

**Committee Report**

<b>Application No:</b>	<b>DC/18/00565/FUL</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>8 June 2018</b>
<b>Applicant</b>	<b>Bam Construction Limited</b>
<b>Site:</b>	<b>Whickham School And Sports College (Academy Trust) Burnthouse Lane Whickham Newcastle Upon Tyne NE16 5AR</b>
<b>Ward:</b>	<b>Whickham North</b>
<b>Proposal:</b>	<b>Demolition of existing school buildings and development of a replacement school building, along with car parking and hard and soft landscaping.</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

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

The application relates to the site of Whickham School and Sports College located on Burnthouse Lane, Whickham.

1.2 The site is surrounded to the north and east by residential properties. Immediately adjacent to the south is Gibside School, with a group of mature trees separating the site from a small number of residential properties. Burnthouse Lane forms the western boundary of the site, with Fellside Primary School and associated playing fields just beyond.

1.3 The area is generally made up of brick build properties with some rendered facades. Roofs are either clay tile or slates. The adjacent dwellings and schools are a mix of one and two storeys.

1.4 The application site has been extensively developed; the site consists of the original school building and a number of blocks which have been added to provide additional accommodation.

1.5 To the north of the site is the main bulk of existing school buildings, with the southern part of the site accommodating artificial sports pitches and multi-use games areas.

1.6 The site is accessed through a singular vehicular access point from Burnthouse Lane, with an adjacent pedestrian entrance providing access. A secondary pedestrian access point is located to the north of the site via Firtree Road providing access for students.

## 1.7 DESCRIPTION OF PROPOSAL

The application seeks full planning permission for the demolition of a number of existing school buildings and redevelopment of the site. This redevelopment would include the erection of a replacement school building, the creation of car parking and changes to hard and soft landscaping, including the creation of a replacement sports area.

1.8 The proposed new school building will provide circa 7,000sqm internal area across a three and four-storey building. The building would be made up of a several interconnecting blocks; to the north a four storey block encompasses the teaching wing to the west, the main body of accommodation is located in the connecting three storey element to the south of this with the Sports Hall and Activity Studio connecting further to the south.

1.9 Textured buff and dark brickwork are the predominant materials, however a light coloured cladding infill is introduced between first, second and third floor windows. The building entrance is articulated as a glazed plinth with dark cladding and long glazed slots. The proposed sports facility is identified with the use of dark cladding at higher level, over a brick plinth.

1.10 The tennis courts and multi-use games area lost to the development of the new building are replaced to the north of the site.

1.11 Existing car parking and access will remain and operate as currently, with temporary parking provided during the construction period to facilitate the creation of a construction access. Existing cycle parking provision is unaffected by the proposals.

## 1.12 PLANNING HISTORY

There have been a number of planning applications approved for developments relating to extensions to the main school building, new classroom buildings, temporary/portable classrooms, palisade fencing and the laying out of sports pitches/tennis courts.

## 2.0 Consultation Responses:

Sport England	No objection subject to conditions pertaining to a pitch audit and a community use agreement.
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Natural England	Natural England has no comments to make on this application.
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Coal Authority	No objection subject to conditions pertaining to further site investigation works.
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Northumbrian Water	No issues to raise with the above application, provided the application is
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approved and carried out in accordance with the submitted document entitled "Flood Risk Assessment and Outline Drainage Strategy".

### **3.0 Representations:**

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. A total of three objection, alongside a request to speak from a Ward Councillor (Councillor Marilyn Ord).

3.2 The objections are summarised as follows;

- The proposed building would be out of keeping with the surrounding area;
- The scale, bulk and choice of materials create a development which is over-dominant and;
- The consultation event undertaken by the applicant was biased and posed leading questions.

### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CFR5 Loss of School Playing Fields to Dev

DC1P Contamination, derelict land, stability

DC1J Substrata Drainage-Water Quality

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV22 Sites of Archaeological Importance - Potential

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

GPGSPD Gateshead Placemaking Guide SPG

### **5.0 Assessment:**

- 5.1 The detailed planning considerations are the principle of the proposed development, design and appearance, impact on residential amenity, car parking and highway safety, ecology, trees and landscaping, flood risk and drainage, ground conditions, waste and archaeology.
- 5.2 **PRINCIPLE OF DEVELOPMENT**  
The NPPF sets out that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should therefore take a proactive, positive and collaborative approach to meeting this requirement. The NPPF states that the Local Planning Authority should give great weight to the need to create, expand or alter schools and to identify and resolve key planning issues before applications are submitted.
- 5.3 The site comprises an established school and its associated playing fields. Saved Policy CFR5 (Loss of School Playing Fields to Development) of the UDP is of relevance and states that the loss of educational playing fields, without replacement will only be permitted if there is, or would be as a result of the development, no identified deficiency of outdoor recreation facilities or public open space in the area.
- 5.4 Whilst the new educational block would be sited in the location of an existing MUGA, the MUGA will be re-provided within the site (to the north) and as such no objections are raised. Furthermore, Sport England have not raised any objection to the re-provision of the sports pitches, subject to conditions requiring compliance with the submitted pitch audit (Conditions 3) and a production of community use agreement (Conditions 4 and 5).
- 5.5 Based on the above assessment and subject to the conditions as detailed above, it is considered that the proposed development complies with the requirements of the NPPF and saved Policy CFR5 of the UDP.
- 5.6 **DESIGN AND APPEARANCE**  
The existing school buildings are not considered to be of any architectural quality and are typical of school buildings; there is no objection to their demolition. The redevelopment of the school provides the opportunity for a more prominent building that adds townscape interest and integrates the school with the wider and well established residential community raising the physical profile of the school.
- 5.7 The use of materials creates legibility and clearly defines entrances. The proposed design of the build will help ensure the building has a greater physical presence than the current school. Where possible, the applicant has sought to retain existing landscaping within the site aiming to soften any visual impact of the proposed development.
- 5.8 It is considered that the proposed design would create an attractive built form and elevations that are well animated with multiple window openings and elements of brick and cladding. Further, the proposal would re-provide sport facilities, retain mature trees and introduce areas of landscaping.

- 5.9 The NPPF states that new development should respond to local character and history, reflecting the identity of local surroundings and materials while not preventing or discouraging appropriate innovation. The CSUCP reflects the aims of the NPPF encouraging economic growth and identifying the importance of quality of place. Core Strategy policy CS15 refers specifically to quality of place 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. The Gateshead Placemaking SPD amplifies Saved UDP Policy ENV3 and CSUCP Policy CS15.
- 5.10 In this case, as noted above, the design, scale and massing are considered to be acceptable. The use of approved materials can be secured via an appropriately worded planning condition (Condition 6). It is considered some further details need to be reserved via condition including implementation and maintenance of the proposed landscaping scheme (Conditions 7 and 8) and the implementation of works in accordance with the submitted tree survey (Conditions 9 and 10).
- 5.11 On this basis of the above, it is considered that the proposal would accord with the design policies of the NPPF, UDP policy ENV3 and CSUCP Policy CS15.
- 5.12 RESIDENTIAL AMENITY  
The new school building would be located to the south west corner of the school site. Furthermore, the building would be of greater height than those on the site at three and four storeys.
- 5.13 The closest residential property to the proposed school building is The Garth and its associated annexe located to the south of the application site. The proposed building would be located 25 metres from the gable elevation of the The Garth Annexe; this separation distance in conjunction with the offset relationship and the existence of mature tree planning is considered adequate to ensure no unacceptable impact would occur.
- 5.14 Given the above and taking into account the non-residential use to the south (Gibside School) and the separation distances afforded to the east and north no unacceptable impact it is considered that the proposal would not adversely affect the amenity of adjacent residents, through loss of privacy, overlooking, loss of light or overshadowing.
- 5.15 The application proposes the relocation of the school's sport facilities to the north of the application site, where previously school buildings existed. The applicant has provided lighting details for the proposed sports area; these details are considered to be acceptable and demonstrate no light spillage (beyond the site) would occur. It is considered necessary to impose a compliance condition in regard to the proposed lighting details (Condition 11).
- 5.16 The site is already a school and so residents will be subject to an element of noise and activity during school hours. It is not considered that either the

school, as redeveloped, would have any greater impact on residents than at present.

