

REPORT NO 1

Committee Report

Application No:	DC/16/01207/OUT
Case Officer	Lois Lovely
Date Application Valid	10 November 2016
Applicant	Taylor Wimpey Homes North East
Site:	West Farm Kibblesworth Bank Kibblesworth NE11 0JB
Ward:	Lamesley
Proposal:	Outline application for the development of land to north and south of Kibblesworth Bank for up to 225 dwellings including associated infrastructure, open space and SuDS and the demolition of farm buildings and commercial properties with all matters reserved (amended 16/07/18).
Recommendation:	MINDED TO GRANT SUBJECT TO A S106 AGREEMENT
Application Type	Outline Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The area of the site for this outline planning application is 15.6ha of which approximately 10 hectares is deemed to be developable

- 1.2 The application site can be divided in to two distinct areas, the first area consists of Phases 1 and 2 which lie to the north of Kibblesworth Bank, whilst the second area, Phase 3, lies to the south of Kibblesworth Bank.
- 1.3 The site comprises agricultural fields with a number of hedgerows and some small pockets of woodland along the boundaries.
- 1.4 Broadly, Phases 1 and 2 are bound to the north and west by agricultural land and Colspool Burn with the residential areas of Kibblesworth lying adjacent to the east of the Site. Phase 3 lies to the south of Kibblesworth Bank and also forms part of the Village Growth Area allocation. Phase 3 is bound by open agricultural land to the south and west with Kibblesworth lying adjacent to the east.
- 1.5 Features adjacent or close to the site include the residential area of Kibblesworth to the east and farmsteads and agricultural buildings spread throughout the surrounding area. There are a number of services and facilities available within Kibblesworth as well as walking and cycling routes, including the Bowes Railway Path which runs to close to the southern boundary of Phase 3 and provides access to Birtley in the east and Stanley to the south west.

- 1.6 The local area is characterised by mainly residential properties whilst the Team Valley industrial estate and retail park lies within approximately 1.5 miles to the north of the site and can be accessed via Lamesley Road to the east. There are a number of employment opportunities and retail facilities available within both the Team Valley and Birtley to the north and east of the Site respectively, including a Sainsbury's store, Homebase, McDonald's, GP surgeries, dentists, schools and community facilities. There are various schools within walking and cycling distance of the Site, including Kibblesworth Academy (0.3 miles).
- 1.7 A low voltage overhead powerline runs centrally through the site.
- 1.8 The topography of the site is gently undulating with slight sloping from the north dropping to the south.
- 1.9 There are allotments located on the north east and south east boundaries of the site.
- 1.10 Kibblesworth West Farm sits within the centre of the Site, adjacent to Kibblesworth Bank, which currently comprises a farmhouse and several outhouses and sheds.
- 1.11 In addition to the Bowes Railway Path, a public footpath runs along the southern boundary of the site, connecting to Birtley in the east and the A6076 to the west.
- 1.12 **DESCRIPTION OF THE PROPOSAL**
This outline planning application seeks consent for up to 225 dwellings with landscape buffers to the Green Belt edge, informal green spaces at key points and provision of public space focal points at intersections between footways, a SuDS detention basin and small ponds to the north east of the site, with all matters reserved. With the exception of the detention basin and the ponds, none of the development is within the Green Belt.
- 1.13 Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority, before a fully detailed proposal is put forward.
- 1.14 This type of planning application allows fewer details about the proposal to be submitted. Once outline permission has been granted, the developer will need to ask for approval of the details ("reserved matters") before work can start. These details will be the subject of a "reserved matters" application at a later stage.
- 1.15 In this case the applicant has asked that all matters are reserved, however, vehicular access points in to the site are shown on the plan. The principle of the location and roundabout design of the access would be agreed, if this application is granted, however, the precise location and design will need to be developed further as part of any subsequent reserved matters application to ensure it meets the needs of all users.

- 1.16 The Masterplan indicates that all dwellings proposed are to be between 2-3 storeys, i.e. with rooms in the roof space. An illustrative housing mix for phases 1, 2 and 3 for a total of 225 dwellings is set out below, however these may be subject to change through future reserved matters applications:

Market Housing

5 Bed 23 dwellings 10%

4 Bed 97 dwellings 43%

3 Bed 71 dwellings 32%

Total 191 dwellings = 24dph/9.8dpa

Affordable Housing

3 Bed 18 dwellings 8%

2 Bed 16 dwellings 7%

Total 34 dwellings = 24dph/9.8dpa

- 1.17 Whilst consideration of materials will ultimately come through the reserved matters applications, it is anticipated that a mix of materials will be used, including buff and red brick, ivory render with art stone detailing.

- 1.18 The application is supported by the following documents:

Agricultural Land Soils Report

Archaeological Geophysics Report, Early Risk Appraisal and Evaluation Report

Design and Access Statement

Ecological Impact Assessment

Breeding Bird Survey

Wintering Birds report

Flood Risk Assessment and Drainage Strategy

Hydrological Assessment

Masterplan

Masterplan Document

Landscape Visual Impact Assessment

Noise Report

Planning Statement

Preliminary Risk Assessment

Statement of Community Involvement

Sustainability Statement

Transport Assessment

Travel Plan

Tree Survey

- 1.19 PLANNING HISTORY

The Site has no previous relevant planning history. The Core Strategy and Urban Core Plan for Gateshead and Newcastle 2010-2030 (CSUCP) removed the site from the Green Belt and allocated the land for residential development under policy GV5.

2.0 Consultation Responses:

Highways England	No objection subject to Highways England being consulted on any future development that uses the Transport Assessment to inform identification of trips.
Coal Authority	No objection subject to condition requiring remediation
Environment Agency	No objections
Northumbria Water	No objection subject to a condition requiring development in accordance with the Flood Risk Assessment
Tyne And Wear Archaeology Officer	The farm buildings will need to be recorded prior to demolition. As the demolition of the farm buildings has not been previously discussed, further archaeological work will be required following their removal. The site of the farm is the most likely part of the site to have been utilised during the medieval period. Evaluation trenching will be required on the site of the extant buildings. The watching brief and evaluation can be submitted as one report. These details can be secured by conditions.
Nexus	Nexus is pleased to see that the application includes proposals to extend existing bus services in the area to bring the whole development within 400m of a bus service. Nexus recommends that the developer continues negotiations with the bus operator to extend all services to the new bus stop to be provided as part of the development. A swept path analysis should also be included in subsequent applications for a full length bus to ensure that the proposed roundabout can be negotiated by buses. Due to the exposed nature of the area Nexus would require that any new bus stop incorporate an enclosed shelter as well as a raised kerb.

3.0 Representations:

- 3.1 A Press notice was published on 30 November 2016

- 3.2 A total of 681 properties in the surrounding area were notified directly about the application. In addition, site notices were erected on the site and in its vicinity on 30th November 2016. This was to coincide with the publication of notices of the planning application in The Journal newspaper the same day.
- 3.3 There had been a total of 33 letters of objection received from a total of 30 individuals, with three being from the same individual. A petition, objecting to the development, bearing 78 signatures had also been received.
- 3.4 4 letters of support had been received.
- 3.5 The objections include concerns over:
- the increase in traffic and highway safety,
 - the loss of public open space,
 - residential amenity,
 - flooding,
 - impact on trees and hedgerows,
 - impact on ecology.
- 3.6 A further 681 Neighbour letters were sent on the 1st November 2018. 10 site notices displayed, and a press notice appeared in the Journal on the 14th November.
- 3.7 A further 38 letters of representation have been received since the most recent publicity. One is from Lamesley Parish Council. Another is from Lamesley and Ladypark Residents Association.
- 3.8 One letter is in support of the proposed development.
- 3.9 The concerns relate to:
- Loss of Green Belt
 - Not in accordance with Making Spaces for Growing Places Local Plan Document "Area of Special Character"
 - Development does not meet Building for Life Guidelines
 - Increase in traffic
 - Loss of privacy
 - Loss of trees
 - Out of character with street scene
 - Overbearing
 - Overdevelopment
 - No space for footpaths and cyclepaths within layout
 - Residential amenity
 - Eyesore
 - Impact on landscape
 - Loss of open space
 - Should be a buffer to existing properties
 - Historic archaeological interest of village should be preserved
 - Impact on village amenities - school at capacity

- Financial impact on parents who would have to pay for childcare for 3 year olds if unable to secure place at school
- Developer should be made to pay contribution to school
- Loss of village community
- Flooding will be exacerbated by development
- Ground gas
- Risk from Coal mining legacy
- Will development change water levels in mine workings?
- Highway safety
- Public transport is limited and there are no cycle lanes
- Traffic congestion
- Plenty of brownfield sites
- 8000 empty properties across Newcastle and Gateshead
- Birtley expansion meets housing needs of local area
- Additional noise
- Cooking smells and odour
- Disturbance early mornings/ late evenings
- Loss of natural light
- Loss of view
- Out of character with conservation area
- Proposal will attract vandals
- Will sell and move
- Lamesley Residents not notified
- Neighbour letters and Site Notices gave expiry date after Committee Meeting date
 - Will the new properties have fibre broadband as existing utilities in village are inadequate?
 - Views from Angel of the North will be harmed
 - Rat running will affect Coach Road and Ladypark and Coal House Roundabout
 - Suggested temporary site access road through fields from Kibblesworth Bank
 - Land ownership
 - Projected population growth needs to be updated to reflect expected decline following Brexit
 - Wrong type of housing as forecast 39% increase in over 65's by 2031 – should be lifetime homes
 - Not sustainable as only one bus per hour therefore new residents will need a car as no plans to increase bus service
 - Roundabout access will make it feel like separate estate
 - Site is not within cycling or walking distance of employment/ retail as there is no crossing point at Coal House roundabout nor a footpath to Birtley and Kibblesworth Bank too steep to cycle up
 - Disturbance during construction – access should be from west
 - Council should require TW to replace items spoiled by dirt of construction including a window and car cleaning allowance
 - SCI report is biased – suggests the 122 registered for updates are interested in buying yet objectors are registered

