

Committee Report

Application No:	DC/18/00124/FUL
Case Officer	Lindsay Coyle
Date Application Valid	8 March 2018
Applicant	Trojan Scaffolding NE Ltd
Site:	Swalwell And District Social Club Brewery Bank Swalwell Whickham NE16 3DP
Ward:	Whickham North
Proposal:	Demolition of existing buildings and residential development comprising 12 x 2-bed flats and 2 x 3-bed houses with associated landscaping, roads and parking areas.
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

1.2 The application site comprises of the former Swalwell Social Club, a large flat roofed, brick built building, located on the south-eastern side of Brewery Bank. The club is vacant and has been so since its closure in 2010. The club has been subject to fly tipping, vandalism and arson, the most recent arson attack taking place in 2017, resulting in the site having a negative impact on the appearance of the area.

1.3 The existing building occupies a little over half of the application site, located in the northern proportion of the site. The existing building is built up to the public footpath of Brewery Bank and the pedestrian footpath that runs along the north-western side of the site. The building is built within 2m and 2.6m of its side boundary with public footpath along the western boundary. There is a significant change in levels at the site, rising in a southerly direction. To the south of the building lies overgrown vegetation and two sink holes, which are thought to have been formed by a collapsed drain running through the site.

1.4 The site is located on the edge of the Swalwell Local Centre. The area is mixed in character and in types of uses, directly to the south is a single residential residence and to the east are the residential properties that front Hood Street, to the north a pedestrian footpath (back lane) where the rear elevations of a range of commercial and residential properties are located, the commercial premises includes the Highlander Public House, a hot food takeaway, an aquarium and pond supplies shop and beauticians.

1.5 To the west of the site lies a public footpath which connects Crowley Road to the south with the B6317 Hexham Road to the north-west. Beyond this western

boundary lies the Swalwell Holy Trinity Church and its grounds. To the south-west of the site, accessed from Crowley Road is Knox Wilkin, a corn merchant.

1.6 The site is not located within a Conservation Area, nor is the property a statutory Listed Building.

1.7 DESCRIPTION OF PROPOSAL

1.8 It is proposed to demolish the existing derelict club which is in a poor state of disrepair and in its place erect 14 dwellings, comprising of 12 x 2 bedroom flats, contained within two blocks and two semi-detached 3 bedroom houses.

1.9 The two blocks containing the residential flats are identical in size, height and design. Each block would measure 12.2m high to the ridge and 14.8m wide by 11.2m deep. These blocks would be sited adjacent to each other, the gable ends facing Brewery Lane. A bin storage area and a cycle storage area for the flats would be located between the two flat buildings.

1.10 The two semi-detached houses would be located to the south of the site; the rear elevation would face Crowley Road. Stepped access to the dwellings would be provided from Crowley Road and a set of steps are proposed from within the site, providing access to the front entrances of the dwellings. Each semi-detached house would measure 8m high to the ridge and 5.7m wide by a maximum of 10.3m deep. Each dwelling would have an area of private amenity space, located at the front of the property.

1.11 A new vehicular and pedestrian access would be created from Brewery Bank, which provides access to a large area of hardstanding, containing 10 surface car parking spaces. A further four car parking spaces are provided under croft adjacent to the semi-detached dwellings. Above the under-croft parking, the private amenity space for the semi-detached houses is located.

1.12 Three pockets of soft landscaping are provided within the site, two of which are located at the entrance of the site and the third, larger area of soft landscaping / play space is provided adjacent to the semi-detached houses in the southern section of the site.

1.13 PLANNING HISTORY

1.14 There is no relevant planning history of the site which relates to the redevelopment of the site for housing.

1.5 However, for background purposes Members are advised that on 21 March 2017 a notice was served on the owners of the site under Section 215 of the Town and Country Planning Act 1990 requiring the demolition of the existing Social Club building, as its condition adversely affects the amenity of the area.

1.6 This notice required the building to be demolished by 24 August 2017. Members will note that the timeframe for the demolition has now past, however it was agreed with the applicant that no action would be taken on the basis

that a planning application for the demolition and redevelopment of the site was submitted. This application is now before Members for determination.

2.0 Consultation Responses:

Northumbrian Water Recommend a condition be attached requiring the development to be carried out in accordance with the submitted drainage scheme.

Coal Authority No objection subject to conditions requiring a scheme of intrusive site investigations. The submission of a report of findings and the implementation of those remedial works.

