims to increase the choice of suitable accommodation for the elderly population.

5.11 DESIGN/IMPACT ON THE CONSERVATION AREA

As previously highlighted the site is typical of the Saltwell Conservation Area in that it consists of a large house set within its own grounds. The special architectural and historic quality of Saltwell Conservation Area is based on prestigious suburban development of the 19th century, which would have, in contrast to much of its surroundings, appeared opulent and exclusive. The low density of development and the importance of green spaces, whether public or private, were integral to this sense of status.

5.12 Inevitably as a result of changes to social patterns, these large and sparsely developed plots have been subject to infill development and the success of this has been mixed. The sports centre which has been built on the site is far from sympathetic and is a poor example of infill development. Consequently the demolition of the sports centre is welcomed and presents an opportunity to enhance the conservation area which is encouraged by the NPPF.

5.13 The proposal is for a four storey, 22 apartment development block on the site of the former Springs gym. The height exceeds that of the building to be cleared by 4 metres, but is considerably smaller in built footprint and a single block development is preferred as it would not result in any sub-division of the plot, in line with the aims and objectives of UDP policy ENV10.

5.14 The existing building contributes nothing to either the locally listed Ashfield House, or the Saltwell Conservation Area and in fact is harmful, particularly since its closure and the subsequent damage it has suffered. As such it is considered that the clearance of this building would be an enhancement to the associated heritage assets.

5.15 A thorough Heritage Assessment has been submitted with the application, which acknowledges the most pertinent aspects of the heritage assets in relation to this application. The statement notes the high historic value through the association with significant families and the intensity of development at the time it was built. The aesthetic value and the communal value is judged to be moderate the judgement that the significance of this site to the Conservation Area is in the mature trees and the sense of Ashfield House as a former large Villa is supported.

5.16 The benefits of the newly proposed residential use is well articulated within the submission; this being that the immediate area will benefit from natural surveillance and a much improved sense of ownership, which should ultimately result in a better maintained and more attractive area, that will help to improve the setting of the heritage assets.

5.17 Layout, Scale and Massing

In terms of layout the proposed building sits generally within the footprint of the gym to be demolished. The location is acceptable and appropriate so as not to impact unnecessarily on the rest of the site. The position also allows for some level of privacy for the future occupants from the main access road and helps to nestle the building further into the site.

- 5.18 Generally it is considered the site is able to comfortably accommodate the development whilst leaving an abundance of open space and woodland, with only a limited number of trees proposed for removal, mainly to accommodate the new footpath onto Joicey Road.
- 5.19 As the development is not proposed to encroaching beyond the existing hardstanding, the direct impact on the trees will be limited and would not conflict with the aims and objectives of policy CS18 of the CSUCP in that regard or policy ENV44 of the UDP.
- 5.20 The trees to be retained on site will need to be protected in accordance with the submitted details and this can be conditioned (CONDITION 5). Permeable paving is proposed to be introduced in parts of the car park which is currently hardstanding. No roots have been detected in the area proposed for the paving, a construction methodology for the paving has been submitted and is considered to be acceptable. Compliance with this method statement can be conditioned (CONDITION 16).
- 5.21 The footpath that connects Joicey Road into the site is viewed positively. This would help to make the site more inviting for a pedestrian and particularly for any users of the neighbouring nursery in Ashfield House arriving on foot. The construction of this footpath should be also be in accordance with the arboricultural method statement.
- 5.22 Although the proposed development would be higher than the existing building, the footprint would be smaller, which means in terms of scale and massing the impact, it is considered the impact would not be significant. It is acknowledged that due to the increase in height the upper floors of the development may be more visible from outside of the site but this does not necessarily mean the impact is unacceptable or fails to enhance the significance of the conservation area.
- 5.23 Efforts have also been made to reduce any impact caused by the increase in height. This includes setting the fourth floor back from the main block at the front and rear. It would have been preferred if it was set back at the sides as well but after discussing this with the applicant it is considered this could be dealt with in a different way by providing a small lip to the banding above the brickwork.
- 5.24 A plan has also now been submitted which also demonstrates the building in context with Ashfield House and the relationship is considered to be acceptable.
- 5.25 Materials and Appearance

