

**Committee Report**

<b>Application No:</b>	<b>DC/17/01168/FUL</b>
<b>Applicant</b>	<b>Home Group</b>
<b>Date Application Valid</b>	<b>24 October 2017</b>
<b>Site:</b>	<b>Land To The East Of Marigold Avenue Gateshead</b>
<b>Ward:</b>	<b>Felling</b>
<b>Proposal:</b>	<b>Proposed erection of 41 dwellings with associated open space, landscaping and infrastructure (amended and additional information received 23/11/17, 19/12/17 and 08/01/18).</b>
<b>Recommendation:</b>	<b>GRANT SUBJECT TO A SECTION 106 AGREEMENT</b>
<b>Application Type</b>	<b>Full Application</b>

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

The application relates to an area of vacant land which extends to an area of 1.47 ha. The site is bound by Park Road (A184, Felling Bypass) to the north and by existing residential development to the west on Marigold Avenue, to the south on Acacia and Friars Dene Road and to the east on Eastwood Gardens.

1.2 The surrounding area is characterised by largely residential developments with a variety of densities offering flats, terraced housing and bungalows; Gateshead Stadium and the Gateshead Academy for sport are located to the north of the site across the A184.

1.3 The application site is allocated in the Local Plan as a housing site.

**1.4 DESCRIPTION OF THE PROPOSAL**

The application seeks consent for the erection of 41 dwellings and associated works. It is proposed that the dwellings would have between two and four bedrooms.

1.5 It is proposed that the majority of the development would comprise of two storey dwellings, however there are nine three storey dwellings proposed to the north of the site; these higher dwellings are proposed to overlook Park Road providing a frontage to the north.

1.6 The housing proposed on site is broken down as follows;

- 19 X 2 bed houses (46%)
- 13 X 3 bed houses (32%)
- 9 X 4 bed houses (22%)

1.7 The application also makes provision for;

- Landscaping and public open space - provision is made for areas of public open space, and the retention and enhancement of existing trees;
- Access - vehicular access will be created from Marigold Avenue to the west and Acacia Road to the south, with additional pedestrian and cycle access created to Park Road, Friars Dene Road and Acacia Road and;
- Drainage - the development includes a single SUDs area in the north east corner of the site.

1.8 The development is intended to be an 'exemplar development' with dwellings to be constructed using innovative modern construction methods such as off-site light gauge steel systems, insulated concrete systems and modular construction being designed to increase the sustainability of the development. A number of different construction techniques are to be utilised to provide opportunities for the developer to conduct research (alongside Northumbria University) into the practicalities and benefits of each over the construction and occupation stages of the development. This approach will allow Home Group to understand how to best utilise new sustainable construction techniques in the future with the intention being to utilise knowledge gained to roll out modern construction techniques across future development sites.

1.9 The application is accompanied by the following documents:

- Planning Statement;
- Sustainability Statement;
- Statement of Community Involvement;
- Affordable Housing Statement;
- Design and Access Statement;
- Ecology Assessment;
- Arboricultural Impact Assessment;
- Arboricultural Method Statement;
- Archaeology Assessment;
- Contaminated Land Preliminary Risk Assessment;
- Transport Statement;
- Acoustic Design Statement and;
- Flood Risk and Drainage Assessment.

#### 1.10 PLANNING HISTORY

The planning history relevant to the current application is set out below;

- 1319/98; Prior approval given for 'Demolition of 90 dwellinghouses.' Date; 01 February 1999.
- 587/00; Planning permission granted for 'Residential development with retail, public house, church and school uses (use classes A1, A3, C3 and D1) (outline application but with full details for phase 1 comprising 534 dwellinghouses/ flats) (amended 05/09/00 and 26/10/00).' Date; 09 January 2001.
- DC/06/02032/OUT; Outline planning permission granted for 'Erection of 117 dwellings over a 3 phased development involving full details for the erection of 36 flats (use class C3) in 6 x 2-storey blocks for Phase 1 with outline details for the erection of 81 dwellings for Phases 2 and 3.' Date; 08 March 2007.