- Gateshead Council has a conflict of interest as would secure £1.25million for road and cycle path improvements
 - Masterplan is out of date – does not reflect changed demographics when new housing became available
 - Do residents of Kibblesworth have right of appeal?
- 3.10 One letter of objection is a detailed critique of the Transport Assessment and the proposed mitigation measures and the objector proposes an alternative solution that includes not implementing the proposed improvements to Coal House Roundabout, nor implementing the signalisation of the Haggs Lane / Lamesley Road roundabout, nor the signalisation of the Haggs Lane / Greenford Lane junction and proposes part time signalisation of the Lamesley Road / Moorhill junction and peak time signalisation or a roundabout at the Lamesley Road / Newcastle Bank junction. A detailed response is included in the Other Matters section of this report.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

GV5 Kibblesworth

CS1 Spatial Strategy for Sustainable Growth

CS4 Spatial Strategy - Rural/Village Area

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1E Planting and Screening

DC1P Contamination, derelict land, stability

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

H5 Housing Choice

H9 Lifetime Homes

H10 Wheelchair Housing

H15 Play Areas in Housing Developments

5.0 Assessment of the Proposal:

- 5.1 The main planning considerations include the principle of the proposed development, ground conditions, coal legacy, transport network, visual impact, biodiversity, archaeology and residential amenity.
- 5.2 The policies and allocations within the Core Strategy and Urban Core Plan for Gateshead and Newcastle 2010-2030 (CSUCP) are part of an up to date, adopted development plan and therefore should be given full weight. Within the CSUCP there is a site specific policy (policy GV5), a policy relating to all Village Growth Areas of which the site is one (CS4) and also general policies on various themes.
- 5.3 The saved policies in the UDP are considered to be compliant with the National Planning Policy Framework (NPPF) and up to date and therefore should also be given full weight. The NPPF, National Planning Practice Guidance (NPPG) and Supplementary Planning Documents (SPDs) are material planning considerations as are representations made on the application.
- 5.4 **PRINCIPLE OF DEVELOPMENT**
Policy CS1 of the CSUCP sets out the spatial strategy for sustainable growth. Given population and economic growth there is a need to plan for 30,000 homes within Gateshead and Newcastle up to 2030. To plan for this growth has

meant allocating locations for new housing development in villages including Kibblesworth.

- 5.5 Policy CS10 sets out a net provision of 8,500 new homes in Gateshead to contribute to the 30,000 total up to 2030.
- 5.6 The application site is allocated in the CSUCP, under policies CS4 and GV5 for residential development for approximately 225 homes including a mix of predominantly family housing.
- 5.7 Policy GV5 requires that development takes place in accordance with an approved masterplan and phasing plan. This follows on from policy CS4 which requires the approved masterplans to; demonstrate a comprehensive, phased and coordinated approach to site development, setting out how necessary infrastructure, and the strategic infrastructure identified for the site in the Infrastructure Delivery Plan will be delivered on a phased basis; and approved development phasing plans setting out build rates and triggers for infrastructure, and demonstrating how each phase of the development is sustainable and deliverable.
- 5.8 The application site forms the Village Growth Area (VGA) as identified in the adopted CSUCP under policy GV5.
- 5.9 A requirement of the CSUCP policies CS4 and GV5, is the preparation of a Masterplan and phasing plan in addition to 12 specific requirements. These are considered below.
- 5.10 **MASTERPLAN**
The submitted Masterplanning Document provides information on the design and layout of the proposed development, details of the analysis and background work undertaken, details on consultation and public involvement in the design process and the delivery programme.
- 5.11 The Masterplanning Document has been submitted for approval alongside this application and sets out a broad range of design principles and guidelines to ensure that the development is in accordance with both policy requirements and the Masterplanning Document itself so that there can be confidence that a well-designed and sustainable development will be delivered.
- 5.12 The document focusses on a number of key objectives:
 - To help define the linkages required between the proposed development and the existing village, in order to ensure integration and to positively contribute to ongoing regeneration;
 - To establish a full understanding of the opportunities and constraints offered by the Site and its wider context, which will have an influence over the eventual form of the proposed development; and
 - To establish and define a set of design principles which will guide and inform the preparation of the detailed layout.
- 5.13 This document provides a basis for this Masterplan.

- 5.14 The Masterplan document establishes guidelines for the future development of the whole site, identifying:
- Appropriate areas for development;
 - A network of streets and routes;
 - The location of open spaces and key areas of public realm; and
 - Core urban design principles to be applied to future development proposals.
- 5.15 This document is intended to be a tool to inform a future reserved matters application. It sets out urban design principles on issues such as scale, massing, height and density of the proposed development to which a reserved matters planning application would be expected to comply.
- 5.16 The Phasing Plan shows that the site will be built out over three phases (as described above) and that the anticipated build out period, for the whole site, would be five years.
- 5.17 The Masterplan shows how the site will ultimately be developed with the site-specific infrastructure. The necessary off-site infrastructure would be delivered through a Section 106 Agreement.
- 5.18 Given the above, Officers consider that the application demonstrates a phased and coordinated approach to development in line with policy GV5 subject to a planning condition (CONDITION 4) requiring compliance with the masterplan and phasing plan and a Section 106 Agreement for off-site infrastructure.
- 5.19 **RANGE AND CHOICE OF HOUSING**
The Local Plan seeks to increase the range and choice of housing across Gateshead by improving the balance of the Borough's housing stock in terms of dwelling size, type and tenure. Accordingly, CSUCP policy CS11(1) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). Saved UDP policy H5 also seeks to improve the choice of housing in Gateshead.
- 5.20 The supporting information for this application indicates that 191 market homes and 34 affordable homes out of the 225 dwellings applied for will have three or more bedrooms. This would be equivalent to 93% of the total new housing provided, and therefore meets the requirements of CSUCP policy CS11 as it exceeds the target of over 60% of new private housing being suitable for and attractive to families.
- 5.21 **RESIDENTIAL SPACE STANDARDS**
Policy CS11(4) requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". With regard to this requirement, it should be noted that in March 2015 DCLG published nationally described space standards for new housing. Through the emerging MSGP plan document, the Council will expect that proposals for new residential development will achieve the nationally described space standards. As this application is in outline, and therefore details of specific house types

have not been provided, a condition is recommended relating to internal space standards (CONDITION 36).

5.22 AFFORDABLE HOUSING

Policy CS11 of the CSUCP requires the provision of 15% affordable homes on all developments of 15 or more dwellings subject to development viability. The application proposes 34 on-site affordable homes. This will be secured by a Section 106 Agreement to ensure that these properties are retained as affordable in perpetuity, subject to this it is considered that the application would be in accordance with policy CS11 of the CSUCP.

5.23 OTHER HOUSING POLICIES

Housing type

It is considered that the development would meet the requirements of policies CS11 and GV5 of the CSUCP in providing a majority of family housing and would make an important contribution to the aim of a minimum of 16,000 new homes having 3 or more bedrooms.

5.24 Wheelchair and Lifetime Homes

Policy CS11 of the CSUCP sets out the need to encourage provision of lifetime homes and wheelchair accessible homes. This differs from saved policies H9 and H10 of the UDP which require the provision of a minimum 10% dwellings constructed to Lifetime Homes standards and a minimum of 2% of dwellings to be built or be capable of adaption without structural alteration to Wheelchair Housing Standards.

5.25 The NPPG sets out that where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. Emerging MSGP policy 11 requires that on developments of more than 15 dwellings 25% shall be to the Building Regulations M4(2) Category 2.

5.26 Local plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.

5.27 Given the above, it is recommended a condition is imposed to require assessment of whether wheelchair and lifetime homes can be achieved and the provision of such homes where it is possible (CONDITIONS 44 and 45). Subject to the recommended condition the proposal would be in accordance with Saved UDP policies H9 and H10 and CSUCP policy CS11.

5.28 POLICY GV5 (1)

TRANSPORT AND HIGHWAYS

As part of the site's allocation within the CSUCP, there is a requirement to improve the junction of Lamesley Road and Smithy Lane.

