

Committee Report

Application No:	DC/17/01010/FUL
Case Officer	Andrew C Softley
Date Application Valid	12 September 2017
Applicant	Mr Peter Udall
Site:	Gateshead Council Lyndhurst Community Education Centre Beacon Lough Road Beacon Lough Gateshead NE9 6TA
Ward:	High Fell
Proposal:	Erection of 36 houses (C3 residential) and all associated services and infrastructure.
Recommendation:	GRANT
Application Type	Full Application

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

The application site is the former Lyndhurst School, which is currently vacant land following demolition of the school building in 2013. The site fronts onto Beacon Lough Road and has two access points, one at the eastern end of the northern site boundary and one at the western end of the northern site boundary. Immediately to the west is a single-storey community centre building that was part of the school before a change of use to subdivide it was granted in 1999. To the south of the site are playing pitches associated with the community centre and to the east are the existing houses on Carnforth Gardens that sit at a higher land level than the application site. The current site is made up of a mixture of rough grass and made ground formed after the demolition of the school, except for the south-east corner of the site that forms an irregular shaped area of land that has a number of trees located on it. The character of the streetscene is predominantly made up of a mixture of residential properties, along with a small parade of retail uses on the opposite side of Beacon Lough Road.

1.2 DESCRIPTION OF THE APPLICATION

This application proposes the erection of 36 houses (C3 residential) and all associated services and infrastructure. The development would consist of 19 two-bed semi-detached houses, of which 6 would be affordable (intermediate tenure) units, 16 three-bed semi-detached and detached units and 1 four-bed detached house. The existing western most access point into the site would be used to form the entrance to the estate, with a simple estate road that would dissect the central part of the site, with houses set either side of it. The properties would be constructed of brick and tile, would all have off-street parking provision and outdoor garden space. There would also be an on-site play space, which would also allow for a SuDS feature to be installed.

1.3 This proposed development constitutes the Council operating as a private developer in partnership with Kier Homes. The houses would be for open market sale, with the exception of the 6 affordable units that would be made available for affordable rent through a registered provider, either managed by the Council directly or through The Gateshead Housing Company. The affordability rate is to be set at 80% of the market rent for the area subject to valuation.

1.4 RELEVANT PLANNING HISTORY

DC/13/00832/DEM: DETERMINATION OF PRIOR APPROVAL for the demolition of the former Lyndhurst Centre. Prior approval required and approved on 29.07.2013.

932/02: Planning permission granted for the provision of all weather (astro-turf) football pitch and erection of 3m high chain link security/rebound fence (approved 21.10.2002).

89/01: Planning permission granted for the installation of 4 x 8m high lighting columns on north and south sides of existing sports surface (approved 05.03.2001).

549/99: Planning permission granted for conversion of part of vacant school (use class D1) to assembly/leisure for use by boys' club (use class D2) including partial repair/re-covering of flat roofs (approved 01.07.1999).

2.0 Consultation Responses:

CE Electric UK	No objections.
Northumbria Water	No objections.
Tyne And Wear Archaeology Officer	There are no archaeological requirements in relation to this scheme.
Coal Authority	No concerns, as the site is not within a high risk area.

3.0 Representations:

One letter of representation has been received from the neighbouring occupier (Cleveland Boys Club) and raises the following concerns:

- Access required for 3G pitch replacement/renovation.
- Disability Access.
- Storage area required for specialist 3G cleaning equipment.
- Container storage area for mini soccer/11 a side goals and associated equipment.
- Proximity of the proposed fence line in relation to the use of the 3G facility and the potential for balls to enter neighbours gardens.

- Noise levels being generated taking into account the facility is operational from 7.30am till 9pm for both maintenance and activities.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

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

DC1C Landform, landscape and after-use

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV54 Dev on Land Affected by Contamination

MWR28 Prov of Facilities in new Developments

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

H4 Windfall Housing

5.0 Assessment of the Proposal:

5.1 ASSESSMENT

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

5.2 PLANNING POLICY

Windfall housing

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

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

5.4 With regards to sustainable development, this is a largely residential area, which is also adjacent to Beacon Lough Road/Southend Road local shopping area and is also close to Low Fell District Centre. It is considered that this proposal would not be at odds with the established character of the area and the amenity of future residential occupiers can be safeguarded. This will be discussed in more detail later in the report. As a result the principle of developing this site for residential use is considered acceptable should all other material planning considerations be satisfied.