Overall the appearance of the proposed development is considered to be simple but effective and proposes to use a range of materials, including contrasting bricks to add interest to some of the elevations. The use of aluminium windows is also welcomed. However cast stone could not be supported, especially in a conservation area and in terms of the development's setting within the grounds of Ashfield House. The use of natural materials that are appropriate to the established vernacular is specifically referred to in the Conservation Area Character Statement for the area in IPA17. As such the applicant has agreed to the use of natural stone although final details of materials would be required and this can be conditioned (CONDITIONS 17 AND 18). The use of natural stone would also act as a better break between the brick used for the main block and the more lightweight materials used for the top floor and along with the proposed lip, would alleviate the need for a setback on the side elevations. Some materials such as the bricks, cladding and aluminium downpipes are considered acceptable and the use of these materials can be secured as part of conditions 17 and 18.

- 5.26 The reveals on windows should also be a minimum of 85mm (CONDITION 31). The clean lines of the building currently works in its favour as a contemporary design but large reveals will further strengthen this appearance.
- 5.27 Final details of the landscaping for the site can also be conditioned (CONDITIONS 29 AND 30).
- 5.28 However subject to conditions, it is considered the design of the proposed development and the impact on the character of the conservation area which includes the woodland setting and the setting of the Locally Listed Building, is acceptable and in accordance with the aims and objectives of the NPPF as well as policy CS15 of the CSUCP and policies ENV7, ENV10 and ENV18 of the UDP.
- 5.29 **HIGHWAY SAFETY**
The development is in an accessible location being close to bus and cycle routes on Durham Road. Low Fell local centre is also within walking distance and the transport statement shows that the vehicular trip generation will be lower for the proposed use than that of the former health club. Ample secure cycle parking is also proposed for residents, the implementation of which can be conditioned (CONDITION 19) and this will encourage the use of sustainable modes of transport. In terms of car parking each apartment is proposed to have 1 allocated space, with the remaining 12 spaces remaining unallocated for visitors and additional parking. This includes at least one accessible parking bay. This level of parking is considered to be appropriate for a development of this size and in this location. However a car park management plan is required to ensure the development does not impact on the parking for the nursery and vice versa and that indiscriminate parking is prevented. This can be conditioned (CONDITIONS 20 AND 21).
- 5.30 The pedestrian route onto Joicey Road is welcomed and as the path will be used by young children attending nursery a small chicane is proposed at the southern end of the path to stop children running straight out into the road.

- 5.31 A footpath has also been proposed alongside the exit road onto East Park Road to improve safety and this has been extend alongside part of East Park Road itself and includes a dropped kerb to enable pedestrians to cross the carriageway. The implementation of these highway works would be required prior to the development being first occupied. This can be conditioned (CONDITION 32). The land either side of the exit is within the applicant's ownership and a low level planting scheme of shrubs not exceeding 600mm in height when fully grown would help protect the visibility splay. This can be conditioned (CONDITION 33).
- 5.32 Details of some of the signage and road marking scheme referred to in the Design and Access Statement relating to the one way system has been submitted as part of the application but final details will be required for approval and this can be conditioned (CONDITIONS 27 AND 28).
- 5.33 The original plans showed that the vehicular access from Joicey Road had a kerbed radii whereas the existing arrangement has a simple dropped kerb. The plans have now been amended to show a dropped kerb.
- 5.34 Lighting of the footpaths and car parking areas will be required but the lighting provided will need to be sympathetic to the surrounding woodland habitat. Therefore a low level lighting scheme would be appropriate and final details can be conditioned (CONDITION 23 AND 24).
- 5.35 Refuse collection arrangements are acceptable and swept path drawings provided show how a refuse vehicle could move through the site.
- 5.36 The submitted Travel Plan is acceptable for the scale of development proposed and the implementation of this Travel Plan can be conditioned (CONDITION 22).
- 5.37 Concerns have been raised that during construction there will be an increase in construction vehicle movements from the development onto East Park Road, which will damage the road. Should the road be damaged by any construction vehicles, the Highway Authority, in this case the Council could pursue the developer for the repairs. However if the road is damaged as a result of traffic from the development when occupied, as the road is adopted it would just come under general repairs which would be undertaken by the Highway Authority. In this case the potential damage to the road from either construction vehicles or residents is not considered to be a material planning consideration.
- 5.38 The potential issue of construction vehicles parking on East Park Road and Heathfield Place has also been raised but should this take place it would be subject to the usual enforcement powers exercised by the Council's Parking Enforcement teams or the police.
- 5.39 Construction Control measures can be conditioned to reduce the risk of mud on the roads (CONDITIONS 3 AND 4).