- 5.29 A Transport Assessment has been produced in support of the application to determine the impact of the development on the local transport network. Through this, and discussions with the Council's transport planning team, it became clear that simply carrying out a junction improvement at Smithy Lane would have limited effect in mitigating the impact of the development on the transport network due to the interaction of this junction with wider parts of the network. Consequently, detailed transport modelling has been undertaken to identify suitable mitigation which would offer a level of mitigation appropriate to the scale of the development. Since the original submission there has been an iterative process and updated documents have been submitted up to and including July this year.
- 5.30 For consistency of approach the trip rates used in the assessment of this planning application are the same as those used for the other village growth sites allocated within the CSUCP. It is considered that this allows for a robust assessment of the traffic impacts. The assignment of these trips on the network is based on a methodology derived by the applicant's consultants considering education, employment and other trips, using census information and distributed accordingly.
- 5.31 In order to assess the impact of these trips on the transport network detailed transport modelling has been undertaken using a micro simulation technique that allows the interaction of several junctions to be considered and a review of queue lengths and journey times for general traffic and public transport to be reviewed.
- 5.32 The transport modelling concluded that works to mitigate the impacts of the development were required at the following locations:
- Hagg Lane / Lamesley Road Roundabout
 - Replacement of roundabout with signalised 4-way junction incorporating pedestrian and cycle facilities
 - Hagg Lane/ Greenford Lane priority junction
 - Introduction of signals which will be linked to the Hagg Lane/Lamesley Road signals improving the flow of traffic and reducing journey times
 - Coalhouse Roundabout
 - Signalisation of the A1 southbound off-slip approach and circulatory lanes at the A1 Widening of the Lamesley Road approach to increase capacity and improve journey times for public transport and traffic in general
 - Widening on the Chowdene Bank approach to the A1 Coalhouse roundabout
 - A167 Newcastle Bank/ Lamesley Road junction
 - Widening on the approach to Newcastle Bank from Lamesley Road together with relatively small scale cycle improvements

- 5.33 The above works, agreed by the applicant, council officers and Highways England are to be secured through s106 and delivered at a time determined by the increase in traffic flow, the exact details are yet to be agreed however they will need to have regard to Lamesley Conservation Area as required by CSUCP policy GV5.1 and a condition will be required for the applicant to submit a trigger assessment outlining a timetable of delivery, which is to be agreed by council officers (CONDITIONS 33 and 34). Prior to signing the s106, a Stage 1 Road Safety Audit will need to be submitted together with a designer's response that suitably addresses any problems raised. These mitigation measures will enable the development to comply with criteria 1 of CSUCP policy GV5.
- 5.34 While an interim travel plan was submitted as part of the application, this is yet to be agreed and a planning condition will require a further submission to agree the contents (CONDITIONS 50 and 51). The final TP will include, but will not be limited to, the following:
- Welcome packs
 - Travel plan co-ordination with agreed annual budget for running initiatives and promotion of sustainable travel.
 - Promoting electric vehicle use through provision of charging infrastructure at every property
 - Pre-loaded 'Pop' card for each property to encourage public transport use
 - Cycle vouchers to assist with the purchase of bikes, together with provision of appropriate cycle parking facilities in line with Gateshead Council's Cycling Strategy
 - Car sharing initiatives
 - Monitoring and review regime
- 5.35 Access and Movement
Kibblesworth Bank links up with the A1 Motorway via Moor Mill Lane, Newcastle Bank or Greenford Lane and Lamesley Road and provides wider connections to Team Valley/ Gateshead and Newcastle/ Durham.
- 5.36 Given the outline nature of the application, with all matters being reserved, the internal layout of the site has not been considered, however discussions have taken place with the applicant to ensure they are aware of the need to introduce high levels of connectivity and permeability as part of any future reserved matters applications. It will also be necessary to suitably tie the development into existing highway and right of way infrastructure.
- 5.37 Kibblesworth Bank is the main road through the village and the A1 lies approximately 3km to the east.
- 5.38 Kibblesworth Bank runs through Kibblesworth and will provide the basis for the site's access via a purpose built roundabout junction. The principle of the access proposal is to be agreed at this stage, although full details will need to be considered as part of future reserved matters applications to ensure that it designed to meet the needs of all users including pedestrians, cyclists and public transport.

5.39 Public Transport

Go North East have agreed in principle that the No.28A service can be extended to serve the development at a new bus stop adjacent to the proposed roundabout whilst there is also a possibility the No.1 could do this. The whole of the development site will then be within a 400m walk of the new bus stop. The extended service would provide an hourly frequency Monday to Saturday daytime.

5.40 POLICY GV5 (2)

BIODIVERSITY

The proposed development site is located within 1km of several designated Local Wildlife Sites (LWSs) including: the Bowes Railway Line LWS (50m to the south), Bowes Valley Nature Reserve LWS (c. 850m to the east), Lamesley Meadows LWS (c. 750m to the north east), and Hagg Wood and Mitcheson's Gill LWS (c. 550m to the north). Habitats within and adjacent the proposed development site primarily comprise arable and pasture fields bound by native hedgerows (Durham Biodiversity Action Plan priority habitat), scattered wooded copses incorporating small burns, and a collection of agricultural buildings associated with Kibblesworth West Farm. Mature woodland incorporating the Coltspool Burn is located immediately north of the proposed development site.

5.41 Habitats within and immediately adjacent the proposed development site have the potential to support a range of statutorily protected and/or priority (S.41 Natural Environment and Rural Communities Act 2006/DBAP) species. The application for planning permission is supported by an Ecological Impact Assessment encompassing dedicated survey work for breeding and wintering birds, and bats undertaken in accordance with recognised good practice guidelines. Despite some of the ecological surveys having been submitted with the application in 2016, all of these surveys are still considered to be reliable and do not require to be updated in advance of determining the planning application as the Council considers there has not been any significant/material change in the baseline conditions of the proposed development site and that the above listed ecological surveys remain sufficiently robust and up-to-date to inform and allow for the determination of the application.

5.42 Several small non-breeding bat roosts have been confirmed within the main body of the farm and the former Co-Op building. All bats and their roosts are fully protected in law. Licenced mitigation will be required in relation to works/activities affecting confirmed bat roosts to avoid the risk of harm to individual bats and to ensure maintenance of the local bat population at, or above, its current conservation status. Survey work has confirmed the site, and in particular, the existing boundary features (i.e. hedgerows, hedgerow trees and woodland), to be of value to commuting and foraging bats.

5.43 The proposed development site and adjoining areas supports a rich assemblage of breeding and wintering birds associated with farmland, woodland and urban habitats. This includes a number of priority/notable species, including (but not limited to): linnet, yellowhammer, tree sparrow, grey

partridge, skylark, meadow pipit, little owl, song thrush, mistle thrush, stock dove, bullfinch, house sparrow, house martin and starling.

- 5.44 Habitats within and immediately adjacent the proposed development site are considered to pose a residual risk for reptiles, terrestrial amphibians and badger. The adjacent watercourse (i.e. Colspool Burn) is considered to pose a residual risk for commuting otter.
- 5.45 The development proposals incorporate a series of mitigation and onsite compensation measures designed to avoid/minimise adverse impacts on biodiversity and ecological connectivity; including (where possible) the retention, buffering and positive management of existing habitats (e.g. hedgerows) and the creation of new/replacement habitat/features (e.g. hedgerow, wildflower grassland, wetland, tree mounted and integral bat roost features and bird boxes). The inclusion in the layout of ecological buffers to the woodland and wetland to the north of the site is a requirement of CSUCP policy GV5(2). Despite the provision of onsite mitigation and compensatory measures the proposed development will result in a number of residual adverse impacts on biodiversity, most notably farmland bird assemblage, including ground nesting species.
- 5.46 In accordance with the mitigation hierarchy set out in the NPPF the provision of off-site compensatory measures incorporating the creation, restoration and/or enhancement of suitable replacement habitat/features is required to address the residual impacts of the development and to ensure no-net loss of biodiversity.
- 5.47 Given the above and subject to the imposition of a suitably worded planning conditions and/or informatives covering the following:
- o Biodiversity Method Statement (CS18, DC1, ENV44, ENV46 and ENV47) (CONDITIONS 5 and 6).
 - o Ecological Lighting Design Strategy (CS18 and ENV46) (CONDITIONS 48 and 49).
- 5.48 The proposals are considered to be acceptable and subject to the recommended conditions would be in accordance with the NPPF and CSUCP policy GV5(2).
- 5.49 In addition, with a developer contribution for the purpose of delivering an appropriate/proportionate scheme of offsite ecological compensatory measures by way of S106 agreement, it is considered that the proposed development will not result in a significant adverse impact on biodiversity, including designated sites, priority habitats, protected and priority species, and ecological connectivity.
- 5.50 Subject to the S106 agreement, it is considered that the proposed development would conform with the relevant development plan policies through the mitigation for the impacts of the development on biodiversity and ecological connectivity and enhancement of existing habitats (as required by policies GV5

and CS18 of the CSUCP), use of SuDS to enhance habitats (as required by policy CS17 of the CSUCP), would not have an adverse impact on statutorily protected species (as required by saved policy DC1 of the UDP), proposes the retention of trees and hedgerows which have significant wildlife interest (as required by saved policy ENV44 of the UDP) and where possible has protected and enhanced all types of wildlife habitats (as required by saved policy ENV47 of the UDP) and would provide an opportunity to enhance DBAP habitats and species (as required by saved policy ENV46 of the UDP) through the management of off-site land.