- 5.17 A construction methodology has been submitted as part of the current application, this methodology is considered acceptable by officers. It is considered necessary to condition compliance with the submitted methodology (Condition 12).
- 5.18 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.
- 5.19 HIGHWAYS  
A Transport Statement (TS) and a Travel Plan (TP) have been submitted in support of the application, these documents seek to identify and limit the impact of the proposed development in highways terms.
- 5.20 While significant works are to be carried out as part of the proposals the application proposes that the final scheme will not result in an immediate increase in staff or pupil numbers. The application has not undertaken any assessment as to the potential highways impact were an increase in numbers to occur. Therefore, it is considered necessary to condition that the overall number of pupils attending the school be limited to 10% above the current capacity (Condition 13).
- 5.21 Parking  
At present, it is considered that the broad approach to car parking i.e. the provision of 125 spaces post construction; this represents a rationalisation of the existing parking arrangement and is considered to be acceptable. However, it is considered necessary to impose conditions requiring the final parking scheme for both the construction phase and the post-construction phases of the development (Conditions 14, 15, 16 and 17).
- 5.22 Construction Management  
The applicant has submitted a construction management plan in support of their application; the information is acceptable in highways terms (other than parking provision). It is considered necessary to condition compliance with the submitted methodology, in all regards other than parking details (Condition 12).
- 5.23 Travel Plan  
A detailed travel plan has been submitted as part of the application, however further information is required before the final travel plan can be approved, this requirement will be secured via planning condition (Conditions 17 and 18).
- 5.24 It is therefore considered that subject to the above conditions and the provision of additional information in regard to parking 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.

## 5.25 FLOOD RISK AND DRAINAGE

The Environment Agency's Updated Flood Map for Surface Water also identifies that pockets of the site are at risk of surface water flooding during 1 in 30 year, 1 in 100 year and 1 in 1000 year events. This has been identified in the submitted Flood Risk Assessment (FRA) and it is proposed to be managed by the drainage system.

5.26 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 20, 21, 22, 23, 24 and 25).

5.27 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.

## 5.28 GROUND CONDITIONS

### 5.29 Contaminated Land

The site is considered to be situated on potentially contaminated land based on previous historic uses. A Contaminated Land Risk Assessment and Remediation Strategy have been submitted in support of the application. However, this report only addresses "Phase I" of the development i.e. construction of the new school building and does not address "Phase II" i.e. the re-provision of the schools playing fields.

5.30 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 additional site investigation, an appropriate remediation strategy and subsequent verification report (Conditions 27, 28, 29, 30, 31 and 32).

5.31 Further, it is considered necessary to condition that if any previously unidentified contamination is found it should be screened, removed and disposed of appropriately (Condition 33).

5.32 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.

### 5.33 Land Stability

The application site falls within the defined Development High Risk Area and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. As a result, the applicant has

submitted a Coal Mining Risk Assessment, which has been assessed by the Coal Authority.

5.34 The Coal Authority is satisfied with the broad conclusions of the report, informed by the site investigation works; however it is considered necessary to condition that an intrusive investigation is undertaken to identify any potential remedial works required. Subject to appropriate conditions (Conditions 34 and 35), The Coal Authority does not object to the proposed application.

5.35 The development is, therefore, considered to comply with policy CS15 of the CSUCP and saved policy ENV54 of the UDP.