- 5.40 Therefore in terms of highway safety is considered the proposed development satisfies the aims and objectives of the NPPF and policy CS13 of the CSUCP.
- 5.41 AMENITY
Due to the size of the wider site and the topography of the land, it is considered the impact on the amenity of neighbouring residents would be acceptable. The nearest property on Chesters Park would be 30 metres away at the nearest point and set at a higher level and there would be no direct overlooking due to the off set relationship the proposed apartment block would have with the rear of properties on Chesters Park.
- 5.42 The separation distance between Ashfield Lodge to the west and the north west the corner of proposed development which is the nearest point, would be 50 metres and due to the positioning of the block, which angles away, this distance only increases which means the impact on Ashfield Lodge, which is set at a lower level, is considered to be acceptable. The woodland also provides further screening between Ashfield Lodge and the proposed development and already causes some loss of light and overshadowing of Ashfield House.
- 5.43 The separation distance between the north facing elevation and the properties on Heathfield Place would be in excess of 60 metres which significantly reduces any risk of overlooking, overshadowing, loss of light and visual intrusion.
- 5.44 Hours of work could be conditioned to protect the amenity of neighbouring residents. This can be included as part of condition 3.
- 5.45 With regards to anti-social behaviour it is considered the proposed development will have a positive impact as increased activity on the site, seven days a week and both during the day and night will, provide natural surveillance for the site and the woodland which should deter, people congregating there.
- 5.46 As a result it is considered the impact on the amenity of existing and future occupiers is acceptable and satisfies the aims and objectives of the NPPF, policy CS14 of the CSUCP and policy DC2 of the UDP.
- 5.47 FLOOD RISK AND DRAINAGE
In accordance with the ministerial statement from Department for Communities and Local Government (DCLG), dated December 2014 the use of SuDS is now a material consideration for major development (developments of 10 dwellings or more). In addition the NPPG, paragraph 7-079-20150415 states that when considering major development, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.
- 5.48 The Strategic Flood Risk Assessment identifies that the site is located within a Critical Drainage Area (CDA). Within a CDA, an increase in the rate of surface water runoff and /or volume from new development may exacerbate the degree of flood risk to areas downstream or to the surrounding area. The Strategic Flood Risk Assessment (SFRA) advises that development proposals should

look to reduce the runoff to greenfield levels on brownfield sites. Surface water should be controlled as near to sources as possible including the use of SuDS.

5.49 In accordance with the Core Strategy, surface water should be managed following the drainage hierarchy as set out in policy CS17:4 which states that development should: separate, control and minimise surface water runoff, discharging in order of priority to:

- i. Infiltration based Sustainable Drainage Systems
- ii. A watercourse
- iii. A surface water sewer
- iv. A combined sewer.

5.50 A drainage strategy has been submitted with the application and overall the approach is considered to be acceptable and does demonstrate compliance with the drainage hierarchy, which includes the use of permeable paving and raingardens. However further details relating to the final scheme, such as an infiltration assessment, scheme design assessment, detailed drawings, a maintenance plan and an electronic drainage are required and this can be conditioned (CONDITIONS 14 AND 15).

5.51 ECOLOGY

The footprint of the development itself is not proposed to encroach into the main body of the surrounding woodland and therefore it is considered there would be limited direct impact on the woodland habitat. However there is the potential for the development to have an indirect impact on the woodland as a result of occupiers using the woodland for recreation and there is also an issue of woodland management. A woodland management framework has been submitted and as the woodland is in the control of the applicant, final details of a woodland management scheme, which builds on the objectives set out in the framework can be conditioned (CONDITIONS 25 AND 26).

5.52 Final details of lighting for the external areas will be required under condition 23 to ensure there is no adverse impact on the woodland habitats.

5.53 The building which is to be demolished does have the potential to provide roosts for bats and other wildlife species and as a result ecological surveys have been carried out.

5.54 Generally the findings of these surveys are considered acceptable and the implementation of the conclusions and recommendations as set out in the reports would be sufficient to satisfy the aims and objectives of the NPPF, policy CS18 of the CSUCP and policies ENV44, ENV46 and ENV47 of the UDP. (CONDITION 6)

5.55 OPEN SPACE AND PLAY

The neighbourhood in which the site is located is not deficient in public open space, and there is no requirement for the development to provide any.