- 5.51 The development would also accord with paragraph 170 of the NPPF in terms of minimising impacts on biodiversity and would also accord with the relevant parts of the NPPG in that the development has provided opportunities to enhance biodiversity.
- 5.52 **POLICY GV5 (3)**
Green Infrastructure
A number of footpaths connect Kibblesworth to the wider landscape. Most footpaths lead to and run along watercourses such as Mitcheson's Gill to the north and the River Team to the south. Consequently, there are opportunities to utilise these links through the masterplan to ensure site permeability and improved access to the rest of the village and to the Bowes Railway Path and the Bowes Valley Nature Reserve.
- 5.53 A network of paths are proposed to provide green links around the site, tying into other routes both existing and proposed. The paths would be informal in nature and surfaced in a gravel material, or similar, and seating and naturalistic play or outdoor gym equipment positioned along them providing opportunities for active or passive recreation.
- 5.54 Given the above, the principle of the proposed green infrastructure links are considered to be acceptable and in accordance with CSUCP policy GV5 (3).
- 5.55 **POLICY GV5(4)**
Contribution to Bowes Railway Path
Walking and Cycling
There are a number of public footpath routes around the site that provide access to the village centre and the built-up areas within the village. The masterplan has been designed to tie in with the existing footpath links to ensure good walking connections to local services and facilities. Wider highway improvements required to mitigate the impact of the development will also offer some benefits to pedestrians and cyclists. Regional Route 11 (RR 11) lies approximately 300m to the south of the site and provides local cycle connections to areas of East Gateshead and South Tyneside. The route is off-carriageway for the majority of its route to South Tyneside. RR 11 also connects to National Cycle Network 725 to the north of Birtley, which provides local cycle connections to Gateshead, Newcastle and Chester-le-Street.
- 5.56 The s106 will include a mechanism that will allow improvement of the right of way in the vicinity of the site and beyond to encourage leisure and non-leisure

uses. The final figure will be determined by the wider investment in highway improvements as described above.

5.57 Given the above, subject to recommended conditions, the principle of the proposals is considered to be acceptable and in accordance with CSUCP policy CS13 and the NPPF.

5.58 **POLICY GV5 (6)**

CONTRIBUTION TO LOCAL PRIMARY SCHOOL

The policies in the CSUCP were drafted and adopted before the Community Infrastructure Levy (CIL) came into place in Gateshead so at that time, s106 contributions were the only way to secure this, albeit that they were subject to the five pooling rule under regulation 123(3) the 2010 CIL Regulations.

5.59 Regulation 123 of the CIL Regulations also imposes restrictions on “double dipping” which is paying for the same item of infrastructure twice – i.e. charging for it through CIL and s106. As Primary School provision is included as strategic infrastructure on the Council’s Regulation 123 List contributions can no longer be sought through s106.

5.60 Given the above, the proposed development is considered to be acceptable although it cannot be in accordance with CSUCP policy GV5 (6) due to the double dipping restriction.

5.61 **POLICY GV5 (5)**

OPEN SPACE

The application site is allocated for housing by policy GV5 in the CSUCP and is located in the Kibblesworth Neighbourhood Area which has been identified as sufficient in open space. An increase of 225 homes is anticipated to increase the total population from 1,450 to approx. 2,089, which would result in an increase in the open space requirement to 6.27 hectares. Kibblesworth Neighbourhood Area currently has 178 hectares of open space, meaning that there would still be a surplus of 172 hectares of open space if this development were approved. Supporting information provided with the application indicates that significant areas of open space will be provided as part of the development. Therefore, no additional contributions towards open space provision would be required for this application. Whilst, it should be noted that this conclusion is based on the indicative housing mix provided by the applicant, given that there could be no more than 225 homes built on the site, and as the majority are already shown as being family homes, Officers are confident that whilst the open space demand of the development could change, it is not considered that this could be by a substantial amount. It is considered the proposal is in accordance with policy GV5(5) that seeks provision for open space, sport and recreation facilities.

5.62 **PLAY AREAS**

The proposed development is not located within a toddler play site catchment area. The site is large enough that one or more equipped toddler play areas should reasonably be provided on site.

- 5.63 The proposal site is located within the catchment area for Grange Estate junior play area. However, the total play space available, at 500m² is insufficient to meet the needs of the catchment area for junior children. It would therefore be appropriate to provide junior play on the site. The site is not within the catchment area for any teenage play area, and teen provision should also be made on site.
- 5.64 The final details of the on-site play area(s) and their implementation prior to occupation of the nearest dwellings can be secured by condition (CONDITIONS 46 and 47) The application is considered to comply with CSUCP policy GV5(5) as well as UDP policies H14, H15, CFR28, CFR29 and CFR30
- 5.65 POLICY GV5(7)
ARCHAEOLOGY
Saved UDP Policy ENV22 relates to sites and areas of archaeological importance and states that 'where there is the likelihood that archaeological remains will be encountered as a result of development the Council will require a programme of investigative research and/or fieldwork to determine whether the remains, that might exist, merit preservation in situ or by record. In particular, policy GV5(7) refers to identifying the presence and recording of a colliery waggonway.'
- 5.66 The County Archaeologist is of the opinion that the historic farm buildings on the site should ideally be retained as part of the development. However, if these buildings are to be removed then they need to be recorded prior to demolition. This will be resolved at the Reserved Matters stage.
- 5.67 The farm buildings will need to be recorded to Historic England Level 3 standard. This can be secured by condition (CONDITION 12).
- 5.68 A programme of archaeological investigation comprising a desk-based assessment, geophysical survey and evaluation has previously taken place and has been submitted as part of this application.
- 5.69 The majority of the evaluation revealed evidence of boundaries and ditches relating to drainage across the site. However, one trench (trench 7) revealed a medieval stone-lined drain.
- 5.70 Although this part of the site (to the west of the farm buildings) is considered unlikely to have been used for occupation, due to the age of the feature ground and the limited information have gained from it, ground disturbing works in this area should be monitored by archaeological watching brief.
- 5.71 Following the demolition of the farm buildings, further archaeological work will be required as the site of the farm is the most likely part of the site to have been utilised during the medieval period. Evaluation trenching will be required on the site of the farm buildings. This can be secured by condition (CONDITION 26).

- 5.72 A report of the findings is recommended to be secured as an Archaeological Post Excavation Report (CONDITION 27).
- 5.73 Given the above, subject to the recommended conditions, there is unlikely to be any significant impact on heritage assets, particularly given that appropriate care and recording would take place, should any archaeological resource be found and therefore the proposal is considered to be acceptable and in accordance with the NPPF, Saved UDP policies ENV21 and ENV22 and CSUCP policies GV5(7), CS15.
- 5.74 POLICY GV5(8)
LANDSCAPE AND VISUAL IMPACT
The application is supported by a Landscape and Visual Impact Assessment (LVIA) although the principle of development of this site has already been established through the CSUCP allocation. The LVIA provides detail of the main change in relation to the Landscape Character of the site and that is it will change from a mix of pastoral use to a residential development, extending the existing residential areas to the south and east of the site.
- 5.75 A specific policy requirement at GV5(8) is that a clear Green Belt boundary on the north east and south west boundaries of the site including significant enhancement and extension of the western hedgerow along (and within) the south west boundary of the site is sought to provide a strong and clear defensible boundary to the new Green Belt limit, and to improve ecological connectivity. The landscape proposals for the site have been considered strategically, particularly regarding the recommendations of the LVIA. Due to topography and existing adjacent footpaths/ residential areas, the site is visible both at close proximity and within the wider landscape particularly in elevated views from the east. Therefore, to minimise or reduce any residual visual effects, and to assimilate the site into its surroundings whilst considering existing green infrastructure and links, proposals are included within the Masterplan to ameliorate the effect. These include retention of the majority of existing trees, hedges and woodland copse and where hedgerows are required to be removed, for example the site access and associated visibility splays along the northern boundary, their loss to be mitigated through the replanting of additional native hedges within the site and along boundaries creating buffer zones to the Green Belt edge. The retained vegetation within the site, and woodland copse adjacent to it, needs to be safeguarded during construction works by tree protection measures (CONDITIONS 10 and 11). Pedestrian footpaths are proposed along the site side of the hedge and incorporated within open spaces. Landscaped buffer zones are proposed on the eastern, northern and western boundaries through additional planting to enhance existing vegetation. This will address the specific requirement of GV5(8). A landscape buffer of between 20-30m is proposed to the west of the site alongside Ouslaw Lane, and between 15-25m along the western site boundary of the site to the south of Kibblesworth Bank. These buffers are proposed to be located on the highest points of the site and will enable the existing hedgerow and individual trees to the north, along with the proposed hedgerows and woodland/ edge planting to the south, to form a green corridor extending north to south, offering a defensible boundary to the Green Belt

beyond. The proposed woodland planting included within these areas will soften the roofscape of the houses proposed to the west of the site, preventing built form from being located along visually prominent edges and ridges. The hedgerows and woodland planting would effectively form the skyline feature in views from within, or in close proximity to the site, and in more distant views from the east would help to integrate the proposals into the surrounding area and existing green infrastructure.