5.5 Family Homes

Core Strategy and Urban Core Plan (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). The plans show the proposal is for the development of 36 dwellings, comprising 19 x 2 bedroom, 16 x 3 bedroom and 1 x 4 bedroom. That equates to 17 houses of 3 bedrooms or more, which is 47% of the development. Therefore, it is considered that the proposal does have regard to borough-wide policy CS11(1).

5.6 Affordable Homes

The design and access statement states that the proposal provides 6 affordable units on the site in accordance with Policy CS11(5). The affordable homes would be two bedroom units, pepper-potted around the site and of an intermediate tenure, which would be managed either by the Council directly or through by the Gateshead Housing Company. This is considered to be in accordance with policy and is welcomed. The affordable housing provision can be secured by condition (condition 3).

5.7 Lifetime Homes and Wheelchair accessible homes

The design and access statement confirms that 11% of the 2 bedroom units will be built to lifetime home standards to help achieve the space standards required by Policy CS11.

5.8 Residential space standards

Policy CS11 of the CSUCP requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". This proposal is considered to provide adequate space and therefore complies with policy CS11.

5.9 Open space

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

5.10 Play provision

Saved UDP Policies CFR28, CFR29 and CFR30, relating to the provision of play facilities is considered to apply to the current application.

5.11 The application includes an area of land adequate to meet the requirements of an on-site toddler play area that would also serve as an open space and SuDS feature. Therefore, the proposal does accord with saved policy CFR28 of the UDP.

5.12 With regard to off-site contributions towards junior and teenage provision, 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.

5.13 The Council has already exceeded the five obligation maximum in respect of all three types of play and for open space in this 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 in respect of these matters.

5.14 Consequently while it cannot be concluded that the proposed development would comply with saved policies CFR29 and CFR30 of the UDP it is considered that it is not possible to require any contribution for play provision in this case, based on the above assessment.

5.15 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a CIL Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development, as it is housing related. However, the development is located within Charging Zone C, which has a levy of £0 per square metre for this type of development. As such no CIL charge is liable.

5.16 DESIGN AND VISUAL AMENITY/LANDSCAPING AND BOUNDARY TREATMENT

The design, scale, layout, height, density and appearance of the proposed development is considered to be sympathetic to the surrounding area and would not appear out of keeping with the existing housing stock and other buildings as a result. Furthermore, the design of the properties would create sufficient amenity space and prevent the site from being overdeveloped. The principle of the materials proposed (facing brick, render and tile) are also considered to be suitable and subject to agreeing the precise details would safeguard visual amenity (conditions 6-7).

5.17 With regard to landscaping, some details of soft and hard landscaping have been submitted but it is considered that more information is required to ensure that an appropriate landscaping scheme comes forward. This is particularly relevant in respect of the existing hedge on the Beacon Lough Road boundary, which is to be retained in part with further complementary planting proposed. Therefore, it is considered necessary to condition their final approval to ensure visual amenity is preserved (conditions 8-10).

5.18 Furthermore, the boundary treatment details are limited and therefore it is considered appropriate to condition that the final details are submitted for approval (conditions 11-12).

5.19 Subject to the above the development would accord with the NPPF, policy CS15 of the CSUCP and saved policies ENV3 and DC1(c) of the UDP.

5.20 FLOOD RISK AND DRAINAGE

The application has been submitted with a flood risk assessment that has assessed all sources of flooding in accordance with policy CS17 of the CSUCP. It has identified any potential risks and the layout of the development reflects this by locating the main SuDS feature and play area in the part of site most likely to suffer surface water flooding and likewise the houses are positioned to help minimise the risk of being flooded.

5.21 The principle of the drainage strategy is considered to be acceptable but a number of further details are deemed necessary to ensure that the development accords with the NPPF and policy CS17 of the CSUCP. These further details include detailed drawings, electronic drainage model, adoption plan, detailed health and safety and construction method statement to ensure the required discharge rate for the site is achieved. It is considered that these amendments can be dealt with via conditions (conditions 13-20).

5.22 CONTAMINATED LAND

The site is situated on potentially contaminated land based on previous historic development use, which included extensive areas of red shale and some asbestos that was found during demolition works of the former school buildings and? from contamination existing in imported made ground used as a historic

development platform and from contamination present in the ground from building materials/demolition arisings.