- 5.56 There are no toddler or junior play areas within the maximum distances specified by saved UDP policies CFR29 and CFR30. There is teenage recreation provision in Saltwell Park but it is insufficient to serve the catchment population.
- 5.57 Therefore, in accordance with saved UDP policy H15, toddler and junior play area/equipment, should be installed within the site. However due to the constraints of the site it would be difficult to provide a space which satisfies the requirements of Supplementary Planning Guidance 4 and saved policies H15, CFR20, CFR28 and CFR29 of the UDP. Saying that there is plenty of external amenity space provided within the development. Potentially the woodland could also provide some informal play and recreation space but this would need to be included in the woodland management plan.
- 5.58 With regards to the junior and teen facilities this would normally be secured through a financial contribution. However the Council has already exceeded the five obligation maximum in respect of these types of play in the area and the contribution generated by this development would not be sufficient to fund the improvements required at the sites referred to above or provide new facilities. Therefore the Council cannot seek any further obligations with regards to these matters.
- 5.59 **CONTAMINATED LAND/COAL MINING**
The site is identified as being potentially contaminated and also in a coal mining high risk referral area. Therefore a phase II land contamination assessment and an intrusive coal mining assessment is required. A full asbestos survey would also be required prior to demolition. In accordance with the NPPF, policy CS14 of the CSUCP and policy ENV54 of the UDP these details can be conditioned (CONDITIONS 7-13).
- 5.60 **CIL**
Gateshead Council is 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 housing related. The development is located within a Charging Zone with a levy of £30 per square metre for this type of development. The application has been accompanied by the requisite CIL forms.

6.0 CONCLUSIONS

- 6.1 Taking all relevant planning issues into consideration it is recommended that planning permission is granted, as it is considered the development would enhance the significance of the heritage asset, whilst satisfying all other material planning considerations and therefore accords with national and local planning policy.

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:

15/038 104 B, 105 A, 106 A, 107 A, 108 B, 109 B, 110 B, 111 A, 786-05, 2017011-04, Arboricultural Method Statement Reference 786, Residential Travel Plan, 2nd Issue, dated August 2017

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

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

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

In addition all works and ancillary operations in connection with the demolition, remediation of the site and the construction of the new development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the amenities of nearby residents and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and policies DC1, DC2 and ENV61 of the Unitary Development Plan.

4

The development shall be carried out in accordance with the Demolition and Construction Method Statement approved under condition 3.

Reason

To safeguard the amenities of nearby residents and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and policies DC1, DC2 and ENV61 of the Unitary Development Plan.

5

The tree protection measures set out in the submitted Tree Survey provided by AJT and dated August 2017, must be installed prior to the demolition of the building commencing 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 policies DC1 and ENV44 of the Unitary Development Plan.

6

The demolition of the existing building and the construction of the new development shall be carried out in accordance with the Tree, Habitat and Protected Species Survey prepared by AJT and dated August 2017. Should active nests or roosts be discovered during works these must remain undisturbed until a suitably qualified and experienced ecologist has inspected the nest/roost and provided a report, which is subject to approval by the Local Planning Authority.

Reason

To avoid harming breeding birds and roosting bats in accordance with policy CS18 of the Core Strategy and Urban Core Plan for Gateshead

and Newcastle Upon Tyne and policies DC1 and ENV46 of the Unitary Development Plan.

7

Construction of the new development shall not commence until an intrusive land contamination assessment, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site and whether or not it originates on the site and any which exist under the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to the Local Planning Authority for approval.. The report of the findings must include-

(i) a survey of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to,

- land stability
- human health,
- property (existing or proposed) including buildings, pets, service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments,

(iii) an appraisal of remedial options, and proposal of the preferred option(s) including a timeline for implementation.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

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 in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan

8

The remediation and mitigation schemes approved under Condition 7 must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out demolition and remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the

remediation carried out must be produced, and is subject to the approval in writing of 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 in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan.

9

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

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 in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan

10

Construction of the development hereby approved shall not commence until a scheme of further intrusive investigations to establish the coal mining legacies present on the site has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from coal mining to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy

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

11

Prior to construction of the development hereby approved commencing, the intrusive investigations shall be carried out in accordance with the details approved under condition 10.