- 5.76 A buffer zone of between 20 - 30m is proposed to the northern boundary of the site, adjacent to Colspool Burn and its associated landscape features. Within this buffer, a 15m wide section closest to the boundary of the site is to be primarily for ecological mitigation and as such will be separated from the remaining open space by a simple post and rail fence with stockproof mesh and/or hedgerows to prevent access to the area by public and dogs. This section of the buffer would contain native woodland edge planting immediately adjacent to the existing woodland edge, providing a structure to the existing woodland boundary and a buffer to the adjacent habitats. A diverse range of landscape typologies, including Individual native trees, species rich grasslands, wildflowers and shrub areas, will also be provided within these areas. The remaining open space, out with the ecological mitigation area, will incorporate hedgerows to help to integrate and soften any fences, and overland drainage solutions including swales and pools.
- 5.77 Reinforcements to the existing landscaped boundaries to the eastern, northern and western boundaries will create a robust buffer between the development to the Green Belt edge. In addition to the landscaped areas and open spaces seeking to ameliorate the negative changes on the landscape character, structural and low-level planting is proposed in the submitted indicative landscape strategy to maximise habitat creation on site. This will be secured through the Reserved Matters application.
- 5.78 Information on proposed and existing ground levels is required These details can be secured by condition (CONDITIONS 29 and 30).
- 5.79 Given the proposed landscape strategy to mitigate the impact of the development on the existing topography and vegetation the development is considered will integrate into the settlement edge of Kibblesworth and is in accordance with Saved UDP policy DC1 and CSUCP policies GV5(8), CS18 and CS15.
- 5.80 **POLICY GV5(9), (10), (11) and (12)**
DRAINAGE
A Flood Risk Assessment (FRA) has been submitted in accordance with NPPF paragraph 163. In accordance with CSUCP Policy CS17, the FRA has assessed all sources of flooding and has had regard to the Strategic Flood Risk Assessment (SFRA). In accordance with GV5(11) the FRA has fully considered the surface water flood risk in the Grange Estate.
- 5.81 Due to the location of the proposed development site within an area of high sensitivity with respect to historic mining and potential associated groundwater

level change due to historic and ongoing mine dewatering, a site specific hydrogeological risk assessment has assessed the potential for future changes in groundwater conditions to impact upon the proposed SuDS.

- 5.82 On the basis of the information collated, it is considered that the risk to surface water drainage features within the proposed development from rising groundwater levels is very low.
- 5.83 The application proposes the use of SuDS to accommodate surface water run-off. As set out in policy CS17 of the CSUCP, SuDS have multi-functional benefits to water quality, green space and habitat enhancement. In terms of habitat enhancement, this has been covered above.
- 5.84 In accordance with part iv of policy CS17 of the CSUCP, surface water is proposed to be managed following the drainage hierarchy with the use of infiltration based SuDS where ground investigations have shown this to be feasible. Therefore, the SuDS scheme comprises of one water detention basin that would be dry apart from in flooding events when it would hold surface water.
- 5.85 Officers consider that the SuDS system proposed would adequately deal with the level of surface water and overland flows created by the development. The SuDS system has been designed to deal with in excess of a 1 in 100 year storm event and also factors in the relevant climate change allowances set by the Government, in accordance with policy GV5 of the CSUCP. The SuDS system has also been designed to provide additional water storage to reduce flood risk to the area downhill other than which currently exists, again in accordance with policy GV5 of the CSUCP and part iii of policy CS17. The final details can be secured by condition (CONDITIONS 20 - 21).
- 5.86 In terms of the future management of the site SuDS, it is proposed that the developer would retain maintenance responsibility for a five-year period post development after which the land would transfer to the Council, subject to a lease with a private management company, who would maintain the SuDS. This maintenance requirement would be secured by conditions (CONDITIONS 22 - 23). The details would set out both the construction and minimum standard of maintenance over the lifetime of the development and roles and responsibilities between the Council, Northumbrian Water Ltd and the developer in order to ensure the long-term maintenance of SuDS over the lifetime of the development.
- 5.87 Given the above, subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with CSUCP policy GV5(9), GV5(10), GV5(11), and GV5(12) and the NPPF.
- 5.88 **CONTAMINATED LAND**
As described above, the site can be considered in two parts: land north of Kibblesworth Bank and land south of Kibblesworth bank.
- 5.89 Land North of Kibblesworth Bank:

This is currently farm land and includes part of the existing Kibblesworth West Farm buildings. The land has always been undeveloped apart from the farm buildings. Whilst the likelihood of historic contamination existing from historic site uses is low, there remains the possibility that some contamination issues may exist at the site from the farm building area from:

- Imported fill materials and waste material used to construct a development platform prior to construction of any former farm buildings outbuildings and current buildings on site.
- Demolition arisings still evident on site within made ground deposits from the demolished farm outbuildings.
- Potential asbestos contamination if asbestos material has been used in the construction of any of the farm buildings / former outbuildings.

5.90 Land South of Kibblesworth Bank:

This is currently an undeveloped field. The Council's 'Contaminated land strategy data base' indicates that historically the site is a reclaimed site, (circa1978-79) and infilled former opencast site backfilled with unknown material. As such the site has been assessed as a potentially contaminated site. Historically to the south of the site lies the former Kibblesworth Pit and associated buildings and the former Bowes Railway route.

5.91 Given the proposed sensitive end use dwellings with gardens, then these potential contamination issues need to be considered. Planning conditions are required for Phase 2 site investigations to investigate potential contamination issues. This information, and any required remediation details, can be secured by condition (CONDITIONS 13 - 17).

5.92 Given the above and subject to the recommended conditions the proposal is considered to be acceptable and in accordance with Saved UDP policy ENV54 and CSUCP policy CS14.

5.93 COAL LEGACY

The site is in a Coal Authority Development High Risk Area, 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.

5.94 The Coal Authority records indicate that the site is in an area of recorded and likely unrecorded coal mine workings at shallow depth. A small part of the site is also within the boundary of a site from which coal has been removed by surface mining methods.

5.95 The planning application is supported by a Coal Mining Risk Assessment (CMRA), dated February 2013 and prepared by Delta-Simons Environmental Consultants. This report has been informed by an appropriate range of sources of information including; historic maps, BGS information and a Coal Mining Report.

5.96 This report makes recommendations for intrusive site investigations to establish the exact situation in respect of coal mining legacy issues.

- 5.97 The application is also supported by a Geoenvironmental Appraisal, dated January 2015 and prepared by Sirius. This report sets out details of the intrusive site investigations carried out on site and their findings.
- 5.98 The report states that 14 boreholes have been drilled on site to depths of 36m. The report notes that evidence of historic shallow coal workings was encountered during the site investigations and these were consistent with what was expected based on the mine abandonment plans. The report acknowledges that shallow coal mine workings pose a risk to the development and therefore recommends that remedial works, in the form of a drilling and grouting exercise are carried out on site.
- 5.99 Although the CMRA is from 2013 officers consider the CMRA can be relied upon as it states that intrusive site investigation is required to investigate and establish if there are any shallow mine workings that could impact on the development and require remedial measures. The Coal Authority have approved this methodology and require appropriate planning conditions. As a reflection of the consultation response received from the Coal Authority, it is recommended that conditions be imposed to secure implementation of the recommendations of Coal Mining Risk Assessment, dated February 2013 and prepared by Delta-Simons Environmental Consultants for intrusive site investigations to establish the exact situation in respect of coal mining legacy issues (CONDITIONS 18 and 19).
- 5.100 **RESIDENTIAL AMENITY**
Policy CS14 outlines measures to assist in maintaining and improving the wellbeing and health of communities, including through: the creation of an inclusive built and natural environment, promoting and facilitating active and healthy lifestyles, preventing negative impact on residential amenity and promoting access to green spaces, sports facilities, play and recreation opportunities.
- 5.101 Policy CS15 requires development to contribute to good place-making through the delivery of high quality and sustainable design. The policy recognises that this will be achieved through requiring development to, inter alia, respond positively to local distinctiveness and character, creating safe and inclusive environments and ensuring connectivity, accessibility and legibility.
- 5.102 The Masterplan has been designed with a strong emphasis on improvements to pedestrian and cycle links through the creation of new linkages.
- 5.103 The strategic layout has been designed to ensure a high quality, inclusive residential development with good accessibility by cycle, foot and public transport to a wide range of facilities. Links to Bowes Railway Path will be strengthened. Within the development itself green spaces will be provided to allow for recreation and play areas, together with private gardens to residential properties.