- DC/07/00768/FUL; Planning permission granted for 'Erection of 83 terraced dwellinghouses (use class C3) with associated communal garden and public play space (phases 2 and 3 of previously approved planning permission DC/06/02032/OUT) and erection of two storey apartment in re-aligned position to that approved under planning permission DC/06/02032/OUT (retrospective) (amended plans 27/09/07).' Date; 29 October 2007.

## **2.0 Consultation Responses:**

Tyne and Wear Archaeology      No objection.

Northumbrian Water                  No comments to make.

## **3.0 Representations:**

- 3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. No representations have been received.

## **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

H3 Sites for New Housing

H5 Housing Choice

H9 Lifetime Homes

H10 Wheelchair Housing

DC1D Protected Species

DC1J Substrata Drainage-Water Quality

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR20 Local Open Space

CFR21 Neighbourhood Open Spaces

CFR22 Area Parks

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

GPGSPD Gateshead Placemaking Guide SPG

## **5.0 Assessment:**

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

### **5.2 PRINCIPLE**

#### **5.3 Allocation**

The application site (as part of a wider allocation which includes the existing Bok Lok Development) is allocated for housing under saved UDP Policy H3. The NPPF states that "... *housing applications should be considered in the context of the presumption in favour of sustainable development*" and that proposals which accord with the development plans should be approved "*without delay*".

- 5.4 Therefore, subject to satisfying other material considerations, the principle of erecting 41 dwellings on the site is acceptable.
- 5.5 **Housing Mix**  
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 41 dwellings, comprising 19 x 2 bedroom, 13 x 3 bedroom and 9 x 4 bedroom. That equates to 22 houses of 3 bedrooms or more, which is 54% of the development.
- 5.6 Policy CS11 of the CSUCP sets out the mix of housing that should be provided as part of any new development and aims to promote lifetime neighbourhoods with a good range and choice of accommodation. Additionally, saved Policy H5 of the UDP requires developments to offer a range of housing in terms of sizes and types for different groups.
- 5.7 As such the development provides the following mix of dwellings, this mix is based upon the development experience/perception of the need and demand in the area:
- 19 X 2 bed houses (46%)
  - 13 X 3 bed houses (32%)
  - 9 X 4 bed houses (22%)
- 5.8 It is considered that the proposed mix provides a good range, choice of accommodation and provides family homes in accordance with policy CS11 of the CSUCP and saved UDP policy H5.
- 5.9 **Affordable Housing**  
Policy CS11 requires that where there is evidence of a need for affordable housing, the Council will seek the provision of a proportion of affordable housing on all housing developments on sites of 0.5 hectares or more in size. The applicant intends for all property to be affordable units, notwithstanding this the applicant has agreed to enter into a S106 agreement securing 15% affordable homes (intermediate rent).
- 5.10 The NPPF is clear that S106 can only be required where they are;
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 5.11 Therefore, it is not appropriate for the LPA to seek more than 15% affordable homes across the development, in compliance with Policy CS11.
- 5.12 **Residential space standards**  
Policy CS11(4) requires that new residential development provides "*adequate space inside and outside of the home to meet the needs of residents*". It is considered based upon the submitted information that the application meets this requirement providing adequate space both internally (by meeting the Government's nationally described space standards) and externally.