Reason

To ensure that risks from coal mining 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.

12

Construction of the development hereby approved shall not commence until a report of findings arising from the intrusive site investigations approved under condition 10 and a scheme of remedial works if necessary, including the phasing of any remedial works, has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from coal mining 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

13

Any remediation works approved under condition 12 shall be implemented in accordance with the timetable approved under that condition.

Reason

To ensure that risks from coal mining 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.

14

The construction of the development hereby approved shall not be commenced above foundation level until a detailed drainage assessment and SuDS scheme, in accordance with the CIRIA SuDS Manual (C697) and Update has been submitted to and approved in writing by the Local Planning Authority. The assessment and scheme shall consider the DEFRA Non Technical Standards for SuDS and shall include: infiltration testing, detailed designs of the SuDS components (green roof, soakaways, rainwater harvesting), flow controls; health and safety risk assessment; construction method statement (refer to CIRIA guidance - Construction Method Statements RP992/22)); a maintenance plan (refer to CIRIA guidance on maintenance plan RP992/21), electronic drainage model, evidence to demonstrate that there is adequate foul and surface water public sewerage capacity based on NWL's agreed discharge volumes and rates before connecting to the public sewerage system and a timetable of implementation for the approved SuDS components.

The maintenance plan should include the arrangements to secure the operation of the drainage scheme (including tanks, pumps, flow control, soakaways and green roof) throughout the lifetime of the development.

Reason

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

15

The SuDS scheme shall be implemented in accordance with the details approved under condition 14, prior to the development hereby approved being first occupied and shall be retained as such thereafter.

Reason

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

16

The areas of permeable paving as well as the footpath link off Joicey Road and the footpath from East Park Road shall be constructed in accordance with the Rootplate Protection Porous Surface Detail, reference 786-05, plan 2017011-04 and the Arboricultural Method Statement reference 786.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with policies DC1 and ENV44 of the Unitary Development Plan.

17

Construction of the new development hereby approved shall not commence above foundation level until samples of all outstanding 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. The use of the following materials has been approved:

Creaton Pearl Grey Tile
Linear Ochre Brick
Ibstock Northern Buff Brick

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, 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.

18

The materials used shall be in accordance with the details approved under condition 17 unless otherwise 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, 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.

19

No part of the development hereby approved shall be occupied until the secure cycle parking facilities have been implemented in accordance with the details shown on approved plan 15/038 104B and 111A. The approved facilities shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and the Gateshead Council Cycling Strategy.

20

No part of the development shall be occupied until a car park management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how the car

parking spaces allocated to this development will be managed and indiscriminate parking prevented.

Reason

In the interests of effective use of the car parks, in accordance with policy CS13 of the Core Strategy.

21

The car park shall be operated in full accordance with the management plan approved under condition 20 unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of effective use of the car parks, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

22

The development hereby approved shall be implemented in accordance with the Travel Plan approved as part of this application, reference Residential Travel Plan, 2nd Issue, dated August 2017.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

23

No part of the development hereby approved shall be occupied until full details of the method of illumination of the external areas of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the amenities of the neighbouring and future residents in accordance with policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and to harming the woodland habitat in accordance with policy CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV46 of the Unitary Development Plan.

24

No part of the development hereby approved shall be occupied until the illumination of the external areas, approved under condition 23 has been implemented.

Reason

In the interests of the amenities of the neighbouring and future residents in accordance with policy DC2 of the Unitary Development Plan and

policy CS14 of the Core Strategy and to harming the woodland habitat in accordance with policy CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV46 of the Unitary Development Plan

25

Prior to the development hereby approved being first brought into use, a Woodland Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include long term objectives, management responsibilities and maintenance schedules for all woodland areas within the site.

Reason

To ensure that the woodland areas are satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with policies DC1 and ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy.

26

The Woodland Management Plan shall be implemented in accordance with the details approved under condition 25.

Reason

To ensure that the woodland areas are satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with policies DC1 and ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy.