- 5.104 The layout as proposed through future Reserved Matters applications will be assessed in terms of the impact on the residential amenities of the existing residents and the future residents of the proposed dwellings. The assessment will include ensuring sensitive use of external materials, adequate separation distances are provided, and that there is no opportunity for overlooking, provision of adequate external space, bin and cycle storage, and either a private drive or a garage and drive all of which can be secured by conditions (CONDITIONS 38 – 41).
- 5.105 Given the above, subject to the recommended conditions, the Masterplan is considered to be acceptable and in accordance with Saved UDP policy DC2 and CSUCP policy CS14.
- 5.106 **OTHER MATTERS**
The former Co-Op building fronting onto Kibblesworth Bank is in a dilapidated state. The Council is considering taking action to ensure the demolition of the building at the earliest opportunity.
- 5.107 There is no access point indicated in the location of the building and it is anticipated that houses will infill this area. The precise details for this part of the site will come forward with the reserved matters applications.
- 5.108 An objection reported above makes detailed comments on the Transport Assessment. In response to the objection, all of the points raised in the letter have been considered during an extensive assessment period.
- 5.109 While the TA is of significant length this was a study that has been carried out iteratively over many months, with regular correspondence between the parties involved, including the Council, Highways England, and consultants Jacobs, AECOM and WYG.
- 5.110 The distribution and assignment of trips was a key consideration and agreed early in the assessment process, this took account of the number of trips, types of trips and likely routing, fully considering local characteristics.
- 5.111 The final schemes were not the only options considered during the assessment process. For instance, the retention of the roundabout at Smithy Lane had been considered to be the ideal scenario, however, this was discounted following the results of the modelling, demonstrating severe delays once background traffic growth and development trips were added. Part time signalisation could not be introduced at this junction and therefore some journey time delay will be experienced out of the park periods. A reduction in speed limit along Lamesley Road has been suggested, however given the nature of the road this would be extremely difficult to enforce and unlikely to be supported.
- 5.112 The signalisation of the Newcastle Bank/Lamesley Road junction was initially the preferred approach, however, after much work it was considered this needed to be discounted due to the complexities of the junction and the knock-

on effect this has on queuing heading back toward Birtley along the A167, particularly during the am peak period.

- 5.113 The schemes that have been identified are not solely based on the total volume of traffic moving through them but also other factors including how the different junctions interact, which is key to the overall operation of the network. For instance, it is accepted the Greenford Lane/Haggs Lane junction is relatively easy to navigate during free flow conditions, however during the morning peak, its interaction with the Smithy Lane Roundabout makes it much more difficult due to queuing traffic.
- 5.114 The Lamesley Road/Moormill Lane junction was given significant focus during the assessment period, resulting in additional scenario testing being carried out. It was concluded that the need for intervention was borderline. On the basis that any improvement of this junction would not only add to additional delay to traffic on Lamesley Road but also encourage further rat running from the Birtley area no improvements were requested.
- 5.115 An objector has queried the land ownership of the track that runs in front of The Grange. This land lies outside of the red edged plan of the application and therefore it does not form part of the proposed development.
- 5.116 **LOCAL WORKFORCE COMMITMENTS**
In accordance with the Planning Obligations Supplementary Planning Document (first review dated December 2016) the Council is seeking a section 106 obligation to secure benefits to the Local Workforce that may include direct, indirect and induced jobs employment, apprentices, graduates or trainees.
- 5.117 **STATEMENT OF COMMUNITY INVOLVEMENT**
A public consultation event was held at the Kibblesworth Village Millennium Centre on the 1st March 2016 between 3pm and 7pm. The purpose of the event was to introduce the community to the initial proposals developed and site analysis work undertaken to gain further insight from the community into the key issues associated with the area and also to shape the development of the proposals. In total 122 members of the local community attended, with 50 of those people providing feedback on the information. In addition, local Councillors/Ward Members were invited to attend the event, to provide their comments and thoughts on the proposals, with one councillor attending on the day. 147 people have also signed up for updates from Taylor Wimpey's website to receive further information about the proposals.
- 5.118 Of the 50 responses received analysis of the comments, provided by the applicant, identified the following results:
Strongly in Favour 22%
In Favour 6%
Undecided 20%
Opposed 52%
- 5.119 **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 application site is within Residential Zone A and the levy is £60 per sqm for market housing, with an exception provided for the on site affordable housing.

- 5.120 Outline applications are still liable for CIL but the liability is calculated at reserved matters stage when the details are known. If an outline application includes phasing of development, each phase is treated as a separate development for the purpose of paying CIL. The CIL liability for each phase is calculated at reserved matters stage for that phase.
- 5.121 In this case, as the application site falls within a Parish Boundary (Lamesley Parish), the CIL Regulations allow for 15% of the final CIL contribution to come directly to the Parish Council, as the Neighbourhood Portion. The remainder would come to the Council to spend on identified infrastructure projects. As explained above, whilst the final amount due can only be calculated once the eventual number of houses and their floor areas are known at Reserved Matters stage, the figure expected to be received by Lamesley Parish Council is approximately £195,000.

6.0 CONCLUSION

- 6.1 Having been removed from the Green Belt, for the explicit purpose of providing land for housing, this site is subject to site specific policy in the CSUCP. Whilst this application has been submitted in outline and therefore only limited information is available, the Masterplan and supporting documents have allowed Officers to conclude that the scheme before Members complies with all 12 criteria of CSUCP policy GV5; or can be made so through the use of the recommended conditions and the suggested s106 legal agreement.
- 6.2 The proposed development is consistent with the allocation of the site, ultimately delivering up to 225 family homes, that include 15% affordable on-site housing. The development as proposed integrates with its surroundings, linking to the existing networks and the centre of Kibblesworth. The illustrative layout is sympathetic to the site constraints and character of the area and includes open space and landscape buffers to lessen the visual impact and provide opportunities for biodiversity enhancement. Links to the Bowes Railway Path are provided as well as a contribution to its recreational amenity. A contribution to primary school provision is to be secured through the CIL contribution. Drainage and flood risk has been taken into account and, as well as providing for the development itself, drainage features would be secured that would lessen flood risk in the Grange Estate and The Crescent area. The proposed development will make a significant contribution to the local economy by ensuring (through the s106) a commitment to use a local workforce during construction.

7.0 Recommendation:

To GRANT permission and subject to the following condition(s) and A SECTION 106 AGREEMENT

- 1) The agreement shall include the following obligations:
 - Affordable housing in perpetuity
 - Highway mitigation works
 - Off-site biodiversity mitigation
 - Local workforce commitments
- 2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.
- 3) That the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary.
- 4) And that the conditions shall include:

1

The development hereby permitted in outline shall not be carried out other than in substantial accordance with the plan(s) accompanying the application as listed below:

Masterplan Document 19568-EH-M-A dated July 2018
Phasing Plan 1N/KIB/01-02
Drainage Strategy QD755-00-15 Rev E
Landscape Strategy 908_01 Rev E

and with such further details for each phase of the development that shall be submitted to prior to the commencement of development on that phase for the Council's approval in writing in relation to the following reserved matters, namely:

- (1) appearance
- (2) landscaping
- (3) layout
- (4) scale
- (5) access

Reason

This condition is imposed pursuant to article 4 (1) of the Town and Country Planning (General Development Procedure) Order 2010 (as amended) to ensure development is carried out in accordance with the approved details as submitted.

2

Application for approval of the reserved matters referred to in condition 1 above shall be made to the Local Planning Authority within 3 years of the date of this permission.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

3

The development to which this permission relates shall be begun not later than two years from the approval of the reserved matters referred to in condition 1 above.

(N.B. if the reserved matters are approved on different dates, the two-year period is calculated from the approval of the last such matter to be approved.)

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

4

The submission of Reserved Matters and the implementation of the development hereby permitted shall be carried out in substantial accordance with the principles described and illustrated in the approved masterplan, phasing plan and delivery plan as detailed below:

Masterplan Document 19568-EH-M-A dated July 2018
Phasing Plan 1N/KIB/01-02

Reason

To ensure that the development and associated infrastructure provision is carried out in a comprehensive and co-ordinated manner and in accordance with policies CS4 and GV5 of the Core Strategy and Urban Core Plan.

5

Notwithstanding the information submitted and avoiding duplication with any activities and mitigation subject to licencing; a Biodiversity Method Statement covering:

o habitats/ecological features to be retained on site
o protected and priority species including bats, breeding birds, hedgehog, badger and common lizard, and;
o invasive non-native species
shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The content of the method statement shall include details of measures to be implemented to avoid/minimise the residual risk of harm to individual species during the construction and operations phases of the development; and to ensure, where possible, local populations are maintained at or above their current levels.

Reason

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in accordance with

CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

Reason for pre-commencement condition

The proposed Biodiversity Method Statement must demonstrate that the design will ensure habitats and ecological features are retained and protected and that priority species will be protected before the development commences.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

6

The Biodiversity Method Statement approved under condition 5 shall be implemented in full and retained thereafter for the life of the development.

Reason

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

7

The development hereby permitted shall only be carried out within substantial accordance with the submitted document entitled "Flood Risk Assessment dated October 2016 and Drainage Strategy dated June 2015 and Drainage Strategy Plan Revision E" dated July 2018

Reason

To reduce the risk of flooding to the proposed development and future occupants and in order to accord with the NPPF and policy CS17 of the CSUCP

8

No development shall commence on each phase of the development until a Construction Management Plan (CMP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include:

- construction haul routes for each phase
- a dust management plan
- a noise management plan
- pollution prevention measures
- contractor parking
- details of delivery arrangements including hours and routing
- measures to limit and manage transfer of debris on to the highway

- a drainage construction method statement containing:

1) Consideration of any construction phasing, demonstrating that adequate interim drainage and surface water pollution protection measures are in place.