- 5.23 In view of the sensitive end use proposed and following discussions at pre-application stage the planning application is supported by a Preliminary Risk Assessment (PRA), a Phase 2 Site Investigation Report and a Remediation Statement.
- 5.24 Only a limited number of samples at the site have been subject to chemical analysis, (only 8 samples analysed from 21 exploratory holes), which is insufficient for a site of this size to be able to come to any valid conclusions about the extent of contamination at the site and the variability of ground types.
- 5.25 Therefore, a revised 'final' Remediation statement will be required to be submitted for approval by the LPA, following further testing having been completed to inform the remediation statement. This can be dealt with by conditions (conditions 21-23).
- 5.26 It is also considered necessary to apply a condition, should planning permission be granted, to address the necessary course of action if unexpected contamination not previously identified is discovered during construction (condition 24).
- 5.27 Subject to the conditions referenced above the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policies ENV54 and DC1(p) of the UDP.
- 5.28 **TRANSPORT AND HIGHWAYS**
The principle of residential development on this site is considered to be acceptable and subject to the following paragraphs there is no objection to the scheme on transport and highways grounds.
- 5.29 A small Transport Statement has been provided and this highlights the sustainability of the site in terms of its proximity to shops, services and schools. The site is well located within an existing residential area and there are good local facilities and public transport links in the immediate vicinity. The development does however create a new desire line to the mini supermarket on the opposite side of Beacon Lough Road and the applicant should install a 1.8m wide footpath through the verge and dropped kerbs on either side of Beacon Lough Road to provide a pedestrian route, as it is considered that the majority of residents will not walk to the pedestrian refuge 50m south west of the development access. This can be addressed by condition (conditions 25-26) to ensure it forms part of a Section 278 Agreement that will be out with the planning process.
- 5.30 Whilst a visibility splay of 2.4m x 43m has not been shown on the plans the wide verge on Beacon Lough Road means that this can be easily achieved. The required splay would reduce to 2.4m x 35m if the speed limit is also reduced to 20mph, as is considered necessary due to the proposed intensification of the use of the existing access to the application site and the existing access on the

opposite side of Beacon Lough Road that primarily serves the Co-Op for customer parking and deliveries.

- 5.31 Therefore, it is considered that the applicant should fund the creation of a 20mph Zone encompassing the area around the new access and the local shopping area on both Beacon Lough Road and Southend Road. The new development would also form part of the zone. These works would form part of a Section 278 Agreement and can be dealt with by condition (conditions 25-26).
- 5.32 The plans show the first 10m of the access road from Beacon Lough Road into the site will be 5.5m wide, after which the internal carriageway width will be 5m and the provision of a 1.8m wide footway on both sides of the carriageway is also proposed. All of these provisions are considered to be acceptable. The plans also show that dropped kerbs and tactile paving will be installed across the existing western access on Beacon Lough Road
- 5.33 The other existing vehicular access point at the eastern end of the site being made redundant by this development must be closed and the public footway and grass verges reinstated. These works can be addressed by condition (conditions 25-26).
- 5.34 As stated above the development should form part of a 20mph Zone. It is considered that the layout proposed conforms to the 20mph Zone standards by restricting traffic speeds through horizontal deflections in the carriageway and buildouts, as a means of achieving a traffic calming effect.
- 5.35 A turning head is shown and the vehicle tracking provided demonstrates that this is of a size suitable to accommodate the turning movements of a refuse vehicle.
- 5.36 The resident car parking provision is in accordance with the Council's maximum standard of 2 spaces per property when averaged out over the whole development. Whilst the provision of echelon bays for properties 12 to 14 and 36, remote from the dwellings, is not ideal this is acceptable if they are clearly marked to avoid mis-use by others. This can be addressed by condition (condition 27).
- 5.37 It is considered that a 1m wide path should be provided alongside parking bays 14 and 36 to minimise the need for people to walk on the grass in order to reach the side of their car. This can be addressed by condition (conditions 28-29).
- 5.38 The visitor parking provision meets the Council standard of 1 space per 3 to 4 properties. Where visitor spaces are positioned within a private drive these spaces will also remain private. Visitor bays in the private driveway areas are to be set out in a contrasting material/colour so that they do not appear to provide parking for a particular property. This is particularly important adjacent to property 20.
- 5.39 The splay on the rear fences of properties 15 and 16 is good and allows clear visibility between pedestrians and drivers reversing from the driveways.

