

Committee Report

Application No:	DC/18/00396/FUL
Applicant	Primesite Developments Ltd / 1Dom Ltd
Date Application Valid	30 May 2018
Site:	21 Mill Road East Gateshead Gateshead NE8 3AE
Ward:	Bridges
Proposal:	Mixed Use Development consisting of 317 Apartments with two ground floor Retail Units (contained within a 20 storey block) and associated parking (amended 03/08/18 and additional information received 04/10/18).
Recommendation:	GRANT SUBJECT TO A SECTION 106 AGREEMENT
Application Type	Full Application

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

The application site sits on the upper edge of the Tyne Gorge and forms part of a major node, connecting the wider East Gateshead area and Baltic Business Quarter with Gateshead Quays and Gateshead Town Centre. The site is not located within the Baltic Business Quarter as designated in the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne (CSUCP) but is located within the Urban Core. It is also located on the edge of the Tyne Gorge and the River Tyne Wildlife Corridor. The site is bounded by Mill Road and Hawks Road and the Ramada Encore Hotel, however, there is an existing pedestrian walkway that separates the site from the hotel. Gateshead College and the Northern Design Centre are also near the application site. The nearest residential development is to the north in the form of the high-rise Baltic flats.

1.2 The site is now cleared and hoarded off following the demolition of the three-storey, brick built, office/warehouse buildings.

1.3 DESCRIPTION OF THE APPLICATION

This application proposes a mixed-use development consisting of 317 apartments with two ground floor retail units (contained within a 20 storey block) and associated parking (amended 03/08/18 and additional information received 04/10/18).

1.4 113 car parking spaces are proposed in 2 undercroft car parks with one accessed off Mill Road and the other off Hawks Road. Secure parking for 110 cycles is also proposed. Two service bays are proposed on Mill Road with access to the retail units provided off Mill Road.

- 1.5 Only at its highest point on the corner of Mill Road and Hawks Road is the proposal 20 storeys in height, it steps down first to 15 storeys and then to 9 storeys as the building extends along Mill Road and Hawks Road respectively.
- 1.6 The proposed building is arranged in a U shape with a central public area. Build outs are positioned at various locations on the elevations of the building fronting onto Hawks Road and Mill Road, with additional terraces on the roof. Some balconies are proposed on the south east corner but only at the lower floors and also on the corner elevation facing up Hawks Road towards the railway bridge but only on the upper floors. Improved areas of public realm are proposed at street level and an area of enclosed, communal amenity space for the occupiers of the development is proposed within a central atrium. Green/Brown roofs are proposed as well.
- 1.7 The exterior is made up of glazing and stone cladding, with the upper floors primarily proposed to be glazed.
- 1.8 The main pedestrian access to the development is proposed to be via the doors on the corner of Hawks Road and Mill Road, into the main reception area, with secondary accesses offered via Hawks Road and Mill Road, with the Hawks Road access being solely via a stairwell, whereas the Mill Road access does offer access directly to a lift. Access to the retail units is proposed to be via entrances off Hawks Road.
- 1.9 A central enclosed recreation/garden area is proposed.
- 1.10 The application has been amended (03.08.2018) from when it was originally submitted to increase the height of the secondary block from 14 storeys to 15 storeys, to allow the number of apartments to increase from 311 to 317, and the following:
 - Stair Core 2 at ground level reduced in size to give 2m clear pedestrian route adjacent to building.
 - Apartment entrance and retail units relocated to show apartment entrance to the front of the building.
 - Delivery entrance added adjacent to bin store
 - Loading bay relocated adjacent to car park entrance.
 - Car parking spaces moved away from walls.
 - Windows shown to main entrance/concierge area.
 - Large glazed elements on Hawks Road elevation continued up to the top 4 floors.
 - More glazing added to retail unit 2 and floor above.
 - Spandrels amended to glazed spandrels.
 - Removal of building supports from within the footway on Mill Road.
 - More Ventilation openings to carpark added on Mill road elevations.
 - Glazing to reception area on Mill Road elevation increased.
 - Silver cladding added to walls inside of courtyard area.
 - Stone clad frame to front elevation widened and extended outwards from building to give a stronger aesthetic.

1.11 Additional information has also been received on 04/10/2018 in the form of a Viability Assessment reviewing the profitability of the scheme with and without the requirement for a 15% contribution towards affordable housing provision. This is a revised application to the one which was approved by members of the Planning and Development Committee (DC/17/00634/FUL). That proposal was to provide 244 student studios (consisting of 231 studio rooms and 13 Accessible DDA compliant rooms and 142 residential apartments, consisting of 32 one bedroom, 83 two bedroom and 27 three bedroom apartments, with on-site facilities, café, retail and parking.

1.12 PLANNING HISTORY

DC/18/00056/DEM: Prior approval required and approved for demolition of existing three storey office premises and single storey warehouse. Prior approval issued on 14.02.2018.

DC/17/00634/FUL: Planning permission granted for a mixed use development consisting of 386 residential (60/40 student/open market) units (1,2 and 3 beds) with on-site facilities, café, retail and parking (Amended Plans 06.10.2017, increase in height, 27.10.2017 to re-introduce angled windows to windows on floors 1-6 facing the hotel and 31.10.2017, minor changes to elevation). Granted on 30.05.2018.

