

Date of Committee: 12 December 2018

Application Number and Address:

DC/16/01207/OUT
West Farm
Kibblesworth Bank
Kibblesworth
NE11 0JB

Applicant:

Taylor Wimpey Homes North East

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 and additional information received 30/11/18)

Declarations of Interest:

Name	Nature of Interest
Councillor Michael Hood declared an interest as he was a member of Lamesley Parish Council. And removed himself from the meeting for this item.	Prejudicial and non-pecuniary

List of speakers and details of any additional information submitted:

Jackie Callaghan spoke against the application

Julie McAlpine spoke against the application

David Abercrombie spoke in favour of the application

Reason for Minor Update:

Further representations made

32 name petition has been received objecting to the proposal on the grounds of:

- Additional noise
- Disturbance
- Loss of natural light
- Out of character with street scene
- Overdevelopment
- Concern over health issues
- Increase in traffic
- Out of character with conservation area
- Overbearing
- Traffic or highways

51 further representations have been received. The concerns raised additional to those reported in the main report in the main report are:

- Road too narrow for buses

- Open cast had to use alternative road to Kibblesworth Bank
- Limit HGVs to off peak times
- Mud on the road from construction vehicles
- Pest control on farm buildings needed before demolition starts
- Concerns about Asbestosis from demolition of farm buildings
- Water discolouration
- The existing 20MPH traffic calming does little to slow traffic
- Following demolition of old coop building must not be used as access to site
- Should be a relief road to development
- Where will construction workers park? Want assurance they will not park on main road
- How will church cope with a funeral when HGVs going past – the road is not wide enough
- The test drilling missed the main opencast site above Grange Estate
- Impact on National Wildlife corridor
- No financial benefits to Millennium Centre or school
- Signalisation will hold traffic out of peak hours – part time signals may be more suitable
- Cumulative impact of developments in Whickham and Stanley
- Property values will decrease
- Will probably end up being rented
- 225 dwellings will damage appeal of village
- Prices too high for villagers who want to upgrade from 2 to 4 beds
- Financial gain for developer, farmer and Council

Since the agenda and update report were produced a further 3 objections have been received, 110 signature petition, 125 letters of objection and 5 letters of support.

Any additional comments on application/decision:

To GRANT permission and subject to the following condition(s) and A SECTION 106 AGREEMENT and with discharge of condition 8 to be a matter to be determined by the Committee

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

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.

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.)

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 1M/KIB/01-02

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

- habitats/ecological features to be retained on site
- protected and priority species including bats, breeding birds, hedgehog, badger and common lizard, and:
- 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 and operations phases of the development; and to ensure, where possible, local populations are maintained at or above their current levels.

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

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 Revised E" dated July 2018.

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.

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.

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.

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.

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.

13. Prior to the 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.

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.

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.

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.

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.

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.

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.

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 demonstrated 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 Coltspool 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

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.

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.

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.

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 maintenance regimes, confirmation and contact details of the organisation(s) responsible for maintenance, which shall be issued to each dwelling on first occupation.

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.

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.

27. The relevant phase of the development hereby permitted shall not be first occupied until the final report if 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.

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 20 mph scheme west up Kibblesworth Bank, encompassing the new site access
- Timetable for delivery

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.

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

31. Each phase of the development hereby permitted (except for the erection of tree protection measures, site security hoarding 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.

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.

33. Prior to the 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:

- Hags Lane/Lamesley Road Roundabout – replacement of roundabout with signalised 4-way junction incorporating pedestrian and cycle facilities
- Hags Lane/Greenford Lane priority junction – introduction of signals which will be linked to the Hags Lane/Lamesley Road signals improving the flow of traffic and reducing journey times.
- Coalhouse Roundabout – signalisation of the A1 southbound slip road 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

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

35. Prior to construction above the damp proof course details shall be submitted to 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.

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.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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:

- identify those areas/features on site that are particularly sensitive for biodiversity, including bats; and
- 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

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 thereafter. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

50. Prior to the construction of any dwellings above damp proof course level a final Travel Plan shall be

submitted and agreed. The Travel Plan shall include but not be limited to:

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

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

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/00578/COU
Former Police Station
Sunderland Road
Gateshead
NE10 9NJ

Applicant:

Mr & Mrs Marken

Proposal:

Change of use from police station (sui generis) to aparthotel (use class C1) (as amended 10/10/2018)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Any additional comments on application/decision:

The permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary:

1) Prior to the first use of the aparthotel hereby approved, the accesses shall be widened, alterations to the boundary wall, installation of 600mm high railings and installation of 'In' and 'No Entry' traffic signs shall be fully implemented in accordance with drawing no C-05 Rev C dated 12.11.2018.

2) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

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

C-01 dated June 2018
C-05 Rev C dated 12.11.2018
C-06 Rev B dated 10.10.2018
C-07 Rev B dated 10.10.2018

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

4) All external materials, window frames and window surrounds shall match those of the existing building.

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/00859/FUL
Land east of Collingdon Road
High Spen

Applicant:

Avant Homes

Proposal:

Residential development of 185 detached, semi-detached and terraced dwellings, including affordable homes, along with associated access, services, infrastructure and landscaping (as amended)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Update on crossing option and condition

Crossing Options

Further to main agenda report, officers from the Council's highway team have been looking into the options to deliver a safe pedestrian route from site to the south and in particular to High Spen Primary School, A number of options have been considered and officers are satisfied that a suitable scheme can be delivered. The monies required to deliver the required improvements can be secured by s.106 legal agreement.

Additional Conditions

Final details of the footpath/cycle route to the south west corner of the site and the associated crossing are required; this can be secured through condition. To ensure that the development is designed to 20mph design speeds an additional condition is recommended. This could involve adding additional build outs or vertical features at strategic points in the development.

It is recommended that the following conditions be added to the recommendation

- Details of footpath/cycle way to south west corner and associated crossing to be approved
- Southwest footpath/cycle way to be delivered as approved
- Final details and location of features to control traffic speeds to be approved
- Speed control features to be delivered as approved

Decision(s) and any conditions attached:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- Provision and retention of affordable housing
- Financial contribution to offsite ecology mitigation
- Local workforce Commitments

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

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

4) And that the shall cover the following matters:

- 1) In accordance with plans
- 2) Time limit to implement
- 3) Phasing to be agreed
- 4) Implement phasing plan
- 5) Drainage details to be approved
- 6) Implement drainage details
- 7) Drainage construction method statement to be agreed
- 8) Implement construction method statement
- 9) Drainage management plan to be approved
- 10) Implement drainage management plan
- 11) Details of drainage discharge inc. condition survey and necessary improvements, connections and managements arrangements
- 12) Implement drainage discharge arrangements
- 13) Details of crossing at Glossop Street
- 14) Provision of Glossop Street crossing
- 15) Details of Collingdon Road crossing
- 16) Provision of Collingdon Road crossing
- 17) Coal mining remediation works to be agreed
- 18) Implement coal mining remediation works
- 19) Gas monitoring/mitigation measures
- 20) Implement gas mitigation measures
- 21) Previously unidentified contamination
- 22) Hours of construction and construction management plan
- 23) Construction hours and construction management plan to be implemented
- 24) Noise mitigation measures to be approved
- 25) Implement noise mitigation measures
- 26) Details of play provision to be approved
- 27) Implement play provision
- 28) Biodiversity method statement to be agreed
- 29) Implement biodiversity method statement
- 30) Ecology enhancement plan to be approved
- 31) Implement ecology enhancement plan
- 32) Biodiversity monitoring strategy
- 33) Implement biodiversity monitoring strategy
- 34) Lighting design strategy
- 35) Implement lighting design strategy
- 36) Landscape and ecological design strategy
- 37) Implement landscape and ecological design strategy
- 38) Landscape and ecological management plan
- 39) Implement landscape and ecological management planm
- 40) Tree protection measures to be approved
- 41) Implement tree protection measures
- 42) Site levels/retaining walls to be approved
- 43) Implement site levels
- 44) Boundary treatment details to be approved

- 45) Implement boundary treatments
- 46) Final details of access
- 47) Implement details of access
- 48) Cycle parking as per layout plan
- 49) Vehicle charging points to be approved
- 50) Vehicle charging to be implemented
- 51) Travel plan to be submitted
- 52) Travel plan measures to be implemented

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/01070/COU
4-5 Main Road
Ryton
NE40 3NA

Applicant:

Mr Douglas Musgrove

Proposal:

Change of use from Bookmakers to Micropub

Declarations of Interest:

Name

Nature of Interest

Councillor Bob Goldsworthy intended to refrain from participation in application DC/18/01070/COU 4-5 Main Road, Ryton NE40 3NA on the basis of a possible appearance of pre-determination and removed himself from the meeting

Personal and non-pecuniary

Councillor Michael Hood took the chair.

Councillor Alex Geddes intended to refrain from participation in application DC/18/01070/COU 4-5 Main Road, Ryton NE40 3NA on the basis of a possible appearance of pre-determination and removed himself from the meeting

Personal and non-pecuniary

List of speakers and details of any additional information submitted:

Reason for Minor Update

Further representations made:

An objection has been made from Councillor Buckley, raising the following concerns:

Recommended Condition 4 restricting hours of deliveries and bin emptying until 21:00 would still allow for noise and disturbance at neighbouring dwellings, and it is suggested that this condition be amended to restrict deliveries and bin emptying to before 19:00;

Recommended Condition 5 (restricting amplified sound equipment associated with the use in the absence

of an LPA approved noise assessment) does not require the applicant to fit sound-proofing or double glazing;

The potential for noise caused by future patrons smoking at the rear of the premises.