Tyne and Wear Fire No objections
And Rescue Service

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.

3.2 No representations have been received.

4.0 Policies:

National:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Unitary Development Plan:

H3 Sites for New Housing
H4 Windfall and Small Housing Sites
H5 Housing Choice
H9 Lifetime Homes
H13 Local Open Space in Housing Developments
H15 Play Areas in Housing Developments
H10 Wheelchair Housing
DC1D Protected Species
DC2 Residential Amenity
RCL5 District and Local Centres
ENV3 The Built Environment - Character/Design
ENV22 Sites and Areas of Archaeological Importance
ENV44 Woodland, Trees and Hedgerows
ENV47 Wildlife Habitats
CFR20 Local Open Space
CFR28 Toddlers' Play Areas
CFR29 Juniors' Play Areas
CFR30 Teenagers' Recreation Areas

Core Strategy and Urban Core Plan:

CS11	Providing a range and choice of housing
CS13	Transport
CS14	Wellbeing and Health
CS15	Place Making
CS17	Flood Risk and Water Management

Supplementary Planning Guidance:

The Gateshead Placemaking Guide SPD

5.0 Assessment of the Proposal:

5.1 The detailed planning considerations are the principle of the proposed development, residential amenity, design and appearance, car parking and highway safety, ecology, flood risk and drainage, play space, ground conditions, waste and archaeology.

5.2 PRINCIPLE OF DEVELOPMENT

Residential Use

5.3 The site is located outside of, but adjacent to the Swalwell Local Centre and the site is not allocated for any specific use in the Unitary Development Plan. The development of this site for residential would therefore form a windfall site. The NPPF states that '... housing applications should be considered in the context of the presumption in favour of sustainable development.'

5.4 It is considered that the site meets the criteria set out in Policy H4 in relation to its sustainable location within an established area, close to local services and public transport routes, and the proposed development would assist in sustaining the existing shops and services found in the local area. As a result the principle of developing this site for residential use is considered acceptable should all other material planning considerations be satisfied.

Family Homes

5.5 Policy CS11(1) of the Core Strategy requires that a minimum of 60% of new private housing is suitable and attractive for families (i.e. homes with three or more bedrooms).

5.6 Two of the 12 dwellings would have 3 bedrooms, equating to a 14% provision of family homes. Saved Policy H5 of the UDP requires a range of housing choice. Policy CS11(1) of the CSUCP requires that 60% of new private housing across the plan area being suitable for and attractive to families, with a minimum target of 16,000 new homes to have three or more bedrooms. However, this is a plan wide policy, not site specific and given the location of the site (on the edge of a local centre), smaller sized units are considered appropriate. In addition, the applicant has indicated that the proposed development is at the very margins of

viability and to provide a higher amount of family housing would render the development of the site unviable.

5.7 The proposal is considered to be acceptable in respect of housing choice on the basis of the above and that the scheme would lead to the redevelopment of a derelict site; which would make a positive contribution to the area and would secure a sustainable future for the site.

5.8 RESIDENTIAL AMENITY

Existing Occupiers

5.9 No.5 Brewery Bank is a two storey dwelling, located to the south east corner of the site, the principle elevation of the property faces Crowley Road, where access to the property is gained.

5.10 There are no windows in the side elevation of this property facing the application site. The layout of the proposal is such that an area of soft landscaping / play space would be located between the proposed semi-detached houses and No.5. No concerns are therefore raised with regard to loss of privacy upon No.5.

5.11 To the rear of No.5 are three existing windows, two at ground floor and one at first. These windows face towards the flats closest to the entrance of the application site. However, as No.5 is at an oblique angle to the development and separated by a distance of 22.5m; no objections are raised to overlooking or loss of privacy to No.5. Furthermore, due to the siting and distance of No.5, in relation to the proposed development, no concerns regarding overbearing impact are raised.

5.12 The rear elevations of the properties on Hood Street would look towards the proposed development, given the distance away from the site (No.12 Hood Street being the closest property at 24m to the boundary of the application site) and the siting of the proposed development, no loss of privacy or overbearing impact is considered to occur to the properties of Hood Street.

5.13 The existing Social Club building is built hard up to the rear lane. On the opposite side of the rear lane are the rear of the properties that face Front Street. To the rear of 6 Front Street there is a glazed extension and a window that faces the application site and to the rear of the Highlander Pub a further window. These windows serve residential premises. The proposed block of flats would be set off the boundary by approximately 2m and at worst case be sited approximately 8m away from residential windows, however given the context of the site located within a dense, built up area, no objections area raised.