DC/16/00469/FUL - Planning permission granted for the erection of a 15 storey (at highest point and 1 metre higher than previously approved development DC/15/00856/FUL) 326-bed Student Development with parking and communal facilities. (Amended 11/07/2016 and 14/07/16). Granted on the 20.11.2015

DC/15/00856/FUL - Planning permission granted for the erection of 14-storey (at highest point) 265-bed student development with parking and communal facilities.(Amended 23.10.2015). Granted on the 04.08.2016

2.0 Consultation Responses:

NHS Property Services Ltd	No Comments
Coal Authority	No Objections Subject to Conditions
Arriva Plc	No Comments
Northern Electric Distribution Ltd	No Comments
Environment Agency	No Comments
The Go-Ahead Group Plc	No Comments
Gateshead Police	No Comments

Northumbria Water	No Objection Subject to Conditions
Historic England	No Objections
North Of England Civic Trust	No Comments
Port Of Tyne	No Comments
NATS	No Comments
Newcastle Airport	No Objections subject to condition for crane methodology statement
Tyne And Wear Archaeology Officer	No Objections Subject to Conditions

3.0 Representations:

3.1 Two letters of concern have been received from local residents that raise the following points:

- Increased traffic and air pollution.
- The height of the building would dwarf the others in the area.
- There will be insufficient parking spaces.
- The area already suffers from insufficient parking provision.
- Will new bus stops be constructed on Mill Road?
- Dirt and noise during construction.
- Loss of light.
- Loss of privacy.
- Flats won't be attractive to students.
- The site should be developed as shops, not more accommodation.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS5 Employment-Economic Growth Priorities

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS21 Waste

UC4 Homes

UC12 Urban Design

UC17 Public Art

DC1G Energy Conservation-Sustainable Building

DC1J Substrata Drainage-Water Quality

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV47 Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

T1 Transport req for New Developments

DEL1 Infrastructure/Developer Contributions

H2 Five Year Supply Figures

H4 Windfall and Small Housing Sites

H5 Housing Choice

H9 Lifetime Homes

H10 Wheelchair Housing

H15 Play Areas in Housing Developments

CFR20 Local Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

5.0 Assessment of the Proposal:

5.1 ASSESSMENT

The main planning issues are considered to be the principle of the proposed development, design, residential amenity highway safety and other material planning considerations.

5.2 PRINCIPLE

Policy CS11(1) of the Core Strategy and Urban Core Plan (CSUCP) aims to ensure that 60% of new private housing across the plan area is suitable and attractive for families with a minimum of 16,000 new homes to have three or more bedrooms. Policy H5 of the Unitary Development Plan (UDP) also seeks to improve the choice of housing in Gateshead.

5.3 In this case the proposed development would provide 317 residential units consisting of 122 one-double bed roomed apartments, 93 two double bed roomed apartments, 74 studios, 23 one double-bed and one single bed roomed apartments and 5 three-bed apartments.

5.4 It is acknowledged that taking this proposal in isolation, the development would only provide a limited contribution to the provision of family housing (3 of more bedrooms) but it would deliver housing in the urban core, where residential development is supported. Policy UC4 aims to deliver 3740 homes in the Urban Core and taking into account the nature of sites within the Urban Core it is reasonable to expect that a large proportion of residential units in the Urban Core will be one or two bed studios/apartments.

5.5 On this basis it is considered the proposed development would deliver desired housing for the borough.

5.6 However, the site is also located in the Quays and Baltic Sub-Area (Policy QB1 of the CSUCP, as well as forming part of the Millennium Quay/Hawks Road Development Opportunity Site (QB3(1) of the CSUCP).

5.7 Policy UC4 of the CSUCP allocates mixed use sites, including residential development in the Quays and Baltic Sub Area. Therefore, there is no presumption against residential accommodation in the Baltic and Quays Sub Area.

5.8 It is acknowledged that the site forms part of the Millennium Quay / Hawks Road (East, West, Central) Development Opportunity Site which states the site should encompass a mix of principal uses including Office (B1a) and Assembly

and Leisure (D2). Whilst residential accommodation is not identified as one of the principal uses for this site, in allocating the site for mixed-use development, the policy does not go as far as to prevent other uses as inappropriate for this location. The potential for residential accommodation at the Millennium Quay / Hawks Road (East, West, Central) site was highlighted as a suitable use for the site during consultation on the CSUCP. Although policy QB3(1) maintains that office (B1a) and assembly and leisure (D2) are the preferred uses for this site, the Compliance Statement prepared to support the CSUCP Examination in Public does acknowledge: "other uses could be considered and a planning application will be assessed on its merits".

- 5.9 In this case, as already highlighted, the CSUCP does allow for residential accommodation in this area and it is also considered the development of residential accommodation on this site has the potential to facilitate the wider development of the QB3 allocation to incorporate the principal uses listed in policy. Furthermore, active ground floor uses are proposed for Hawks Road, which would not be exclusively for the development and would be for the benefit of the wider Quays and Baltic Area. This will bring vitality and vibrancy to an area that is in need of development.
- 5.10 It is also considered investment in the area would have added economic benefits. The creation of jobs in the area and improved confidence amongst developers looking to develop in the area, has the potential to increase prosperity and enhance the competitiveness of the urban core and the Baltic and Quays sub area.
- 5.11 As such it is considered the benefits delivered through this type of, large scale, landmark development outweigh the conflict it may have with the requirement of policy QB3(1i).
- 5.12 As a result and taking into account all of the above it is accepted that the proposed development is not strictly in accordance with all the relevant policies in the CSUCP. However, taking into account the flexibility of the policy approach for the area, particularly when considered alongside the NPPF and NPPG, it is considered the development is sustainable and will deliver a number of economic benefits for the area and Gateshead as a whole which would help to build a strong, competitive and prosperous economy. This objective is in line with the aspirations of the NPPF, as well as policies UC4, QB1, CS11 and in part policy QB3 of the CSUCP. Therefore, on balance it is considered the principle of a residential development, with retail/retail uses on the ground floor, is acceptable in this location, subject to all other material planning considerations being satisfied. Furthermore, the fall back position of previous permissions on this site for similar development is also material.
- 5.13 **AFFORDABLE HOUSING**
Policy CS11 (5) of the CSUCP requires the provision of 15% affordable homes on all developments of 15 or more dwellings, subject to viability. This can be provided on site or in schemes like this where it may be more difficult to provide on site affordable units and where an alternative site is available elsewhere (such as part of the Exemplar Neighbourhood development) through an off-site

contribution. In this case the affordable housing would be calculated based on the 317 residential units proposed, which based on 15%, results in a contribution of £3,120,000.