2) Description of any construction methodologies to protect the SuDS functionality including the provision of any required temporary drainage systems, and methods for temporary protection of infiltration features, permeable surfaces, erosion prevention, pollution control, and de-silting prior to completion of works.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development and to ensure the works do not increase risk of flooding or pollution of watercourses and to protect the river environment of the Colspool Burn and to ensure correct functioning of the drainage system at completion in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policies CS14 and CS17 of the Core Strategy and Urban Core Plan.

Reason for pre-commencement condition

The proposed CMP must demonstrate that the construction operations will not harm residential amenities, highway safety, the drainage network or watercourses before the development commences.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

9

Each phase of the development shall be implemented in accordance with Construction Management Plan (CMP) measures approved for that phase of the development at condition 8.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

10

No development or any other operations shall commence on each phase of the development until a scheme for the protection of the existing trees and hedges that are to be retained on that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the trees/hedges to be retained and the location and specification of the protective fencing to be used.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for pre-commencement condition

The proposed tree protection measures must demonstrate that the construction operations will not fall within root protection areas of existing trees and hedges that would result in harm to trees that are to be retained before the development commences.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

11

The tree protective fencing for each phase of the development approved at condition 10 must be installed prior to the commencement of development for that phase and thereafter retained intact for the full duration of the construction works on that phase of the development and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for pre-commencement condition

To ensure the approved tree protection measures are installed prior to commencement of the development hereby permitted and retained for the duration of the construction to prevent harm to trees that are to be retained.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

12

No demolition shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason

To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF and Saved Unitary Development Plan Policy ENV23.

13

Prior to commencement of each phase of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and proposed validation strategy. 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.

N.B. The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape / garden areas.

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.

Reason for pre-commencement condition

To ensure the approved remediation measures are undertaken prior to commencement of the development hereby permitted to ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

14

Prior to commencement of each phase of the development hereby permitted the additional soil sampling and chemical analysis works, (as detailed in the Geoenvironmental Appraisal, of land at Kibblesworth, Gateshead report C6193' by Sirius dated January 2015.), to delineate the extent of the previously identified soil contamination around borehole WS103, shall be undertaken and a report and contamination risk assessment of the findings has been produced and submitted for to the Local Planning Authority for written approval.

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.

Reason for pre-commencement condition

To ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

15

The details of remediation measures approved under condition 13 shall be implemented prior to commencement of the development of the relevant phase hereby permitted and maintained for the life of the development in that phase.

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

Reason

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

Reason for pre-commencement condition

To ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

16

Following completion of the remediation measures approved under condition 13 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 relevant phase of the development hereby permitted in that phase.

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.

17

During development works, any contaminated material observed during excavation of the existing ground should be screened and removed. If any areas of contaminated ground, that had not previously been identified, are encountered during development works, then operations should cease, and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

18

Prior to the commencement of each phase of the development hereby permitted details of remediation measures to remove risks associated with coal mining legacy in that development phase area shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the ground stability of the development and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1 of the Unitary Development Plan.

Reason for pre-commencement condition

To ensure risks to future users of the land are minimised.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

19

The remediation measures approved under condition 18 shall be implemented wholly in accordance with the approved scheme prior to the commencement of the relevant phase of the development hereby permitted.

Reason

To ensure the ground stability of the development and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1 of the Unitary Development Plan.

20

Prior to commencement of each phase of the development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) an updated foul and surface water drainage scheme shall be submitted. This shall include:

- drainage assessment has demonstrating that the final drainage scheme conforms with the DEFRA Non-Technical Standards for SuDS, with confirmation of final discharge rates and volumes and including full Micro drainage modelling results.
- demonstration that the proposed culvert / channel and drainage system will not increase the risk of flooding downstream from Colspool Burn by quickening the passage of water from flow route 3 to the burn.
- Detailed drainage layout drawing showing clearly numbered pipes, fall, diameters, invert and cover levels that correspond with the submitted drainage model. proposed contours, highway levels and finished floor levels should be submitted along with: existing and proposed site sections and levels; long and cross sections of the proposed SuDS features and drainage system; detailed drawings of all SuDS features and connections; detailed landscape plans showing proposed planting, seeding, and hard works in and around SuDS features.
- full details of the proposed culvert / channel including construction details, confirmation of land ownership and easements, and demonstration that no flood risk would arise to adjacent housing in the event of full culvert blockage.
- demonstration that finished floor levels will be a minimum of 300mm above 1 in 100 year surface water flood levels.
- SuDS Health and Safety Assessment where appropriate.

Reason

To ensure appropriate drainage 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.

Reason for pre-commencement condition

To demonstrate that the SuDS scheme will prevent the risk of flooding prior to commencement of the construction of the SuDS scheme.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

21

The details of SuDS measures approved under condition 20 shall be implemented prior to first occupation of any of the dwellings of that phase hereby permitted in accordance with the approved details and retained thereafter for the life of the development.

Reason

To ensure appropriate drainage 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.

22

Prior to commencement of the development hereby permitted, a standalone drainage maintenance document shall be submitted for the consideration and written approval of the Local Planning Authority.

It shall confirm the parties responsible for the long term maintenance of the drainage system, and shall include confirmation of expected lifespan of any underground storage, treatment devices, and flow controls, and detailed specification and methodology for their replacement if within the lifespan of the development.

The document shall define the SuDS and drainage features, include specification of maintenance tasks, and schedule of tasks and inspections for the lifetime of the development

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

Reason for pre-commencement condition

To demonstrate that the SuDS scheme will be maintained to prevent the risk of flooding prior to commencement of the construction of the SuDS scheme.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

23

The details approved under condition 22 shall be substantially implemented prior to first occupation of any of the dwellings in each phase hereby permitted in accordance with the approved details and retained thereafter for the life of the development

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

24

Prior to occupation of the first dwelling, a SuDS information pack for supply to residents shall be submitted for the consideration and written approval of the Local Planning Authority. The final content shall be agreed with Gateshead Council and shall include identification of, and information about the SuDS features, details of maintenance regimes, confirmation and contact details of the organisation(s) responsible for maintenance, which shall be issued to each dwelling on first occupation.

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

25

Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between:

0700 hours to allow deliveries to come off the public highway;
0730 hours construction start on site;

and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with Policies DC1, DC2 and ENV61 of the Unitary Development Plan and CS14 of the CSUCP.

26

Following demolition of the farm buildings, archaeological evaluation work shall be carried out in accordance with a specification provided by the Local Planning Authority prior to commencement of the relevant phase of the development hereby permitted.

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 paragraph 141 of the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22.

27

The relevant phase of the development hereby permitted shall not be first occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 26 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 paragraph 141 of the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22.

28

Prior to commencement of development a scheme for the site access and associated off site highway works shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the scheme shall include but may not be limited to the measures as detailed below:

- A roundabout on Kibblesworth Bank serving as an access to all phases of the development, which can accommodate all highway users safely including public transport, cyclists and pedestrians
- Review of existing street lighting and where appropriate provision of new street lighting.
- Construction of new footways linking the site to existing footway network
- New bus stops and appropriate infrastructure including shelter, bus bay markings and bus borders.
- Suitable links to allow cyclists to safely access/egress from the site and tie in with existing infrastructure.
- Extension of existing 20mph scheme west up Kibblesworth Bank, encompassing the new site access.
- Timetable for delivery

Reason

In the interests of highway safety, to ensure suitable access in to the site can be achieved and in accordance with policy CS13 of the Core Strategy and Urban Core Plan

Reason for pre-commencement condition

The proposed highway works must demonstrate that the design will ensure highway safety.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

29

No development shall commence on each phase of the development until details of the existing and proposed site levels, and any retaining features required, for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure an appropriate form of development in the interest of good design and to accord with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

Reason for pre-commencement condition

The proposed finished ground levels must demonstrate that the design will ensure no harm to visual or residential amenity.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

30

Each phase of the development shall be implemented in accordance with the site levels approved for that phase at condition 29.

Reason

To ensure an appropriate form of development in the interest of good design and to accord with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

31

Each phase of the development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until full details of finished floor level and finished ground levels have been submitted for the consideration and written approval of the Local Planning Authority

Reason

To safeguard the visual amenities of the area, in the interests of highway safety and in accordance with Policy ENV3 of the Unitary Development Plan, and in order to accord with policies CS13 and CS14 of the CSUCP.

Reason for pre-commencement condition

The proposed finished ground levels must demonstrate that the design will ensure no harm to visual or residential amenity and highway safety.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

32

The details approved under condition 31 shall be implemented wholly in accordance with the approved details, prior to first occupation of the relevant plot and retained thereafter for the life of the development

Reason

To safeguard the visual amenities of the area, in the interests of highway safety and in accordance with Policy ENV3 of the Unitary Development Plan, and in order to accord with policies CS13 and CS14 of the CSUCP.

33

Prior to commencement of the development hereby approved a trigger assessment outlining a timetable of delivery for the following highway works and improvements along with a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority:

- o Haggs Lane/Lamesley Road Roundabout
 - Replacement of roundabout with signalised 4-way junction incorporating pedestrian and cycle facilities
 - o Haggs Lane/ Greenford Lane priority junction.
 - Introduction of signals which will be linked to the Haggs Lane/Lamesley Road signals improving the flow of traffic and reducing journey times.
 - o Coalhouse Roundabout
 - Signalisation of the A1 southbound off-slip approach and circulatory lanes at the A1
 - Widening of the Lamesley Road approach to increase capacity and improve journey times for public transport and traffic in general.
 - Widening on the Chowdene Bank approach to the A1 Coalhouse roundabout.
 - o A167 Newcastle Bank/ Lamesley Road junction.
 - Widening on the approach to Newcastle Bank from Lamesley Road together with relatively small scale cycle improvements.