5.14 No other adjoining occupier is considered to be affected by these proposals and the development is considered to accord with Policy DC2 of the UDP and Policy CS15 of the Core Strategy in respect of preventing negative impacts on residential amenity.

Future Occupiers

- 5.15 Concerns have been raised by the Council's Environmental Health Officer regarding the close proximity of the proposed flats to the Highlander pub (which has an intermittent fan at the rear) and the alleyway perpendicular to the development leading to the road which channels and reflects high noise levels from roadside traffic.
- 5.16 Through the use of building methods, the proposed development could achieve an acceptable living environment for the future occupiers. A condition would require a suitably qualified noise consultant to carry out an assessment of the site and where necessary provide recommendations of mitigation measures to ensure the development achieves acceptable internal noise levels for the future occupiers of the development.
- 5.17 The internal layout and space provided for the proposed flats and dwellings would meet the National Space Standards and the proposal would therefore provide acceptable internal residential living environment for the future occupiers.
- 5.18 Externally, the dwellings would have access to private gardens to the front of their properties; the residential flats would have the use of an area of landscaped open space, located adjacent to the dwellings. The proposed development would therefore satisfy Policy CS11(4) of the Core Strategy which requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents".
- 5.19 The proposed development includes an area of landscaping outside of the ground floor flats, which creates an area of defensible space, protecting the privacy of the future occupiers of the ground floor flats in accordance with Policy CS14 of the Core Strategy and Policy DC2 of the UDP.
- 5.20 In terms of overlooking from within the development, no objections are raised on the basis that sufficient separation distances between the proposed flats and the dwellings exist in excess of 22m.
- 5.21 Subject to the imposition of conditions as set out above, the proposed development complies with Policy CS14 of the Core Strategy and Policy DC2 of the UDP in respect of safeguarding the future occupier's residential amenity.
- 5.22 DESIGN AND APPEARANCE
- 5.23 The application site is located within an area which is mixed in character, comprising of a wide range of architectural styles, roof forms, building heights and materials.
- 5.24 The proposed development is considered to be of a scale and height that responds to its context and would improve the visual amenity of the locality.

Being located on a hill, the scheme would improve the general views of the area, particularly when viewed from the main vehicular approaches to the area.

- 5.25 The proposed development would be partly visible above the properties that face Front Street. Whilst visible, the proposed development would contribute to the mixed character of the area.
- 5.26 The proposed side gables of the blocks of flats would face Brewery Bank, whilst the siting of the northern block would be close to the boundary of the site with Brewery Bank; this siting is not dissimilar to the siting of the existing social club. Through the demolition of the existing club and the siting of the proposed development, together with landscaped areas which are proposed at the entrance and within the site, the proposed development would enhance the standard of environment at street level, creating an open and green approach to the development.
- 5.27 Part of the development would front Crowley Road, the proposed semi-detached houses would be in keeping with the scale and character of the existing two storey residential dwellings, found in close proximity to the site.
- 5.28 The proposed materials comprises of a mix of brickwork, render, fibre cement roof slates, cast stone cills and lintels. The choice of materials is considered to be appropriate within the context of the surrounding environment which is rich in different material types. Final details of the finishing materials should be sought via condition.
- 5.29 The proposed development would remove an unattractive building and in its place, erect a development which responds to the site and the character of the surrounding area. The proposed development is compatible with the character or appearance of the surrounding area; as such the proposal is considered to be acceptable in respect of its design and appearance and would comply with Policy CS15 of the Core Strategy.
- 5.30 CAR PARKING AND HIGHWAYS SAFETY
- 5.31 No objection is raised to the principle of the proposed development, the site is considered to be sustainable in transport planning terms with a selection of shops and services within easy walking distance of the site. There are also bus stops in close proximity providing a good level of service to destinations such as the Metrocentre, Gateshead and Newcastle.
- 5.32 Since the scheme was originally submitted various amendments to the scheme have been incorporated to address the Highway Officer's comments; this has included a revision to the site access, introduction of two way traffic for at least 10m from the access, introduction of tactile paving, changing the proposed garages to undercroft parking, increasing the footpath width and omission of steps. The Highways Officer also required the provision of a small turning head within the site. Such provision would involve the increase in hardstanding and the loss of soft landscaping, compromising the visual amenity of the development. As the scheme could function without such provision, without

impacting on the design and without having a severe impact on the highway; the turning head is not required in this case.