- 5.40 Secure and weatherproof cycle parking is to be provided by way of a shed in the rear garden of each property. These should have a lockable door mechanism and a means of securing a bicycle internally. All properties have an external route which allows bins and cycles to be transferred from rear to front garden.
- 5.41 A street lighting scheme must be developed for the purposes of highway and personal safety as will a highway drainage scheme. This would form part of the Section 38 process when adopting the internal roads and footways. This can be finalised via condition (conditions 30-31).
- 5.42 Construction Control measures can be conditioned to reduce the risk of mud on the roads (conditions 4 and 5).
- 5.43 The longitudinal sections of the proposed carriageway show that gradients within the development are below the Council's preferred maximum of 1 in 20 and are therefore acceptable.
- 5.44 Overall, subject to the conditions set out above the proposal would safeguard highway safety and hence would accord with the NPPF and policy CS13 of the CSUCP.
- 5.45 RESIDENTIAL AMENITY
It is considered that the orientation of windows, the layout of the site, including car parking, and the drop in land level from east to west should help to safeguard residential amenity to neighbouring properties, both existing and proposed. Furthermore, the separation distances to the nearest properties in Carnforth Gardens are in excess of 21m and therefore a loss of privacy is not considered to be an issue.
- 5.46 With regard to the existing 3G pitch that is adjacent to plots 12, 19 and 36, it is considered that properties have been orientated to minimise any impact from the existing floodlighting and the existing high fencing around the court should help to minimise the residential amenity impact. It is also worth noting that anyone moving into these houses would be aware of the existing use next door. Therefore, on that basis, it is considered that the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policy DC2 of the UDP.
- 5.47 In addition to the comments above, it is considered reasonable to condition that construction works should only take place during typical daytime hours of 8am-5pm Monday to Saturday in order to safeguard residential amenity. Subject to that condition the proposal would accord with the NPPF, policy CS14 of the CSUCP and policy DC2 of the UDP (condition 32).
- 5.48 REFUSE
Each plot has sufficient rear garden space for the storage of wheeled bins with easy access to wheel them out for collection and the road layout is good and reduces the need for reversing for the 26 tonne HGV waste collection vehicles. Therefore, it is considered that the proposal accords with the NPPF and saved policy MWR28 of the UDP.

5.49 OTHER MATTERS

A number of concerns to do with the on-going operation of the neighbouring community centre have been raised. It is considered, with the exception of the reference to potential disturbance from use of the 3G pitch addressed above, that the other concerns are not material planning considerations, as the community centre is not reliant upon the application site to service their operation. Other issues are matters for resolution between the tenant and the Council acting as their landlord.

6.0 CONCLUSION

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

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

AL(00)001E Location Plan

AL(00)002 Planning Layout

AL(00)003 Technical Plan

AL(00)004F Parking Plan

AL(00)005E Proposed Deed Plan

AL(00)006E Proposed Adoptions Plan

AL(00)007D Boundary Treatments Plan

AL(00)008B Materials Plan

AL(00)009 Street Scenes

1008-165_2D (A0-1) Topographical Survey 2D

1008-165_2D (A0-2) Topographical Survey 2D

R/2023/1C

R/2023/2B

R/2023/3

T3-END-AA(00)001

Lifetime-END-AA(00)001

T8-END-AA(00)001

T10-DET-AA(00)001

T10-V1-DET-AA(00)001

T10-V4-DET-AA(00)001

T10-END-AA(00)001

T12-DET-AA(00)001

T14-END-AA(00)001

T31-DET-AA(00)001

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

Prior to any of the residential units hereby approved being occupied details of an affordable scheme for the development which identifies

- which 6 units in the development will be affordable
- what type of subsidised home ownership they will be, and
- the selection criteria to live in the units
- timetable for delivery

shall be submitted to and approved in writing by the Local Planning Authority. The approved affordable housing units shall be provided on site in accordance with the approved scheme and timetable and retained in perpetuity.

Reason

To ensure affordable housing provision in accordance with the NPPF and policy CS11 of the Core Strategy and Urban Core Plan.

4

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.

5

The construction control plan approved under condition 4 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.

6

Notwithstanding the submitted plans, no development above damp proof course shall commence until samples of all materials, colours and finishes to be used on all external surfaces, including the driveways, patios and footpaths, have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

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

7

The development shall be completed using the materials approved under condition 6 and retained as such in accordance with the approved details thereafter.