- 5.14 The affordable housing requirements can be secured through a S106 agreement in accordance with policy PO2 of the UDP.
- 5.15 In this case the applicant has submitted a Viability Assessment (VA) showing that applying the full 15% policy requirement would make the development unviable. The report has been assessed by officers and, taking it on face value, it is considered reasonable to accept that a 15% contribution would make the development unviable. This is because the units are to be sold to individual investors, which creates a far higher risk to the developer, as opposed to selling off large sections of the building to investment companies, which gives a guaranteed return and therefore reduces the risk. Furthermore, high-rise residential schemes such as proposed here are only at an embryonic stage in the North-East and thus the risk to developers is increased, as it is uncertain whether the product will be successful and hence profit margins are reduced.
- 5.16 Notwithstanding that, policy CS11 (5) is still valid and officers consider that the scheme may still be viable with a reduced contribution of 5%, which would create a figure of £1,040,000.00. Therefore, the applicant has been requested to provide an updated VA based on providing an affordable housing contribution of 5%.
- 5.17 **LIFETIME AND WHEELCHAIR ACCESSIBLE HOMES**
CSUCP Policy CS11 (2) and saved UDP policies H9 and H10 require 2% of dwellings to meet Wheelchair Housing Standards and 10% Lifetime Homes, within developments of 25 or more dwellings. The Planning Statement indicates that *the proposed apartments are accessible, adaptable and flexible homes which are capable of meeting changing household needs*. It is considered that this can be conditioned (CONDITION 57).
- 5.18 **DESIGN**
The importance of good design in new development is recognised in the NPPF. Policy UC12 of the CSUCP seeks to deliver the highest possible quality of urban design within the Central Gateshead area and policy CS15 of the CSUCP aims to ensure development contributes to good place making through the delivery of high quality urban design. Both policies set out other various urban design principles. Policy ENV3 of the UDP also states the importance of design in relation to new development and the established character and identity of its locality.
- 5.19 In addition, the corner of Mill Road and Hawks Road is identified in policy UC11 of the CSUCP as being a gateway site. Gateways are the points where changes in the environment create a sense of moving from one district to another and this includes the requirement for a change in scale, so taller buildings in this area are actively encouraged.

- 5.20 It is acknowledged that the proposed development would be the tallest building in the area and the 2003 Urban Landscape Study of the Tyne Gorge (Tyne Gorge Study) does set out some main principles but it does not discourage tall buildings and there are already examples of tall buildings within the Tyne Gorge i.e. the Sage Gateshead and the Baltic Flats. Primarily, the aim of the Tyne Gorge Study is to ensure strategic views of key heritage assets are not compromised. It is not to safeguard all views and there is a section within the Tyne Gorge Study which advises on the development of tall buildings. The Council's Place Making Supplementary Planning Document also encourages tall buildings where appropriate.
- 5.21 As proposed, it is considered the building would provide the focal point for this Gateway area, located at the head of the main north route into the area and identified as being a gateway site in policy UC11 of the CSUCP. The palette of materials would be crisp and the development would be contemporary in appearance. The design responds to the topography of the land and the height of neighbouring buildings with the height stepped down along both Mill Road and Hawks Road in 3 blocks, to ensure a balanced relationship is maintained. There would be an abundance of glazing, notably on the upper floors which has been provided as part of the amendments to try and reduce the scale of the development, rainscreen cladding with different colours proposed to identify the 3 blocks, glazing pods and green roofs. It is considered these design features would deliver a distinctive development that is fully suited to this prominent location.
- 5.22 The applicant has provided some details with regards to materials and these are in line with the aspiration for cladding which incorporates stone elements, as well as aluminium frames and glazing. Final details, including details of the cladding for any structural columns, can be conditioned (CONDITIONS 17 and 18).
- 5.23 There is limited opportunity for landscaping but improvements to the highway, footpaths and public realm around the building and more prominently down Mill Road are proposed. These improvements are welcomed and accord with the design principles set out in policy QB3 of the CSUCP. There are also areas of public space within the envelope of the building which enhances the amenity of the development and the surrounding area.
- 5.24 To enhance the character and local distinctiveness of the development and in accordance with policy UC17 of the CSUCP, the development is expected to include some public art. Details of this can be conditioned (CONDITIONS 49 AND 50).
- 5.25 As a result, this high quality, landmark development is considered to be acceptable in design terms and the proposal would accord with the National Planning Policy Framework as well as policies QB1, QB3, UC11, UC12, UC13, UC15, UC16 and CS15 of the CSUCP and policy ENV3 of the UDP.
- 5.26 HIGHWAY SAFETY/PARKING

The site is located within the urban core/town centre where there is less of a reliance on car ownership and there is no requirement in the NPPF or within the CSUCP or the UDP that explicitly requires parking for town centre developments. On the contrary planning policies encourage the use of more sustainable modes of transport rather than private cars.