#### 5.36 ECOLOGY

It is considered that the proposed development unlikely to have a significant adverse impact on biodiversity including protected and priority species. The application is supported by a full bat survey which confirmed no bat roosts within the building at the time of survey and low levels of bat activity (i.e. foraging and commuting) within the site generally.

5.37 Section E3.1 of the submitted bat survey report sets out the procedures to be adopted in the unlikely event of bats and/or evidence of bats being discovered during the demolition/construction phase of the development; it is considered necessary to condition the recommendations of the report (Condition 36).

#### 5.38 ARCHAEOLOGY

The Council's archaeology officer has confirmed that there are no archaeological conditions to impose on this scheme accords with the aims and objectives of the NPPF, policy ENV22 of the UDP and Policy CS15 of the Core Strategy.

#### 5.39 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 not CIL chargeable development.

#### 5.40 OTHER MATTERS

It is considered that all material planning considerations, including those raised in the letters of representation, have been addressed within the main body of the report.

## 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 existing outdated school buildings and provide an appropriately designed development which would make a positive contribution to the school and the wider area.

- 6.2 There would be no detrimental impact upon residential amenity, nor would the development have a harmful impact upon the character and appearance of the area. The proposal is considered to be acceptable, or can be made so through the use of appropriate planning conditions, in terms of any potential impacts on highways, flood, drainage, ground conditions and archaeological.
- 6.3 Given the above, it is recommended that planning permission be granted subject to the planning conditions set out below.

## **7.0 Recommendation:**

- 7.1 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 -

137360-ONE-Z0-XX-DR-L-1003-D5-P01 – Landscape General Arrangement

137360-ONE-Z0-XX-DR-L-1006-D5-P01 - Existing & Proposed Playing Fields Arrangement

137360-ONE-Z0-XX-DR-L-1007-D5-P01 – Existing Block Plan

137360-ONE-Z0-XX-DR-L-1008-D5-P01 – Proposed Block Plan

137360-ONE-Z0-XX-DR-L-1401-D5-P01 - Proposed Indicative Landscape Levels

137360-ONE-Z0-XX-DR-L-1402-D5-P01 – Existing and Proposed Site Sections

137360-ONE-ZZ-XX-DR-L-0002-D5-P01 – Proposed Site Plan

137360-RYD-00-00-DR-A-30001-D5-P03 - GA Plan - Level 00

137360-RYD-00-01-DR-A-30002-D5-P03 - GA Plan - Level 01

137360-RYD-00-02-DR-A-30003-D5-P03 - GA Plan - Level 02

137360-RYD-00-03-DR-A-30004-D5-P03 - GA Plan - Level 03

137360-RYD-00-RF-DR-A-30005-D5-P05 - GA Plan Roof

137360-RYD-00-ZZ-DR-A-36002-D5-P04 - GA Elevations Sheet 1

137360-RYD-00-ZZ-DR-A-36004-D5-P03 -GA Elevations Sheet 3

137360-RYD-00-ZZ-DR-A-36005-D5-P03 - GA Elevations Sheet 4

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.

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 replacement courts and Artificial Grass Pitch shall be provided in full accordance with submitted specification (A specification for the construction of block of tennis courts and an artificial grass pitch at Whickham School, Gateshead. July 2018) and shall be available for use within 12 months of the commencement of use of the new school building.

Reason

To ensure adequate replacement of existing sport facilities in accordance with the NPPF and Saved UDP policy CFR5.

4

Use of the proposed school building and associated sport facilities shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the proposed tennis courts and small-sided artificial grass pitch and include details of pricing policy, hours of use, access by non-school users management responsibilities and a mechanism for review.

Reason

To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport, in accordance with the National Planning Policy Framework.

5

The sports facilities shall not be used otherwise than in strict compliance with the community use agreement approved under Condition 4.

Reason

To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport, in accordance with the National Planning Policy Framework.

6

The development shall be undertaken using the materials specified within the submitted materials schedule (Whickham School: Building External Finishes Schedule, July 2018).