- 5.33 Brewery Bank is a short cul-de-sac with no through traffic, a suitable level of visibility can be achieved within the extents of the public highway which is considered to be acceptable and no objections are raised on highways safety grounds.
- 5.44 Fourteen car parking spaces are provided within the curtilage of the site for the occupiers of the development, the level of parking provision is acceptable. The proposal includes two on street parking spaces on Crowley Road. These parking spaces fall outside of the redline boundary of the application site and do not form part of the adopted highway, therefore it would not be possible to place a condition securing these spaces. However there is sufficient unrestricted on street car parking available on Brewery Bank, Crowley Road and other neighbouring streets, as such the development is acceptable in this case.
- 5.45 The proposed plans show a series of secure cycle stores capable of storing twelve bicycles between the blocks of flats. A single secure cycle store for the houses would be provided within each of the gardens. Subject to a condition securing the provision of the cycle stores prior to occupation of any of the dwellings, no objections are raised.
- 5.46 The proposal is not considered to have any significant impact upon the highway network and car parking and cycle provision is considered to be sufficient to meet the needs of the development. The proposal would accord with Policy CS13 of the Core Strategy and T1 of the UDP.
- 5.47 ECOLOGY
- 5.48 The applicants have submitted a bat risk assessment, which concludes that the habitats present in the immediate area are of low suitability for foraging and/or commuting bats. Furthermore, the site and the Social Club building are considered to be of low to negligible suitability for use by breeding bats.
- 5.49 The assessment concludes that the development should require the incorporation of mitigation measures in the form of bat roosting opportunities, bird nesting opportunities and landscaping planting. Subject to a condition requiring details of the mitigation measures as detailed above, the proposed development would accord with Policy ENV47 of the UDP in respect of enhancing wildlife habitats.
- 5.50 TREES
- 5.51 There are no trees located within the application site; however there is a large tree located close to the western boundary of the site in the location of the southern block of flats. The application does not propose to remove this tree, however given the proximity of the trees to the development, a condition requiring the details of the foundation design should be submitted to and

approved in writing, to safeguard the tree in compliance with Policy ENV44 of the UDP.

5.52 FLOOD RISK AND DRAINAGE

5.53 The site is located within flood zone 1 where all new development is steered towards, as it carries the lowest probability of flooding. Policy CS17 of the Core Strategy requires major developments to install sustainable drainage systems that provide multi-functional benefits to water quality, amenity and biodiversity, and to ensure the development does not affect water quality and where possible seek to improve water quality. There is also a requirement to restrict runoff to as close as possible to greenfield rates.

5.54 The principle of the drainage scheme is acceptable subject to final details being agreed via conditions, this is accepted by the Lead Local Flood Authority and Northumbrian Water Ltd.

5.55 It is considered the development would fail to satisfy the aims and objectives of the relevant paragraphs in the NPPF as well as policy CS17 of the CSUCP.

5.56 PLAY SPACE

5.57 The site is located within the Wickham North residential neighbourhood, where saved UDP Policy CFR20 identifies this as an Open Space Priority Neighbourhood, because the Local Open Space provision within this area falls short of the standard set by that policy.

5.58 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.

5.59 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.

5.60 Notwithstanding the above, the proposed development includes a large area of grass space within the development which would provide opportunities for informal play space for residents.

5.61 GROUND CONDITIONS

5.62 The site has been assessed as being situated on 'potentially contaminated land' based on previous historic development uses.

5.63 The applicants have submitted a Phase 1 desk study with the application which identifies that there are likely to be contamination issues at the site and that the presence of shallow coal mine workings are likely. It is therefore recommended that an intrusive site investigation and Phase 2 risk assessment report is required to investigate both potential contamination issues and mining issues, and that this should be undertaken following demolition of the Social Club building which occupies the majority of the site. Subject to conditions requiring further details, the proposed development would comply with the NPPF, saved Policy DC1 of the Council's UDP and Policy CS14 of the Core Strategy.

5.64 WASTE

5.65 The proposed access would allow a 26 tonne HGV refuse collection lorry to reverse into the site and drive out in forwards direction. The proposal incorporates sufficient space between the two blocks of flats for the storage of wheeled bins for the development, this would be screened from view for visual amenity purposes, but also this creates a designated area for the bins. From a waste servicing perspective the proposal is considered to be acceptable.