- 5.27 There are several pedestrian links into the centre of Gateshead and Newcastle and the route from the corner of Hawks Road and Mill Road is proposed to be improved by this development in accordance with policies CS13, QB1 and QB3 of the CSUCP. In addition, there are already existing bus routes and cycleways within easy access of the site. A Travel Plan would be required to maximise the use of these links (CONDITIONS 45 AND 46) as would the installation of secure cycle parking for the 110 cycles shown on the plans. Final details can be conditioned (CONDITIONS 33 AND 34). In addition, as per the two previous approvals there is a requirement to provide new bus shelters for two of the bus stops on Mill Road and again this can be conditioned (CONDITIONS 27 and 28). The applicant is proposing to install two electric charging points into the development, which is in accordance with policy CS13 and the NPPF and this can be conditioned (CONDITION 38).
- 5.28 Therefore, taking into account the sites sustainable location, within the Urban Core where access to pedestrian links, cycle routes and public transport is readily available, the level of parking proposed (113 spaces) is considered to be acceptable. A car park management plan will be required and can be conditioned to ensure the car park functions properly, factoring in the mix of uses on the site i.e. residential units and retail uses (CONDITIONS 35 and 36).
- 5.29 Should any residents, visitors, staff or customers arrive by car and there is no parking available then they would be expected to park in the nearby public car parks. Should any indiscriminate parking take place on the highway that would be subject to separate highway enforcement.
- 5.30 As proposed there is scope for vehicles to bump up over the footpath on Mill Road and potentially park on the area that is to be stopped up, specifically the area furthest down the hill. To discourage this it is recommended a low wall or planter is provided at the back of the footpath. Final details of this can be conditioned (CONDITIONS 31 AND 32).
- 5.31 The disabled bays shown are considered to be acceptable and should be conditioned to come forward as submitted (CONDITIONS 43 AND 44).
- 5.32 The inclusion of a ramped pedestrian route between the car park and the main reception area is welcomed. The gradient of the ramp should ideally be 1 in 20 maximum but the absolute maximum is 1 in 12 over short distances. The longer section of ramp, which is over 10m in length should be more akin to 1 in 15 maximum. The width of the route should also be 1200mm to allow for a clear width of 1000mm between handrails to either side. Final details of this ramp can be conditioned (CONDITIONS 47 AND 48).

- 5.33 With regards to the car park access for vehicles, the locations are considered acceptable and the introduction of loading and service bays off Mill Road would ensure deliveries to the site and bin collections could be undertaken safely. However, the development is mixed use and encompasses a retail element on the ground floor which would generate a number of deliveries and significant volumes of waste. Therefore, it is likely bins would need to be collected at least twice a week and frequent deliveries will take place. Subsequently a servicing and refuse strategy has been submitted to manage the times the bay is in use and the implementation of this can be conditioned (CONDITION 37). The bin stores have been located to ensure all collections take place off Mill Road. Although bin and delivery wagons will park in the layby, as access to the car park will be needed to collect the bins and also make deliveries, details of any barriers/shutters to the car park and how they would be operated, would be required and this can be conditioned (CONDITIONS 39 and 40).
- 5.34 It is still considered the visibility provided for vehicles egressing from the car park onto Hawks Road could be improved through the introduction of kerbed radii and tactile blister paving on both accesses. This can be addressed by condition (CONDITIONS 41 AND 42).
- 5.35 The removal of the building supports from within the footway on Mill Road is a welcome improvement on what is an important secondary pedestrian route within the Gateshead Quays area (as defined in the Core Strategy). Due to the addition of the second loading bay the footway width in the vicinity of stair core 2 has been reduced.
- 5.36 An overhang of the building at upper levels over the footway, as was previously approved, remains and there continues to be a requirement for the applicant to apply to the Council for a License for such an arrangement to ensure future maintenance and inspection as well as suitable insurances are in place. The minimum requirement for a footpath is 1.2 metres and it is considered this could be achieved.
- 5.37 In order to facilitate the development certain parts of the highway would need to be stopped up. Final details of all works within the adopted highway that is to remain would be required (CONDITIONS 29 and 30). This includes the laybys, improvements to footway around development (including Hawks Road), street lighting, signs, road markings and waiting restrictions. Any legal orders associated with the laybys would need to be dealt with separately at the cost of the applicant.
- 5.38 As a result, it is considered that due to the site's sustainable location and the measures proposed and/or that can be conditioned, the proposed development would not generate a significant increase in traffic and any parking that is required could be accommodated within the development or the surrounding public car parks. In addition, pedestrian and bus links would be improved and facilities for cycle parking provided. As a result, it is considered the proposed development would not conflict with the aims and objectives of the NPPF or policies CS13, QB1, QB3, UC5, UC6, UC7, UC12 and UC16 of the CSUCP as well as policies T1 and T7 of the UDP.

5.39 RESIDENTIAL AMENITY

In response to the potential issues of overlooking it is considered there will be little in the way of direct overlooking between the proposed development and the nearest residential development at Baltic Flats, due to the off-set relationship the two developments would have with each other. Even though the proposed development would be set higher than the Baltic Flats, it is considered the significance of any indirect overlooking would be limited as a result of the separation distances. At the nearest point the separation distance is circa 25 metres but this increases as the development steps up the hill.

5.40 In terms of visual intrusion, it is acknowledged that this is a substantial development and will be prominent from the south facing windows of the Baltic Flats but at the nearest point the proposed development would only be 9 storeys high, compared to the 13 storeys of the Baltic Flats as the height of the development increases up the hill, so does the separation distance. In addition, as mentioned above the development splays away from the Baltic Flats.

5.41 With regards to the impact of the development on the amount of daylight and sunlight getting to the flats, it is considered the separation distances between the two developments would ensure there is no significant loss of daylight. The sunlight assessment provided using modelling from the Virtual Newcastle Gateshead (VNG) model demonstrates that there would be little or no loss of sunlight to the flats during the summer months and only short periods of loss/overshadowing during the winter months, on the occasions when the sun is shining. This is not considered to be sufficient enough to warrant refusal especially, as the surrounding area has been identified for development and where elements of overshadowing etc is expected.