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

All landscaping shall be undertaken in accordance with the details on approved plan 137360-ONE-Z0-XX-DR-L-1003-D5-P01 - Landscape General Arrangement and in accordance with a schedule of implementation which shall be submitted to and approved in writing by the Local Planning Authority.

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.

8

The 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 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.

9

No development shall commence on site until the tree protection measures shown at Appendix 1 of the submitted pre-development tree constraints assessment (prepared by E3 Ecology, January 2018) have been installed. 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.

10

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.

11

All external lighting shall be installed in full accordance with approved plan TLZ-H-01964788-EX-R0-160218 – “External Lighting”.

Reason

In the interests of the amenities of the neighbouring residents in accordance with the NPPF, saved policy DC2 of the Council's UDP and policy CS14 of the Council's CSUCP.

12

The construction/demolition (other than the laying out of the temporary car park) shall be undertaken in full accordance with the submitted construction control plan (Project Management Plan, June 2018).

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 number of pupils attending the school shall not exceed 1,925.

Reason

In the interest of highway safety and in order to accord with the NPPF and Policy CS13 of the Core Strategy.

14

Notwithstanding the submitted information, no development shall take place until final details of the temporary construction phase car park has been submitted to and approved in writing by the LPA.

Reason

In the interest of highway safety and in order to accord with the NPPF and Policy CS13 of the Core Strategy.

15

The temporary construction phase car park details approved under condition 14 shall be implemented in full and retained as approved until the permanent car park is operational.

Reason

In the interest of highway safety and in order to accord with the NPPF and Policy CS13 of the Core Strategy.

16

Notwithstanding the submitted information, the use of the extension hereby approved shall not commence until final details of the permanent car park has been submitted to and approved in writing by the LPA.

Reason

In the interest of highway safety and in order to accord with the NPPF and Policy CS13 of the Core Strategy.

17

The permanent car park details approved under condition 16 shall be implemented in full and retained as approved unless otherwise approved in writing by the LPA.

Reason

In the interest of highway safety and in order to accord with the NPPF and Policy CS13 of the Core Strategy.

18

Prior to the occupation of the extension hereby permitted a Travel Plan (including timescales for implementation) shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 3) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- 4) Timescales for implementation of the travelplan.

Reason

In the interests of highway safety and to promote sustainable travel in accordance with the NPPF and policy CS13 of the CSUCP.

19

The Travel Plan approved in Condition 18 shall be implemented in full within the timescales approved under Condition 18. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

In the interests of highway safety and to promote sustainable travel in accordance with the NPPF and policy CS13 of the CSUCP.

20

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.

21

The final drainage scheme shall be carried out in full accordance with the details approved under condition 20 (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.

22

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 20 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 20 shall be managed in full accordance with the management plan approved under condition 22 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.

24

No work in relation to any proposed drainage features shall take place until a construction management plan for the drainage scheme approved under condition 20 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.

25

The drainage scheme approved under condition 20 shall be constructed in full accordance with the construction management plan approved under condition 24.

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

No part of the development hereby approved shall be brought into use until a sprinkler suppression system has been installed within the development hereby approved in accordance with BSEN 12845 incorporating TB221 for schools from the LPCB.

Reason

In order to protect safety and integrity of the building in accordance with the NPPF and Policy CS15 of the CSUCP.

27

Phase I of the development shall take place in full accordance with the approved remediation statement (Phase 3 Remediation Statement, February 2018) and shall be maintained for the life of the development.

Reason

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

28

Following completion of the remediation measures approved under remediation statement (Phase 3 Remediation Statement, February 2018) 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 and maintained for the life of development.

Reason

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

29

No development pertaining to Phase II of the development (other than demolition) shall commence until an additional Phase 2 intrusive site investigation has been undertaken by a suitably qualified person(s), to investigate the potential for contamination to exist within the whole site area or within each phase and subsequent phase, as part of an agreed timetable. A Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will 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 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 should 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.