27

Notwithstanding the approved plans no part of the development hereby approved shall be occupied until final details of the signage and the road markings for the one way system has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory standard of development, in the interests of visual amenity and highway safety in accordance with policy ENV3 of the Unitary Development Plan and policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

28

No part of the development hereby approved shall be occupied until the signage and the road markings for the one way system have been implemented in accordance with the details approved under condition 27 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory standard of development, in the interests of visual amenity and highway safety in accordance with policy ENV3 of the

Unitary Development Plan and policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

29

Prior to the development hereby approved being first occupied full details of the landscaping proposals for the site, including details of new trees, shrubs and plant species shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for landscaping to be implemented.

Reason

To ensure that the approved landscaping scheme is completed in the interests of the visual amenity of the area and in accordance with policies CS15 and CS18 of the Core Strategy and policies DC1, ENV3 and ENV47 of the Unitary Development Plan

30

The landscaping scheme shall be implemented in accordance with the timetable approved under condition 29 and shall be retained as such for a minimum of 5 years.

Reason

To ensure that the approved landscaping scheme is completed in the interests of the visual amenity of the area and in accordance with policies CS15 and CS18 of the Core Strategy and policies DC1, ENV3 and ENV47 of the Unitary Development Plan

31

The reveals to the windows on the development hereby approved shall be a minimum depth of 85mm.

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, 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.

32

Prior to the development hereby approved being first brought into use the extended footpath and dropped Kerb on East Park Road shall be implemented in accordance with the details shown on plan 15/038 104B.

Reason

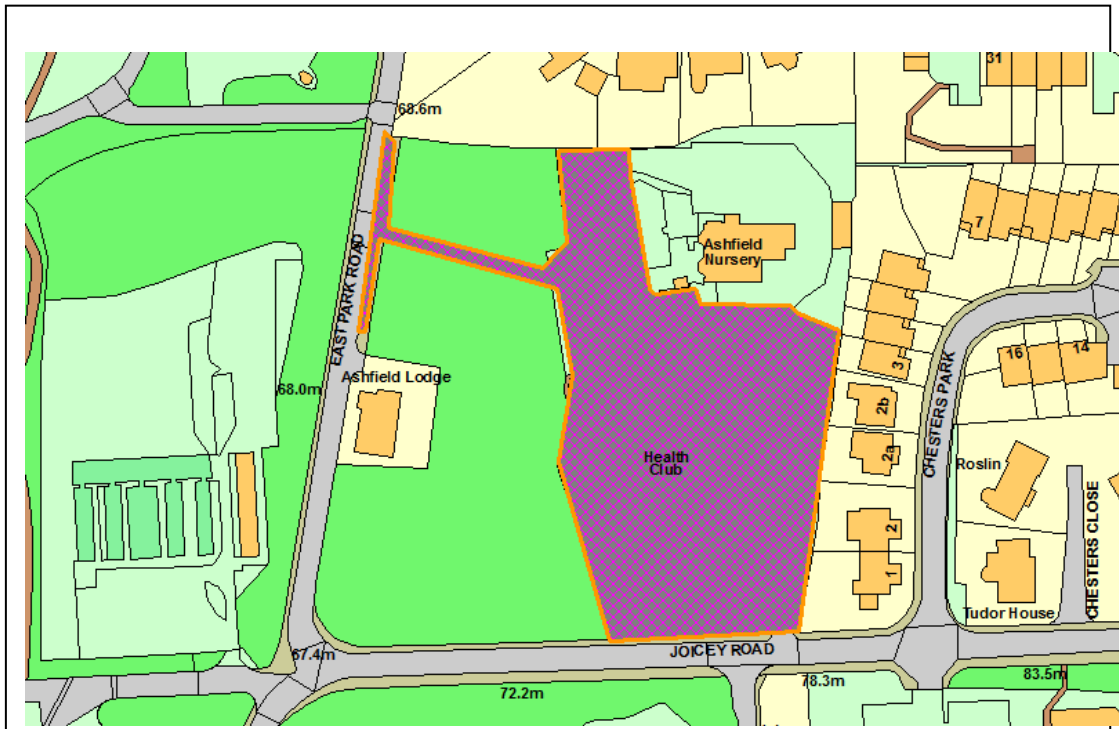
In the interests of highway safety and having regard to the requirements of policy CS13 of the Core Strategy.

33

No structure or planting exceeding 600mm metres in height shall be placed within the area within the applicants ownership, either side of the exit onto East Park Road as shown on plan reference 15/038 104B

Reason

In the interests of highways safety in accordance with Policy DC4 of the Unitary Development Plan.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X