5.42 A micro-climate study has also been submitted with this application which demonstrates the development would not have any adverse impacts in terms of downdrafts which could have affected the safety of pedestrians on footpaths around the building. Cross winds could potentially be an issue at the corner of Mill Road and Hawks Road but this would only be in extremely high winds and as it is currently an issue it would continue be an issue whatever the building height.

5.43 There are some balconies proposed but none in close relation to the existing flats. There are also roof top terraces, but it is considered there would not be any direct overlooking of neighbouring properties from these terraces. In addition, although the terraces could be used at night there is no evidence to suggest that the use of the terraces would result in any anti-social behaviour or noise nuisance over and above what is generally found in urban centre locations.

5.44 In terms of the impact on the neighbouring hotel, the hotel operator has not objected to the proposal but there are windows in the proposed development that would look directly into the hotel which could impact on the amenity of residents within the development and hotel guests. Therefore, these windows

are proposed to be angled to minimise the impact. With the angled windows the development would still have some impact on the outlook from the hotel rooms but as it exists these rooms do not benefit from a particularly open aspect, so the impact would not be significant, and it could be argued the outlook would actually be improved. Angling the windows also improves the outlook for future occupiers of the units facing the hotel.

- 5.45 The size of the units has also been designed to be broadly in line with the Nationally Described Space Standards and satisfy the requirements of policy CS11(4) of the CSUCP. The inclusion of a large area of communal outdoor amenity space in the central atrium is also welcomed.
- 5.46 Therefore, in terms of overlooking, overshadowing and general disturbance it is considered the proposed development is acceptable and would not result in any significant issues for neighbouring residential occupiers, hotel guests or future occupiers of the development.
- 5.47 As set out in policy DC2 of the UDP and policy CS14 of the CSUCP the amenity of future residents is also a material planning consideration. The application is supported by a noise assessment and builds on previous monitoring and makes a number of recommendations in terms of acoustic measures to the proposed development. Consequently, it is recommended that final glazing/ventilation details are provided, and this can be conditioned (CONDITIONS 55 AND 56).
- 5.48 Further to the recommendations in the assessment there is acknowledgement that the roof top plant on the Ramada Encore Hotel, immediately adjacent to the proposed dwellings, has not been assessed, as the building previously on site (now demolished) was lower in height and it was not possible to carry out any accurate measurements of plant noise levels on the existing site. The assessment recommends further levels are taken during the construction phase to assess noise levels. This further assessment would need to be carried out to inform what type of glazing/ventilation is required for the flats facing the hotel. The carrying out of this further assessment has been included as part of condition 55.
- 5.49 Final details of any external plant or air conditioning units, notably the noise levels generated, would also be required (CONDITIONS 53 AND 54). Other details to be conditioned include external lighting (CONDITIONS 51 AND 52) and hours of construction (CONDITIONS 3 AND 4). Due to the location it is not considered necessary to condition opening hours of the retail premises.
- 5.50 Therefore, it is considered the impact of the proposed development on residential amenity is acceptable and in accordance with the NPPF as well as policies CS14 of the CSUCP and policies DC2 and ENV61 of the UDP.
- 5.51 **AIR QUALITY**
An Air Quality Assessment for the proposed development has been submitted and officers agree with the conclusions put forward that residents will not be placed in a location where the NO₂ air quality objective will be breached, or that the development will cause such a breach.

5.52 However, in accordance with policy CS14 of the CSUCP the developers would need to put forward a dust management plan for the construction phases, as sensitive receptors are very close by. This has been included as part of condition 3.

5.53 FLOODING AND SUSTAINABLE URBAN DRAINAGE (SuDS)

The site is located in flood zone 1 and due to the size of the site a flood risk assessment is not required. However, the use of SuDS is a material consideration for major development unless it can be demonstrated to be inappropriate and in accordance with the Core Strategy Policy CS17:4, surface water should be managed following the drainage hierarchy as set out in the Core Strategy Policy CS17:4 which states that development should: separate, control and minimise surface water runoff, discharging in order of priority to:

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

5.54 A drainage assessment has been submitted and has identified the introduction of green roofs as being a positive, however the assessment fails to cover all the key issues. Therefore, in order to satisfy the requirements of the NPPF, the NPPG and policy CS17 of the CSUCP, a more comprehensive drainage assessment and details of the surface water drainage scheme would be required. This can be conditioned (CONDITIONS 19 AND 20), as the measures would be incorporated into the fabric of the building and would not need to be adopted by the Council. Due to the potential for surface water flooding in the area a flood evacuation plan would also be required (CONDITIONS 21 AND 22).

5.55 Therefore, subject to conditions it is considered that the development would be in accordance with policy CS17 of the CSUCP and the NPPF.

5.56 CONTAMINATED LAND AND COAL MINING LEGACY

The site is located on land identified as being potentially contaminated and a phase 1 land contamination assessment has been submitted which concludes further investigations are required. This can be conditioned in accordance with policy CS14 of the CSUCP and policy ENV54 of the UDP (CONDITIONS 8-10). The Coal Authority has also been consulted and has raised no objection subject to conditions requiring further investigations (CONDITIONS 11-14).

5.57 ECOLOGY

The site is located on the edge of the River Tyne Wildlife Corridor. As such in accordance with the principles of the NPPF, new development should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. It should also contribute to the Government's commitment to halt the overall decline in biodiversity, by establishing coherent ecological networks that are more resilient to current and future pressures.