30

Prior to the commencement of development pertaining to Phase II of the development (other than demolition), where required, a detailed remediation scheme to remove 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.

31

The remediation measures shall be carried out in full accordance with the details approved under condition 30 and shall be maintained for the life of the development.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that

the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

32

Following completion of the remediation measures approved under condition 30 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 and maintained for the life of development.

Reason

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

33

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 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.

34

Prior to the commencement of the development hereby approved intrusive site investigation works shall be undertaken in order to

establish coal mining legacy issues on site. The findings of the intrusive site investigations works in relation to coal mining legacy issues along with details of any remedial works (and timescales) required shall be submitted and approved by the LPA prior to the commencement of the development hereby approved.

**Reason**

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised 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 NPPF and Policy DC1 of the Unitary Development Plan.

35

Any remedial works identified under Condition 34 shall be implemented in accordance with the timescale set out in the approved findings.

**Reason**

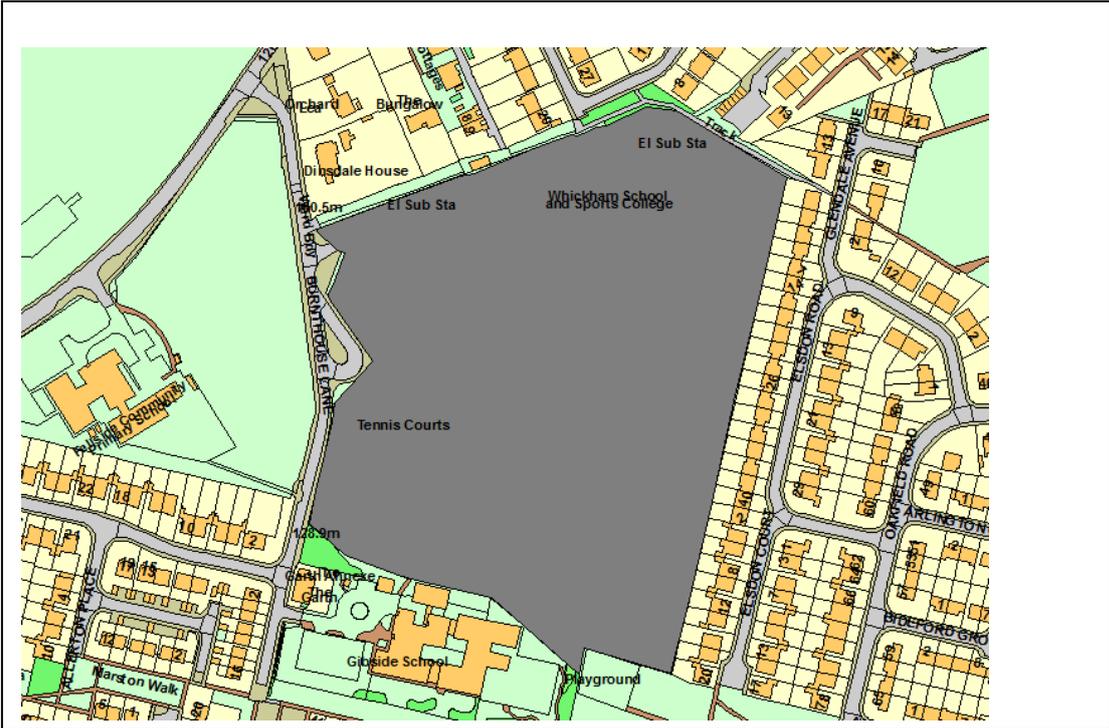
To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and Policy DC1 of the Unitary Development Plan.

36

All works, including demolition, shall be undertaken in accordance with section E3.1 of the submitted Bat Survey Report (Dendra Consulting Ltd, August 2017). A copy of the report will be retained on site duration of the demolition/construction phase of the development.

**Reason**

To reduce the residual risk of harm to individual bats and/or their roosts in accordance with the NPPF and saved UDP policies DC1(d) & ENV46.



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