- 5.13 It is considered that the principle of residential development of this site is acceptable, subject to all other material planning considerations being satisfied and would accord with saved UDP policies H5 and H9 of the UDP, policy CS11 of the CSUCP as well as the NPPF.
- 5.14 **DESIGN ISSUES**  
The NPPF encourages design quality and sets the scene for building a strong and competitive economy. Good design is identified specifically as being important in establishing a strong sense of place. New development should optimise the potential of a site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. The NPPF states that new development should respond to local character and history, reflecting the identity of local surroundings.
- 5.15 The CSUCP reflects the general aims of the NPPF encouraging economic growth and identifying the importance of quality of place. Policy CS15 refers specifically to Place Making and the need for new development to demonstrate high and consistent design standards in line with the Council's design guidance contained in the Gateshead Placemaking SPD.
- 5.16 The NPPF requires that development should 'make a positive contribution to local character and distinctiveness' (paragraphs 126 and 131). This is reinforced by paragraphs 58, 60, 61 and 64. These require development to respond to local character by promoting or reinforcing local distinctiveness, reflect the identity of local surroundings and materials and promote good architecture and appropriate landscaping. Development of poor design which fails to respond to opportunities for improving the character and quality of an area should be refused.
- 5.17 It is considered that the proposed development offers a positive design solution which raises design standards and provides a scheme of high architectural quality.
- 5.18 The design of the properties would create good level of amenity space and prevent the site from being overdeveloped. Full details of the external appearance/materials have been provided as part of the application and are considered to be suitable and would safeguard visual amenity (condition 3).
- 5.19 With regard to landscaping, some details of soft and hard landscaping have been submitted as part of the application. Notwithstanding this information, it is considered necessary to condition the submission of final details, implementation, maintenance and retention in accordance with the submitted details (conditions 4, 5, 6, 7 and 8).
- 5.20 Furthermore, the boundary treatment details submitted in support of the application are considered to be acceptable. It is therefore considered necessary to condition the installation and retention of the proposed boundary treatments (condition 9).

- 5.21 It is considered that the proposed development has successfully demonstrated that it has achieved a high standard of design that will contribute positively to the site and its surrounding context. It is acceptable from a design point of view and subject to the recommended conditions accords with the design aims and objectives of the NPPF, saved policy ENV3 of the Council's UDP and policy CS15 of the Council's CSUCP.
- 5.22 **RESIDENTIAL AMENITY ISSUES**  
Given the distances between the existing adjacent houses and the proposed development it is considered that the development would not cause any significant harm to the living conditions of adjacent residents through loss of light, overshadowing or visual intrusion.
- 5.23 It is considered that the internal separation distances within the site strike an appropriate balance between ensuring an acceptable level of residential amenity and encouraging an appropriate design solution. On this basis, the internal layout is considered to be acceptable and would not cause any significant harm to the living conditions of the future occupiers of the proposed houses in terms of loss of light, overshadowing or visual intrusion.
- 5.24 Noise from Park Road has the potential to impact on amenity levels for future occupiers. The applicant within their Acoustic Design Statement has set out a number of mitigation measures to help limit impact; it is considered the installation of these measures should be secured by condition (condition 10).
- 5.25 Construction works associated with the development could impact on the living conditions of adjacent neighbours. It is recommended that conditions be imposed that would require the submission and approval of appropriate details in regard to hours of operation, location of the site compound (including locations for site vehicles and materials) and controls over dust and noise (conditions 11 and 12).
- 5.26 Officers are therefore of the opinion that subject to the above conditions, the proposed development would not harm the living conditions of adjacent residential properties and the living conditions of the future occupiers of the proposed houses. It is therefore considered that the development is acceptable from a residential amenity point of view and accords with the aims and objectives of the NPPF, saved policy DC2 of the Council's UDP and policy CS14 of the Council's CSUCP.
- 5.27 **TRANSPORT ISSUES**  
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.
- 5.28 Officers agree with the conclusion of the Transport Statement which concludes;  
*'...the development is well located in relation to local facilities, would be accessible by sustainable modes of transport and the new trips produced would not have any significant impact on the surrounding*

*highway and transportation network. The development is therefore considered to be satisfactory in transportation terms'.*