- 5.58 The provision of green/brown roofs is a positive feature and in addition to reducing flood risk would provide valuable opportunities for biodiversity. Final details of the roofs can be conditioned to ensure the ecological opportunities are maximised (CONDITIONS 25 AND 26).
- 5.59 As a result, it is considered subject to conditions, the proposed development would not conflict with the aims and objectives of the NPPF, policies CS18 of the CSUCP and policies ENV46 and ENV51 of the UDP.
- 5.60 SUSTAINABILITY
Section 10 of the NPPF seeks to reduce the impact of climate change with policies CS16 of the CSUCP and policy MWR35 of the UDP setting local requirements.
- 5.61 Information submitted in the planning statement identifies measures that could be introduced into the building, including a Combined Heat and Power (CHP) wet system and water harvesting. These measures are considered reasonable but there is an opportunity for the development to connect to the District Energy Centre. Therefore, it is recommended that this option is investigated further and a sustainability statement is submitted demonstrating compliance with policy CS16 of the CSUCP. This can be conditioned (CONDITIONS 23 AND 24).
- 5.62 Subject to this condition it is considered the proposed development does not conflict with the aims and objectives of the NPPF, policy CS16 of the CSUCP and policy MWR35 of the UDP.
- 5.63 OPEN SPACE AND PLAY
The Saltmeadows / Gateshead Quays neighbourhood in which the site is located is not deficient in public open space and there is no requirement for any to be provided because of the development. Therefore, contributions should not be sought for this element in accordance with saved UDP Policy H13.
- 5.64 There are no toddler, junior or teen play areas located within the maximum distance specified by UDP policy CFR28, nor is there any evidence to suggest any will be coming forward in the near future, and it is accepted that there is little or no opportunity to provide children's play facilities within the site.
- 5.65 In addition, pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which means that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project.
- 5.67 The Council has already exceeded the five-obligation maximum in respect of all three types of play and for open space in this area and with no obvious sites available in the immediate locality any it would be unreasonable to request a contribution from this site alone to provide off site play provisions. Therefore, the Council are not seeking any further obligations in respect of these matters.

5.68 Consequently, while it cannot be concluded that the proposed development would comply with saved Policies CFR20, CFR28, CFR29 and CFR30 of the UDP it is considered that it is not possible to require any contribution for either play or open space provision in this case, based on the above assessment.

5.69 ARCHAEOLOGY

The site is immediately adjacent to the former CPS Haulage site developed from 2009, for which a Desk Based Assessment (DBA) was produced which recommended excavation of important post-medieval structures on the site.

5.70 Previous excavations in the area have discovered substantial structures from the former Hawk's Ironworks, which was established on the site in 1747, to process scrap iron procured in London into wrought iron for use in the manufacture of a range of objects for both civilian and military markets by the Crowley Iron Works at Winlaton Mill. In 2011, excavations on the former CPS Haulage site, while recording later 18th and early 19th century remains, did not locate any mid eighteenth century structures so these parts of the complex may be encountered during the proposed development.

5.71 As a consequence, and in accordance with the NPPF, as well as policies ENV21 and ENV22 of the UDP trial excavations on the site, continuing the work done in 2011 should be undertaken with a programme of trial excavations and a final report submitted accordingly. This can be conditioned (CONDITIONS 5-7).

5.72 COMMUNITY INFRASTRUCTURE LEVY

Gateshead Council is a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is housing related. However, the development is located within a Charging Zone with a levy of £0 per square metre for this type of development.

5.73 OTHER MATTERS

Newcastle Airport has not objected to the application but have requested a crane method statement to ensure there is no conflict with aircraft which may be flying close by. (CONDITIONS 15 AND 16).

6.0 CONCLUSION

6.1 Taking all relevant issues into account and that the principle of a high rise residential development on the site has already been established by the previous approvals, it is recommended that planning permission is granted, subject to a legal agreement to secure off site affordable housing provisions and conditions, as the principle of development is acceptable as is the impact on design, highways, amenity, sustainability and other material planning considerations. Thus, the proposed development is considered to satisfy the aims and objectives of the NPPF and the NPPG as well as relevant policies in the CSUCP and UDP.

7.0 Recommendation:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- A 5% contribution towards providing affordable housing off-site.

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 conditions shall include:

1

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

L-01, 100D, 101G, 102H, 103H, 104F, 105F, 106F, 107F, 108F, 109F, 110H, 111F, 112F, 113E, 114E, 115H, 116H, 117E, 118B, 200E, 201E, 202C, 203D, 204A, 317 Rev H, Car Park and Servicing Management Plan, dated 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

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding

- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for the recycling/disposing of waste arising from construction works.

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

Reason

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

4

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

Reason

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

5

No groundworks or construction of the development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies ENV21 & ENV22 of the saved Unitary Development Plan.

6

The development shall not be first occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 5 has been submitted to and approved in writing by the Local Planning Authority.

Reason

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies ENV21 & ENV22 of the saved Unitary Development Plan

7

No part of the development shall be occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies ENV21 & ENV22 of the saved Unitary Development Plan

8

Development shall not commence on the construction of the development until an intrusive land contamination assessment, to assess the nature and extent of any contamination on the site and whether or not it originates on the site has been submitted to and approved in writing of the Local Planning Authority. The report of the findings must include-

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

(ii) an assessment of the potential risks to,

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

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

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

Reason

To ensure that risks from land contamination and coal mining legacies to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan

9

The remediation and mitigation schemes must be carried out in accordance with the details approved under condition 8. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination and coal mining legacies to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan.

10

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken and where remediation is necessary a revised remediation scheme must be prepared in accordance with the requirements of condition 8; (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9 (Implementation of Approved Remediation Scheme).

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan.

11

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

Reason

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

12

The intrusive investigations shall be carried out in accordance with the details approved under condition 11 prior to the construction of the development hereby approved commencing.

Reason

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

13

Construction of the development hereby approved shall not commence until a report of findings arising from the intrusive site investigations approved under condition 11, and a scheme of remedial works if necessary, including the phasing of any remedial works, has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

14

Any remediation works approved under condition 13 shall be implemented in accordance with the timetable approved under that condition.