5.66 ARCHAEOLOGY

5.67 The Archaeology Officer confirms that there are no archaeological requirements for this application. A desk-based assessment was completed in 2013 for this site and the car park adjacent. No further work was recommended for the Social Club site. The proposed development is considered to be acceptable from an archaeological point of view and accords with the aims and objectives of the NPPF, policy ENV22 of the UDP and Policy CS15 of the Core Strategy.

5.68 COMMUNITY INFRASTRUCTURE LEVY

5.69 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 Taking all the relevant issues into account it is recommended that planning permission should be approved as the proposal would involve the demolition of the existing derelict building and provide an appropriately designed residential development which would make a positive contribution to the area and would secure the long term sustainable future for the site. Furthermore, due to its sustainable location in close proximity to Swalwell Local Centre, the provision of housing would assist in improving the vitality the local centre.

6.2 There would be no detrimental impact upon existing or future occupier's residential amenity, nor would the development have a harmful impact upon the

character and appearance of the area. No objections are raised on highways, ecological, flood, drainage, play space, ground conditions, waste or archaeological grounds.

6.3 Given the above, it is recommended that planning permission be granted subject to the planning conditions set out below.

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 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.

2

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

- THD17-026-01 Location Plan
- THD17-026-03 Existing Topographical Survey
- THD17-026-05 Existing Site Sections
- THD17-026-10 Rev F Proposed Site Plan
- THD17-026-20 Rev D 3B5P House Floor Plans
- THD17-026-22 Rev B 3B5P House Elevations
- THD-17-026-24 2B3P Flat Floor Plans
- THD17-026-26 Rev A Flat Elevations
- THD17-026-30 Proposed Site Sections
- JCC17-357-100 Rev A Proposed External Drainage Layout

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.

3

No development above ground shall commence until samples of all materials, colours and finishes to be used on all external surfaces have been made

available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

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

4

The development shall be constructed in accordance with the details approved under condition 3.

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.

5

Notwithstanding the submitted plans, no unit hereby approved shall be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include 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, ENV3 and ENV47 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

6

The landscaping shall be implemented in accordance with the details approved under condition 5

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.

7

The approved landscaping scheme shall be maintained in accordance with the details approved under condition 5.

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.

8

No individual hard landscaping material shall be used on site until samples of materials 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.

9

The development shall be carried out in full accordance with the details approved under condition 8.

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.

10

Prior to occupation, 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 the visual amenity of the area and in accordance with policies DC2 and ENV3 of the Unitary Development Plan.

11

The boundary treatment scheme shall be implemented wholly in accordance with the details approved under condition 10 prior to the development hereby permitted being occupied 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 the visual amenity of the area and in accordance with policies DC2 and ENV3 of the Unitary Development Plan.

12

Prior to commencement of works above ground, details of the number, type and location of bat and bird boxes (accordance with the recommendations set out in the bat survey by E3 and dated December 2017) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that a satisfactory balance is achieved between development of the site and the protection of nature conservation in accordance with Policies DC1 and ENV47 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan Gateshead and Newcastle upon Tyne.

13

The mitigation measures required under condition 12 shall be implemented prior to the occupation of the development and retained as such in accordance with the approved details thereafter.

Reason

To ensure that a satisfactory balance is achieved between development of the site and the protection of nature conservation in accordance with Policies DC1 and ENV47 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan Gateshead and Newcastle upon Tyne.

14

Prior to construction of the foundations of the southern block, details of the proposed foundation design for the southern block of flats shall first be submitted to and approved in writing.

Reason

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

15

The development shall be constructed in accordance with the details approved under condition 14

Reason

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

16

Prior to demolition a scheme for the control of noise and dust 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.

17

The development shall be carried out in accordance with the scheme approved under condition 16.

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.

18

Prior to the commencement of the development above ground, 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.

19

The development shall be carried out in accordance with the details approved under condition 18.

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.

20

The cycle parking (shown on approved plan THD17-026-10 Rev F - Proposed Site Plan) shall be 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.

21

At the point of occupation of any unit hereby approved, a Travel Plan, or 'Welcome Pack' shall be provided to the occupants of each dwelling, to encourage the use of alternative modes of travel to the site other than by private

vehicle. This must include local cycle maps, bus stop locations, bus timetables and maps showing pedestrian routes to local amenities.

Reason

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

22

No development shall take place following the demolition of the Social Club, 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, construction method statement and a timetable for implementation 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.