- 5.29 The development further aids connectivity through the provision of three pedestrian and cycle accesses onto Park Road which provides a cycle and footpath which links to the east and west.
- 5.30 The layout of the scheme is considered to be acceptable in highways terms offering a legible layout; as reference above the hard landscaping will be secured through conditions (conditions 7 and 8). Further, it is considered that the proposed layout provides continuity between the existing road layout and the application site.
- 5.31 Secure and weatherproof cycle parking is to be provided by way of a shed in the rear garden of each property the erection of these shed will be secured through condition (condition 13). All properties have an external route which allows bins and cycles to be transferred from rear to front garden.
- 5.32 It is therefore considered that subject to the above conditions the proposed development is acceptable in highways terms and would accord with the aims and objectives of the NPPF and policy CS13 of the Council's CSUCP.
- 5.33 **TREES/LANDSCAPING**  
An Arboricultural Impact Assessment and an Arboricultural Method Statement have been submitted as part of this planning application. The report indicated that no trees will be removed as a result of the proposed development.
- 5.34 Trees within and abutting the application site would be protected through the use of the protective fencing, to this end a tree protection plan has been submitted as part of the application. The installation of the protective fencing and the display of the tree protection plan on site could be secured through planning conditions (Conditions 14 and 15).
- 5.35 Subject to these planning conditions, it is considered that the proposed development is acceptable in terms of impact on the existing trees and accords with the aims and objectives of the NPPF, saved policies ENV44 of the Council's UDP and policy CS18 of the CSUCP.
- 5.36 **ECOLOGY ISSUES**  
In considering the above application in regard to ecological impact regard is offered to the NPPF, Policy CS18 of the CSUCP and saved UDP Policies DC1, ENV46 and ENV47.
- 5.37 Paragraph 118 of the NPPF sets out the ecology 'mitigation hierarchy' as follows;
- Avoidance - can significant harm to wildlife species and habitats be avoided for example through locating on an alternative site with less harmful impacts.
  - Mitigation - where significant harm cannot be wholly or partially avoided, can it be minimised by design or by the use of effective mitigation



measures that can be secured by, for example, conditions or planning obligations.

- Compensation - where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, can this be properly compensated for by measures to provide for an equivalent value of biodiversity.

5.38 The submitted Ecology Assessment provides a list of impacts resulting from the development of the site (incl. but not limited to):

- Loss of c.1ha semi-improved neutral grassland (BAP priority habitat);
- Loss of butterfly habitat/populations of BAP priority butterfly species;
- Spread of species listed on Sch. 9 Wildlife and Countryside Act and;
- Impacts on protected/priority species incl. breeding birds, foraging/commuting bats, hedgehog during the construction and operational phases of the development.

5.39 Discussions are ongoing in regard to proposed methods of ecological mitigation/compensation. Officers will offer an update to Planning and Development Committee on this point.

#### 5.40 FLOOD RISK/DRAINAGE

A Flood Risk Assessment (FRA) which includes a drainage strategy has been submitted as part of this planning application. The FRA has identified any potential risks and the layout of the development reflects this by locating the main SuDS feature in the part of site most likely to suffer surface water flooding and likewise the houses are positioned (where possible) to help minimise the risk of being flooded. In order to remove any residual flood risk further details on the finished floor levels of units 36 – 41 need to be submitted to and approved in writing by the LPA (conditions 16 and 17).

5.41 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 18, 19, 20, 21, 22, 23, 24 and 25).

5.42 Subject to these planning conditions the proposal is considered to be acceptable from a flood risk and drainage point of view and would accord with the aims and objectives of the NPPF, saved policy DC1 (j) of the Council's UDP and policy CS17 of the Council's Core Strategy and Urban Core Plan.

#### 5.43 LAND CONTAMINATION

The site is considered to be potentially contaminated based on previous historic uses. A Contaminated Land Risk Assessment and Remediation Strategy have been submitted in support of the application. Further to the submitted report, it is considered that the contamination on site can be dealt with through the imposition of conditions requiring the submission of an appropriate phase II risk

assessment, remediation strategy and subsequent verification report (conditions 27, 28, 29 and 30).