Reason

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

15

Prior to the commencement of construction on the development, a method statement for crane operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport.

Reason

In the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

16

The development shall be carried out in accordance with the crane method statement approved under condition 15.

Reason:

In the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

17

Construction of the new development hereby approved shall not proceed beyond foundation level 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.

18

The materials used shall be in accordance with the details approved under condition 17 unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 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.

19

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

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

Reason

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

20

The SuDS scheme shall be implemented in accordance with the details approved under condition 19, prior to the development hereby approved being first occupied and shall be retained as such thereafter.

Reason

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

21

No part of the development shall be occupied until an emergency flood warning and evacuation plan for the development which includes:

- i- details of the flood warning procedures
- ii- details of the emergency flood access and egress routes
- iii- identified places that people could be evacuated to
- iv- flood response procedures

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

Reason

To ensure the safe evacuation of the development in the event of a flood incident in accordance with the NPPF

22

Any flood evacuation shall be carried out in accordance with the plan approved under condition 21.

Reason

To ensure the safe evacuation of the development in the event of a flood incident in accordance with the NPPF.

23

Construction of the new development hereby approved shall not proceed beyond foundation level until an updated sustainability statement which demonstrates the sustainable measures that will be implemented in the development and how the development will comply with policy CS16 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and a timetable for implementation has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development is sustainable and reduces carbon emissions in accordance with Policy MWR35 in the Unitary Development Plan and policy CS16 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne

24

The sustainable energy measures shall be implemented in accordance with the details and timetable, submitted and approved under condition 23.

Reason:

To ensure that the development is sustainable and reduces carbon emissions in accordance with Policy MWR35 in the Unitary Development Plan and policy CS16 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne

25

Construction of the green/brown roofs shall not commence until full details of the roofs and the area that they will cover, have been submitted to and approved in writing by the Local Planning Authority. Details shall include a timetable for implementation and a maintenance plan.

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

building, as well as providing ecological enhancement and sustainable drainage in accordance with the NPPF, saved policies DC2, ENV3, ENV46 and ENV51 of the Unitary Development Plan and policies UC10, UC12, CS14, CS15, CS17 and CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

26

The green/brown roofs shall be implemented in full accordance with the details approved under condition 25.

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 building, as well as providing ecological enhancement and sustainable drainage in accordance with the NPPF, saved policies DC2, ENV3, ENV46 and ENV51 of the Unitary Development Plan and policies UC10, UC12, CS14, CS15, CS17 and CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

27

No part of the development hereby approved shall be occupied until final details of the two new bus shelters to be installed on Mill Road have been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to encourage the residents and users of the retail units to engage in sustainable travel, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

28

No part of the development hereby approved shall be occupied until the two new bus shelters have been installed on Mill Road in accordance with the details approved under condition 27 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In order to encourage the residents and users of the retail units to engage in sustainable travel, in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

29

No part of the development hereby approved shall be occupied until final details of all works within the adopted highway have been submitted to and approved in writing by the Local Planning Authority. This shall include surface materials to be used for the layby and footways around development (including Hawks Road), street lighting, signs and road markings.

Reason

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

Development Plan and policy, UC12, UC16 and CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

30

No part of the development hereby approved shall be occupied until the off-site highway works have been implemented in accordance with the details approved under condition 29 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory standard of development, in the interests of visual amenity and highway safety in accordance with policy ENV3 of the Unitary Development Plan and policy, UC12, UC16 and CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

31

No part of the development hereby approved shall be occupied until final details of the feature to be constructed at the back of the footpath at the lower end of the development on Mill Road, has been submitted to and approved in writing by the Local Planning Authority. The feature (eg. planter, wall or other structure) shall be designed and positioned in order to prevent indiscriminate parking.

Reason

To prevent indiscriminate parking in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

32

No part of the development hereby approved shall be occupied until the details approved under condition 31 have been implemented. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority

Reason

To prevent indiscriminate parking in accordance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

33

Notwithstanding the details on the submitted plans, final details of the secure enclosure for the cycle parking facilities in the upper car park, shall be submitted to and approved in writing by the Local Planning Authority, prior to the development hereby approved being first occupied.

Reason

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

34

No part of the development hereby approved shall be occupied until the secure cycle parking facilities have been implemented in accordance with the details approved under condition 33 and the plans approved as part of the application. The approved facilities shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

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

35

Notwithstanding the details on the submitted plans, a Car Park and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the development hereby approved being first occupied.

Reason

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

36

The car parks shall be operated in full accordance with the Car Park and Servicing Management Plan approved under condition 35 for the life of the development.

Reason

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

37

The servicing and refuse collection for the development shall take place in full accordance with the Car Park and Servicing Management Plan approved under condition 35 for the life of the development.

Reason

In the interests of safe service and refuse collection, in accordance with policy MWR28 of the Unitary Development Plan and policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

38

A minimum of two charging points for electric vehicles shall be provided within the development, prior to the development being first occupied.

Reason

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

39

No part of the car parks hereby approved shall be brought into use until details of the barrier/entrance systems to the car parks have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

40

No part of the development hereby approved shall be occupied until the barrier/entrance systems have been implemented in accordance with the details approved under condition 39. The approved details shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

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

41

No part of the car park accessed off Hawks Road shall be brought into use until details of the measures to improve visibility for vehicles exiting the car park have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

42

The measures to improve visibility for vehicles exiting the upper car park onto Hawks Road shall be implemented in accordance with details approved under condition 41 prior to that car park being brought into use.

Reason

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

43

No part of the car parks hereby approved shall be brought into use until final details of the disabled car parking bays have been submitted to and approved

in writing by the Local Planning Authority. This includes the final location of the bays and the positioning of the transfer zones.