Reason

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

8

The development hereby approved shall not be commenced until a fully detailed scheme for the landscaping of the site, including retention of the existing hedge fronting onto Beacon Lough Road, has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard and soft landscaping, proposed trees and hedges, ground preparation

and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

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

9

The landscaping scheme approved under condition 8 shall be implemented in accordance with the timescale approved through condition 8.

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.

10

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

Reason

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

11

Notwithstanding the submitted plans, the development hereby approved shall not be occupied until a fully detailed scheme for the boundary treatment of and within the site 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 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.

12

The boundary treatment details approved under condition 11 shall be implemented wholly in accordance with the approved details prior to the occupation of the dwelling to which it relates and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of 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.

13

Prior to the commencement of the development hereby permitted, scale drawings showing the proposed layout of the drainage network for the full site clearly showing permeable paved areas, numbered pipes, falls, diameters and manhole invert and cover levels that correspond with the drainage model previously submitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

14

The details of the drainage network approved under condition 13 shall be implemented prior to the first occupation of the development hereby permitted and maintained for the life of the development.

Reason

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

15

Prior to the first occupation of the development hereby approved an improved SuDS and drainage maintenance plan, including detailed drawings, electronic drainage model, adoption plan, detailed health and safety and construction method statement and schedule, and designed to be a working document for use by maintenance operatives, shall be submitted to and approved in writing by the Local Planning Authority.

This shall include maintenance specification and timings for the geocellular storage devices, hydrobrakes, manholes, gullies, and any other flow controls or water treatment devices. The plan shall also set out details of the arrangements for the ongoing maintenance of the drainage system over the lifetime of the development, and set out clearly where responsibility lies for the maintenance of all drainage features including underground storage, oversized pipes, permeable paving, flow control and water treatment devices.

Reason

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

16

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

Reason

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

17

Prior to the construction of the swale hereby approved final detailed proposals of the swale showing slopes and its relationship to adjacent planting and boundary features shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

18

The swale details approved under condition 17 shall be implemented prior to the first occupation of the development hereby permitted and maintained for the life of the development.

Reason

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

19

Development shall not commence in respect of the soakaway system until full details of the geocellular storage or soakaway system have been provided, including details of pollutant mitigation measures to treat

runoff from all hard surfaces to the soakaway feature, CCTV and maintenance access into the structure.

Reason

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

20

The details of the soakaway feature approved under condition 19 shall be implemented prior to the first occupation of the development hereby permitted and maintained for the life of the development.

Reason

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

21

Prior to commencement of the development hereby permitted, a revised remediation statement that clearly states what remedial measures are to be implemented, and which addresses the comments dated 26/10/17 provided by the Council's Contaminated Land officer shall be submitted to and approved in writing by the Local Planning Authority. The remediation statement shall provide a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, including where necessary, additional sampling and chemical analysis, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1(p) and ENV54 of the Unitary Development Plan.

22

The details of remediation measures approved under condition 21 shall be implemented prior to the first occupation of the development hereby permitted and maintained for the life of the development.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1(p) and ENV54 of the Unitary Development Plan.

23

Following completion of the remediation measures approved under condition 21 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1(p) and ENV54 of the Unitary Development Plan.

24

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

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

25

No part of the development hereby approved shall be occupied until final details of all works within the adopted highway have been submitted to and approved in writing by the Local Planning Authority. This shall include the footpath link across Beacon Lough Road, the creation of a 20mph Zone and the closing off and making good of the redundant access at the eastern end of the site.

Reason

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

26

No part of the development hereby approved shall be occupied until the off-site highway works have been implemented in accordance with the details approved under condition 25 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

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

27

Before being brought into use, the echelon car parking bays for plots 12 to 14 and 36 shall be clearly marked to avoid mis-use by others and maintained as such for the life of the development.

Reason

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

28

Notwithstanding the submitted plans, prior to the first occupation of plots 14 and 36 of the development hereby approved, a plan showing the provision of a 1m wide footpath alongside bays 14 and 36 shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

29

The details approved by condition 28 shall be provided on site prior to the first occupation of plots 14 and 36 and maintained as such thereafter.

Reason

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

30

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

Reason

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

31

The street lighting details approved by condition 30 shall be provided on site prior to the first occupation of the development and maintained as such thereafter.

Reason

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

32

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

Reason

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