- 5.44 Further, it is considered necessary to condition that if any previously unidentified contamination is found it should be screened, removed and disposed of appropriately (conditions 31 and 32).
- 5.45 These planning conditions will ensure that the proposed development is acceptable from a contaminated land point of view and accord with the aims and objectives of the NPPF, saved policies DC1(p) and ENV54 of the Council's UDP and policy CS14 of the CSUCP.
- 5.46 **OPEN SPACE**  
Policy CFR20 requires that in each residential neighbourhood at least three hectares of Local Open Space should be available in sites of at least 0.01ha per 1,000 residents and no resident should have to travel more than 330m from home to find one. In this regard, the site will deliver an area of public open space of 0.3ha onsite ensuring that residents do not have to travel over 330m to access local open space. Further, the proposed layout provides pedestrian links to the wider area. It is considered that this meets the requirements of saved UDP policies CFR20, CFR21, CFR22.
- 5.47 **PLAY SPACE**  
It is considered that the proposed amenity/open space within the application site provides for an acceptable level of toddler play space for future residents in accordance with Policy CFR28. In regard to junior and teenage play provision it is considered that the delivery on site is unachievable; policies CFR28 and CFR29 suggest that developments should contribute towards offsite provision.
- 5.48 Pooling restrictions were introduced by the Community Infrastructure Levy (CIL) Regulations 2010 which means that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project, unless specific projects can be identified.
- 5.49 The Council has already exceeded the five obligation maximum in respect of all three types of play (toddler, junior and teen) and for open space in this area and therefore cannot seek any further obligations in respect of these matters. Whilst it cannot be concluded that the proposal would accord with saved UDP policies CFR28, CFR29 and CFR30, it is not possible to require any contribution for either play or open space provision in this case, due to the CIL Regulations considered above.
- 5.50 **COMMUNITY INFRASTRUCTURE LEVY**  
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is for housing related development. The development is located within a charging zone with a levy of £0 per square metre for this type of development.

## **6.0 CONCLUSION**

- 6.1 It is considered that the development would bring about a number of benefits such as the provision of additional family housing in Gateshead and the housing growth required in the Local Plan. The development would also have economic benefits from construction jobs and the bringing back into use a currently vacant site.
- 6.2 The site is allocated in the Local Plan for residential development and therefore the principle of housing development on the site is clearly acceptable. Taking all other relevant issues into account, it is considered that the proposed development is acceptable (subject to satisfactory resolution of ecology matters); the proposal (subject to planning conditions and obligations) is considered to accord with the aims and objectives of both national and local planning policies.
- 6.3 Given the above, it is recommended that planning permission be granted subject to planning obligations pertaining to affordable housing and the planning conditions set out below.

## **7.0 Recommendation:**

That permission be GRANTED subject to a Section 106 agreement and satisfactory resolution of ecology matters:

1) The agreement shall include the following obligations:

- Provision of 15% affordable housing

2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.

3) That the Strategic Director of Communities and Environment be authorised to add, delete, vary and amend the planning conditions as necessary.

4) 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 -

EX01 October 2017 – Existing Site Plan

EX02 October 2017 – Existing Site Sections

SL-01 October 2017 – Location Plan

PL01 January 2018 – Proposed Site Plan

PL02 January 2018 – Proposed Site Layout

PL03 October 2017 – Proposed Site

PL04 January 2018 – Proposed Boundary Treatment Plan

PL06 October 2017 – Material Finishes Plan

House Booklet Type October 2017 – Housetype Booklet  
N672-ONE-00-XX-DR-L-0001-P01 – Landscape Masterplan  
Acoustic Design Statement 6302.1A Revision A – Noise Impact  
Assessment

Arboricultural Impact Assessment

Arboricultural Method Statement

Design and Access Statement October 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

The development hereby permitted shall be constructed entirely of the materials detailed and shown on plan number PL06 October 2017 – Material Finishes Plan. Unless otherwise approved in writing by the Local Planning Authority.

#### Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

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

maintenance of the landscaping (for a period of 5 years following planting).

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

5

The landscaping details approved under Condition 4 shall be implemented in accordance with the timings approved under Condition 4.

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.

6

The approved landscaping scheme shall be maintained in accordance with the details approved under condition 4.

Reason

To ensure that the landscaping scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

7

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

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

8

All hard landscaping shall be completed in full accordance with the details approved under Condition 7 (including timescales for

implementation), and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

9

The boundary treatment associated with each respective property hereby approved shall be installed, in accordance with approved plan PL04 October 2017 – Proposed Boundary Treatment Plan, prior to the occupation of each respective property.

Reason

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

10

The noise mitigation measures (for each respective property hereby approved) set out within the submitted Noise Assessment (Acoustic Design Statement 6302.1 Revision D) shall be implemented in full prior to the occupation of each respective property hereby approved.

Reason

To ensure that the emission of noise is controlled in the interests of the amenity of nearby residents, in accordance with the NPPF, saved Policies 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.

11

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.

12

The construction control plan approved under condition 11 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.

13

The cycle parking facilities associated with each individual property (shown on approved plan PL02 January 2017 - Proposed Site Layout) shall implemented in full accordance with the submitted details prior to first occupation of each respective unit hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.

Reason

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

14

No development shall commence on site until the tree protection measures shown at Figure 1 of the approved Arboricultural Impact Assessment (prepared by All About Trees, October 2017) have been installed in the locations identified in Appendix 3 of the same Arboricultural Impact Assessment. The approved scheme shall remain in situ until completion of the development.

Reason

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

15

The approved tree protection plan (Appendix 3 of Arboricultural Impact Assessment (prepared by All About Trees, October 2017) shall be displayed at all times outside the site office or in a location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of the daily checks being kept on file in the site office. The record shall include the date, time and name of the person carrying out the checks together with any problems

identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the LPA being obtained all construction operations should stop until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.

**Reason**

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

**16**

The final finished floor levels of units 36 – 41 shall be submitted to and approved in writing by the LPA prior to the commencement of any works directly associated with these units.

**Reason**

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

**17**

Units 36 - 41 shall be constructed to the finished floor levels approved under condition 16.

**Reason**

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

**18**

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

**Reason**

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

**19**

The final drainage scheme shall be carried out in full accordance with the details approved under condition 18 (including timings for implementation).



Reason

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

20

No work in relation to any proposed drainage features shall take place until a long-term management plan for the drainage scheme approved under condition 18 has been submitted to and approved in writing by the LPA.

Reason

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

21

The drainage scheme approved under condition 18 shall be managed in full accordance with the management plan approved under condition 20 for the lifetime of the development.

Reason

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

22

No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under condition 18 has been submitted to and approved in writing by the LPA.

Reason

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

23

The drainage scheme approved under condition 18 shall be constructed in full accordance with the construction management plan approved under condition 22.

Reason

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

24

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

Reason

In order to inform/educate residents about the SuDS drainage system (including in curtilage permeable paving) associated with the site in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

26

At the point of occupation of any unit hereby approved, the SuDS information and communication plan approved under condition 24, shall be provided to the occupants of each dwelling.

Reason

In order to inform/educate residents about the SuDS drainage system (including in curtilage permeable paving) associated with the site in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

27

No development approved by this planning permission shall be commenced until a site investigation is undertaken and a Phase II Risk Assessment report of the findings submitted to the Council for approval. The site investigation will consist of a series of boreholes and trial pits, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase II Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers.

Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

#### Reason

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

28

Following completion of the site investigation and Phase II Risk assessment site investigation works (condition 27), and following approval by the Council, if the findings of the Phase II investigation require remediation works to be undertaken then a 'Remediation Strategy' statement document is required to be produced and submitted to the Council for approval. The 'Remediation Strategy' (including timescales) must detail objectives, methodology and procedures of the proposed remediation works. This must be submitted to the Council, for approval, before any remediation works commence.