Reason

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

44

No part of the car parks hereby approved shall be brought into use until the disabled bays have been implemented in accordance with the details approved under condition 43. The approved bays shall be retained as such thereafter.

Reason

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

45

No part of the residential accommodation shall be occupied until a Travel Plan for those elements has been submitted to and approved in writing by the Local Planning Authority. None of the retail units shall be occupied until the submission of a Travel Plan for each occupier(s) and successive occupier(s) has been submitted to and approved in writing by the Local Planning Authority

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

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with the National Planning Policy Framework and Council Policy CS13;
- 3) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

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

46

The Travel Plan(s) shall be implemented in accordance with the details and timescales approved under condition 45 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

47

The lower car park accessed of Mill Road shall not be brought into use until final details of the internal, ramped pedestrian link from that car park to the reception area have been submitted to the Local Planning Authority.

Reason

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

48

The ramped pedestrian link shall be implemented in accordance with the details approved under condition 47 prior to the lower car park accessed off Mill Road being brought into use.

Reason

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

49

No part of the development hereby approved shall be occupied until a scheme for public art has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of amenity and accordance with policy UC17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

50

The public art shall be implemented in accordance with the scheme approved under condition 49, prior to the development hereby approved being first occupied. The approved artwork shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of amenity and accordance with policy UC17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

51

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

Reason

In the interests of the amenities of the neighbouring residents in accordance with policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

52

Any external lighting shall be implemented in accordance with the details approved under condition 51 and shall be retained as such unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of the amenities of the neighbouring residents in accordance with policy DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

53

No plant, machinery or equipment shall be installed on or attached to the exterior of the development until details have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the amenities of nearby residents and in accordance with policies DC1, 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 and to ensure that any external equipment does not have an adverse effect upon the appearance of the development in accordance with policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

54

Any plant, machinery or equipment installed on or attached to the exterior of the development shall be implemented in accordance with details approved under condition 53 and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the amenities of nearby residents and in accordance with policies DC1, 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 and to ensure that any external equipment does not have an adverse effect upon the appearance of the development in accordance with policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

55

Prior to the installation of any windows serving residential properties, in accordance with the submitted noise assessment, final details of the glazing and ventilation for the flats shall be submitted to and approved in writing by the Local Planning Authority. The details for the glazing and ventilation for the windows in the east elevation facing the hotel shall be informed by an updated noise assessment as specified in the submitted noise assessment.

Reason

To safeguard the amenities of future residents and in accordance with policies DC1, 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.

56

The development shall be carried out in accordance with the glazing and ventilation details approved under condition 59.

Reason

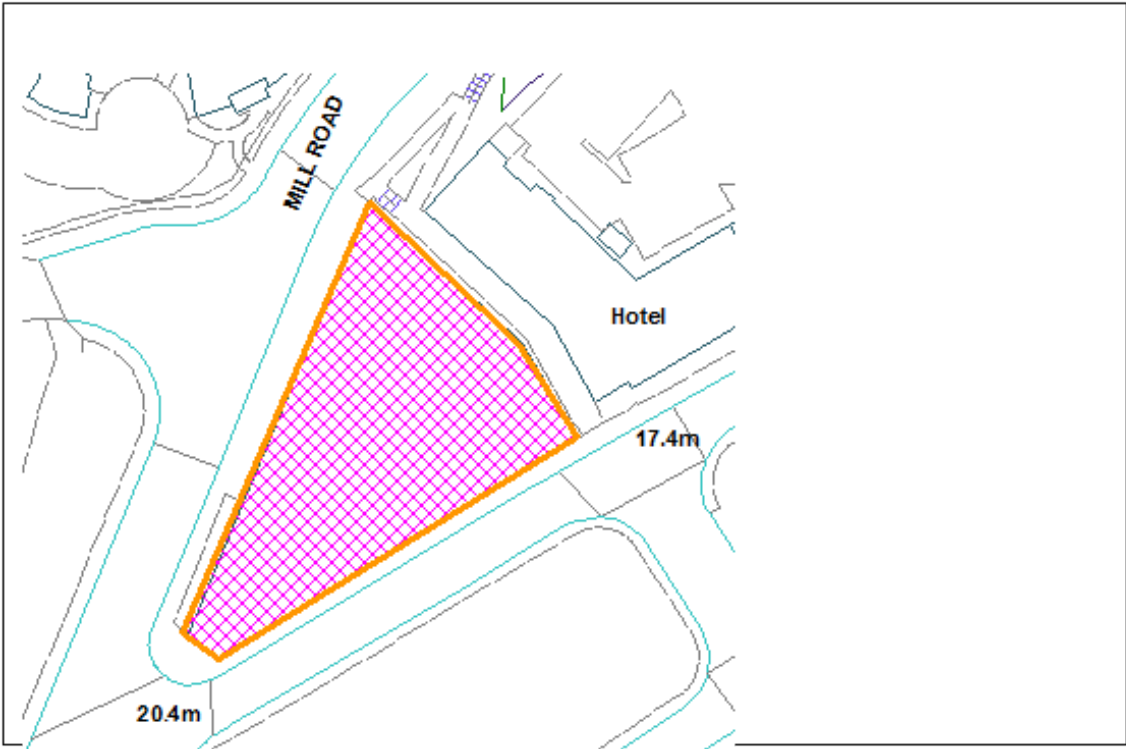
To safeguard the amenities of future residents and in accordance with policies DC1, DC2 and ENV61 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne.

57

A minimum of 2% of the residential units shall be built to wheelchair home standards and 10% of the residential units shall be built to lifetime homes standards and shall be retained as such thereafter.

Reason

To ensure an appropriate supply of housing to lifetime homes standards in accordance with Policy H9 of the Unitary Development Plan and policy CS11 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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