23

The development shall be constructed in full accordance with the details 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

The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2107 and ensure that surface water discharges to the combined sewer at manhole 2107. The surface water discharge rate shall not exceed the available capacity of 5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF.

25

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 22 has been submitted to and approved in writing by the Local Planning Authority.

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.

26

The drainage scheme shall be managed in full accordance with the details approved under condition 25.

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.

27

On occupation of the development, the applicant shall ensure that the internal noise levels to bedrooms do not exceed 35 dB LAeq, 16 hour between 07:00 – 23:00 (daytime); and 30 dB LAeq, 8 hour; 45 dB LAmax between 23:00 – 07:00 (night time), in accordance with BS 8233:2014

Reason

To ensure that the building(s) are adequately soundproofed in the interests of residential amenity in accordance with Policies DC2 of the Unitary Development Plan.

28

No development shall commence until following demolition of the social club; an intrusive site investigation is undertaken that covers the whole site, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation shall consist of a series of boreholes / trial pits, insitu 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 shall also assess the potential risks posed to the development by past shallow coal mining activity.

The site investigation and Phase 2 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, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment. Ground gas

monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with recommendations for ground gas mitigation measures.

Reason

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

29

Prior to commencement of the development hereby permitted (after demolition), a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

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

30

The details of remediation measures approved under condition 29 shall be implemented in accordance with the timetable approved 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 policy DC1(p) of the Unitary Development Plan.

31

Following completion of the remediation measures approved under condition 29 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 policy DC1(p) of the Unitary Development Plan.

32

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. In accordance with a timetable agreed with the Local Planning 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

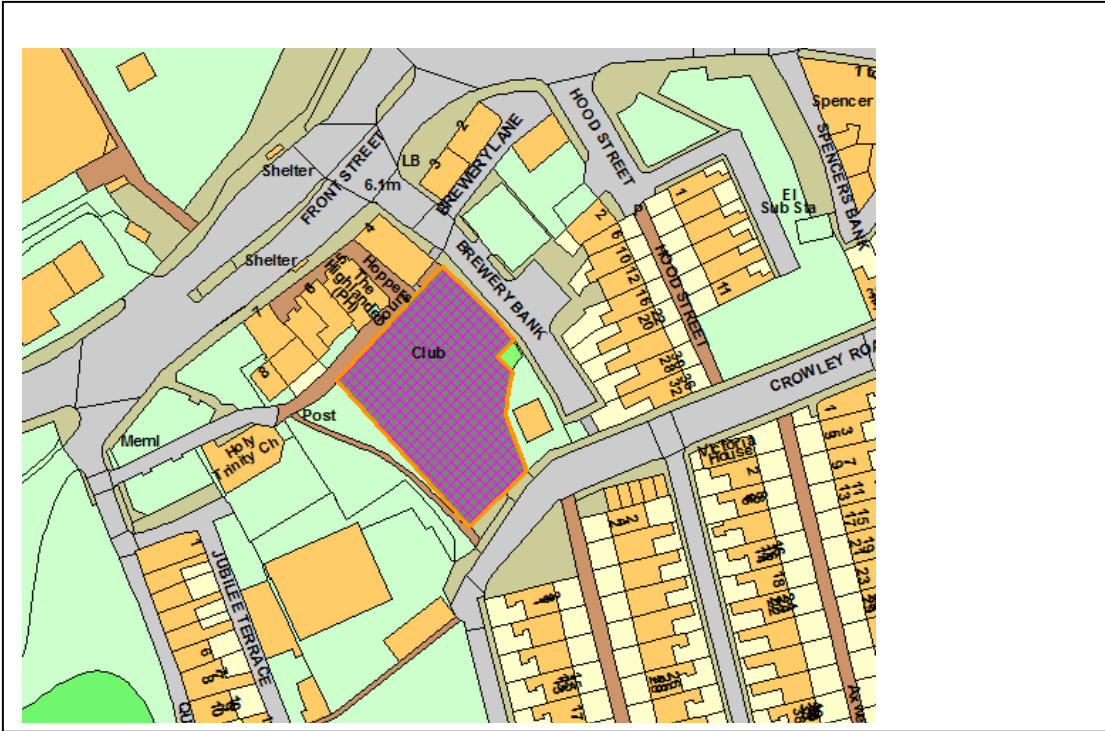
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and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

33

Should unsuspected contamination be found, the development shall be carried out in accordance with the details approved under condition 32.

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 Policies DC1, and ENV54 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.



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