#### Reason

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

29

The remediation works detailed in the 'Remediation Strategy' submitted and approved by the Council in respect of Condition 28, shall be wholly undertaken within the timescales set out within the approved strategy.

#### Reason

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

30

Upon completion of the remediation works detailed in the approved Remediation statement and prior to the occupation of any dwellinghouse hereby permitted, under condition 27 and/or condition 28, a detailed Remediation Verification report shall be submitted to the Local Planning Authority for approval. The report should provide verification that the required works regarding contamination have been carried out in full accordance with the approved Remediation Strategy Statement, and should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test result to demonstrate that the required remediation has been fully met.

#### Reason

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

31

During development works, any undesirable material observed during excavation of the existing ground should be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations should cease until the exposed material has been chemically tested. An amended risk assessment of the development should then be undertaken, to determine whether remedial works are necessary.

#### Reason

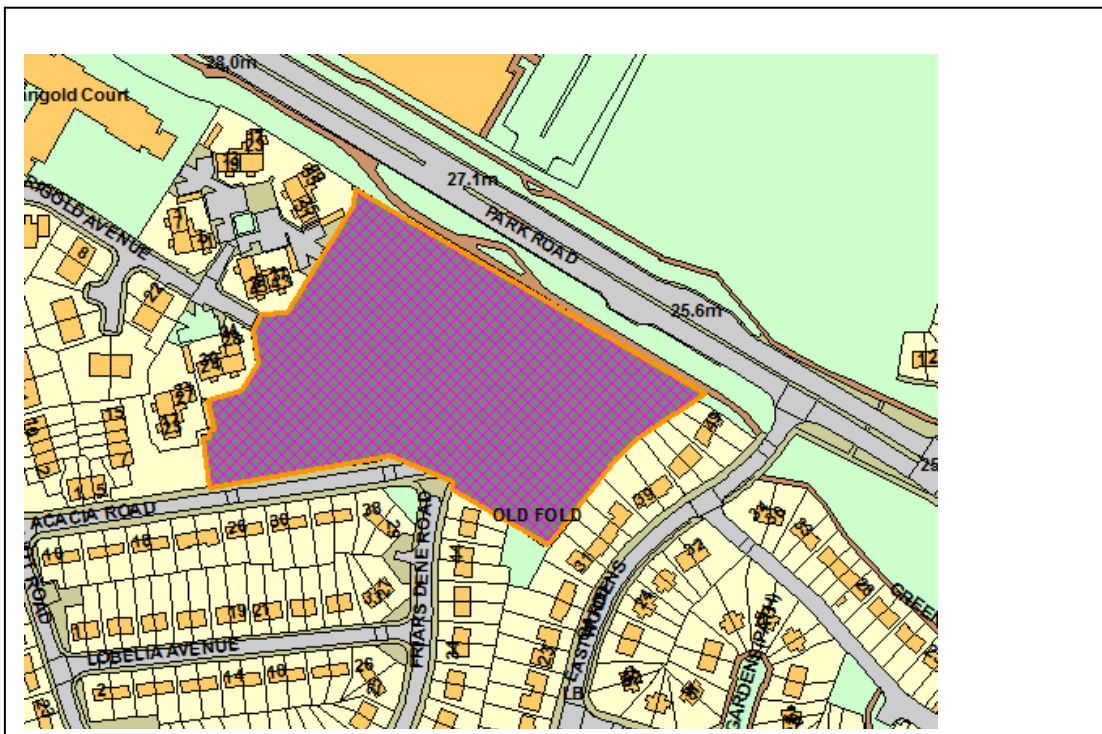
In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

32

Any works deemed to necessary following testing (as part of condition 31) shall be carried out in full prior to the occupation of first dwelling hereby permitted.

#### Reason

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



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