Reason

In the interests of highway safety, to ensure suitable access in to the site can be achieved and improve and promote access to the site by bus and for pedestrians, cyclists in accordance with the NPPF and policies CS13 and GV5 of the Core Strategy and Urban Core Plan.

Reason for pre-commencement condition

The proposed highway works must demonstrate that the design and the timing of their implementation will ensure highway safety.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

34

The off-site highway works approved at condition 33 shall be provided in accordance with the approved details and approved timetable for implementation unless otherwise approved in writing by the Local Planning Authority.

Reason

To provide suitable access and improve and promote access to the site by bus and for pedestrians, cyclists in accordance with the NPPF and policies CS13 and GV5 of the Core Strategy and Urban Core Plan.

35

Prior to construction above the damp proof course details shall be submitted for written approval by the Local Planning Authority demonstrating how the site links to the Bowes Railway Path.

Prior to the creation of any new or diverted public rights of way, the final details of their surfacing, gradient and width shall be submitted to and approved in writing by the Local Planning Authority. The creation of the new or diverted public rights of way shall then be implemented on site in accordance with the approved details.

Reason

In the interests of the ease of use of public footpaths and rights of way and in accordance with policy CS13 of the Core Strategy and Urban Core Plan.

36

Prior to each phase of the development being commenced details of floorspace and storage space of each housetype for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the dwellings provide adequate space inside and outside of the home to meet the needs of residents in accordance with CSUCP CS11 and emerging MSGP policy 13.

Reason for pre-commencement condition

To ensure the development will meet the needs of residents.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

37

Each driveway shall have a minimum visibility splay of 2m x 2m with no obstruction above 600mm

Reason

In the interests of highway safety and in accordance with CSUCP policy CS13 and the NPPF

38

No dwelling shall be occupied on each phase of the development until final details of the cycle parking provision for each dwelling in that phase is submitted to and approved in writing by the Local Planning Authority and the cycle parking shall be provided on site prior to the occupation of each dwelling in accordance with the approved details.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

39

The cycle parking facilities approved at condition 38 shall be provided on each phase of the development in accordance with the approved details prior to the relevant dwelling being first occupied and be retained thereafter.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

40

Prior to the construction of any dwelling above damp proof course in each phase of the development hereby permitted details of external materials to be used on the dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the visual amenity of the area and the design quality of the development and in accordance with policy CS15 of the Core Strategy and Urban Core Plan and saved policy ENV3 of the Unitary Development Plan.

41

The materials approved under condition 40 shall be implemented wholly in accordance with the approved details and retained for the life of the

development unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of the visual amenity of the area and the design quality of the development and in accordance with policy CS15 of the Core Strategy and Urban Core Plan and saved policy ENV3 of the Unitary Development Plan.

42

Prior to the construction of any dwelling above damp proof course details of electric vehicle charging points for each garage for each of the affordable units without a garage in that phase of the development shall be submitted for the consideration and written approval of the Local Planning Authority. For all other units a spur should be provided to allow future installation of charging equipment.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

43

The electric vehicle charging points approved at condition 42 shall be provided on each phase of the development for each given house in accordance with the approved details prior to the first occupation of that dwelling in that phase and be retained thereafter.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

44

Prior to the construction of foundations of any of the dwellings hereby permitted an assessment of whether wheelchair and lifetime homes can be achieved shall be undertaken and submitted for the consideration and written approval of the Local Planning Authority.

Where the assessment demonstrates it is possible to achieve delivery of wheelchair and lifetime homes full details for each phase of the development hereby permitted up to 2% of plots that meet Wheelchair Housing Standards, and up to 10% of plots that meet the Lifetime Homes Standard shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To ensure provision of Wheelchair and Lifetime Homes and in accordance with CSUCP policy CS11(2) and saved UDP policies H9 and H10.

45

The details approved under condition 44 shall be wholly implemented in accordance with the approved details prior to occupation of the relevant dwellings and retained for the life of the development unless otherwise approved in writing by the Local Planning Authority

Reason

To ensure provision of Wheelchair and Lifetime Homes and in accordance with CSUCP policy CS11(2) and saved UDP policies H9 and H10.

46

Prior to each phase of the development being occupied final details of the design of the play areas and play equipment and a timetable for its installation for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the amenity, health and wellbeing of occupiers of the development and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC2 of the Unitary Development Plan.

47

The play areas and the respective play equipment approved under condition 46 shall be installed wholly in accordance with the approved details and timetable.

Reason

In the interests of the amenity, health and wellbeing of occupiers of the development and in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC2 of the Unitary Development Plan.

48

Prior to first occupation of each phase of the development hereby permitted, a lighting strategy designed to accommodate the ecology and biodiversity of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- o identify those areas/features on site that are particularly sensitive for biodiversity, including bats; and
- o show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly be demonstrated that areas to be lit will not prevent bats and other wildlife using their territory or having access to their resting places.

Reason

To avoid harm to bats and ensure the maintenance of the 'local' bat population at or above its current level in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

49

The details approved under condition 48 shall be implemented prior to first occupation of the relevant phase wholly in accordance with the approved details and retained for the life of the development thereafter. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To avoid harm to bats and ensure the maintenance of the 'local' bat population at or above its current level in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

50

Prior to the construction of any dwellings above damp course level a final Travel Plan shall be submitted and agreed. The Travel Plan shall include but not be limited to:

- o Welcome packs
- o Appointment of travel plan co-ordination with agreed annual budget for running initiatives and promotion of sustainable travel.
- o Details of electric vehicle charging facilities to be provided at every property
- o Details of cycle parking facilities to be provided at every property in line with Gateshead Council adopted cycling strategy.
- o Pre-loaded Pop card for each property to encourage public transport use
- o Cycle vouchers to assist with the purchase of adult bike, together.
- o Car sharing initiatives
- o Monitoring and review regime.

Reason

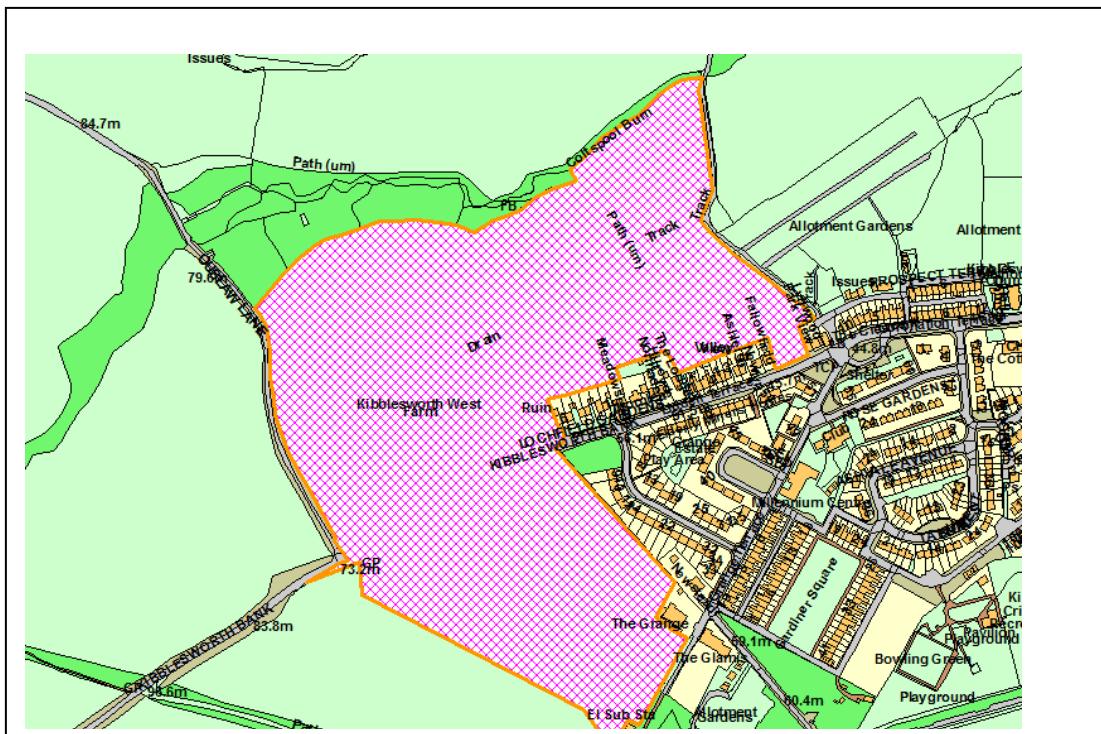
In order to accord with the NPPF and policy CS13 of the CSUCP.

51

The Travel Plan approved under condition 50 shall be wholly implemented in accordance with the approved details for the life of the development

Reason

To ensure sustainable travel and in accordance with CSUCP CS13 and the NPPF.



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