It is considered that the recommended conditions are reasonable and proportionate, and that the measures suggested in the representation would not be necessary to make the proposal acceptable.

Additionally, the potential for members of the public to congregate in other locations is outside of planning control.

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

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

Location received 12.12.2018

Ground floor plan received 12.10.18

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

- 2) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

- 3) The use hereby approved shall only be open to the public between 11.00 – 23.00 Monday to Saturday and 12.00 to 23.00 Sundays and Bank Holidays.

- 4) Deliveries to the site and external emptying of any bins associated with the use hereby approved shall be restricted to between 08.00 and 21.00 on any day.

- 5) No amplified sound system or similar equipment associated with the use hereby approved shall be used on site until details of a noise assessment (including mitigation measures and timescales where necessary) have been submitted to and approved in writing by the Local Planning Authority.

- 6) The details approved under condition 5 shall be implemented and maintained in accordance with the details and timescales approved and retained as such for the lifetime of the development.

- 7) Ventilation/extraction and cooking equipment at the premises associated with the use hereby approved shall not be installed until final details of such equipment (including specific details on the filters/odour mitigation, noise details for the fan and measures for maintenance) have been submitted to and approved in writing by the Local Planning Authority.

- 8) The details approved under condition 7 shall be implemented and maintained in accordance with the details approved and retained as such for the lifetime of the development.

Date of Committee: 12 December 2018

Application Number and Address:

DC/16/00698
Former Wardley Colliery
Wardley Lane
Felling
Gateshead
NE10 8AA

Applicant:

Persimmon Homes

Proposal:

Outline application for no more than 144 new residential dwellings (C3 use) with associated new highways access, landscaping, infrastructure and all site remediation works. All matters reserved (additional information and amended 07/02/18, additional information 29/05/18 and amended 10/09/18)

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Councillor Stuart Green spoke in favour of the application.

Mr Peter Jordan spoke in favour of the application.

Reason for Minor Update

Verbal update by officer. Including a summary of a response from landowner on the history of the site and the need for an operator's license.

Further representations made:

6 further letters of objection to the application have been received from and raise the following new issues:

- The leaflet drop has only been selectively distributed, rather than mass coverage across the area
- The current owner of the land has not attempted whatsoever to improve and regenerate this for the good of the immediate community – they have left the land deteriorate and contributed no investment whatsoever.
- With any profit made from this proposal how does the landowner plan to give back to the community they want to align with?
- What do they mean by 'enhance the area'?
- What do they mean help the 'local housing crisis'?

36 further letters of support to the application have been received.

Decision(s) and any conditions attached:

The Committee were minded to GRANT the application, against the officer recommendation, on the basis that the scheme did not amount to inappropriate development in the Green Belt, falling under exception (g) to Paragraph 145 of the national Planning Policy Framework, concluding that the scheme would not have a greater impact on the openness of the Green Belt than the existing development.

The decision was subject to a delegation to officers to develop and recommend appropriate planning conditions for later consideration by the Committee.

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/01048/FUL
Former Bleach Green Site
(Maple, Sycamore, Hazel, Birch, Elm and Larch
Roads)
Blaydon

Applicant:

Keepmoat Homes

Proposal:

Proposed demolition of four dwellinghouses, erection of 183 dwellinghouses and associated works

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Mr Eliot Pallister spoke against the application.

Mr Ian Prescott spoke in favour of the application.

Reason for Minor Update

Further representations made:

Conditions added/deleted/amended

Further to main agenda report, additional information has been provided by the applicant in relation to drainage and as such updates can be offered in regard to drainage, ecology, trees and heritage assets. In addition, an updated response has been offered by the Coal Authority and as such an update can be offered regarding Land Stability.

An individual update is offered on each item below:

FLOOD RISK/DRAINAGE

Further to paragraphs 5.43 – 5.44 of the main report, the applicant has provided further information on the proposed drainage solution. It is proposed that all water will be retained on the main site (outwith Blaydon Cemetery) with the discharge rate being controlled through the use of oversized pipes. Water will then be discharged to the Northumbrian Water system. This approach is considered to be acceptable by both officers and Northumbrian Water.

Further to the recommendation set out within Section 7 of the main agenda further conditions are

suggested pertaining to:

- The final technical details of the drainage system;
- A construction plan for the drainage system and;
- A drainage system management plan.

ECOLOGY

Further to paragraphs 5.39 – 5.42 of the main report, officers consider that given the proposal no longer requires incursion into Blaydon Cemetery the ecological impact of the development would be low. It is considered any impacts could be avoided through the use of the appropriate conditions.

Further, to the recommendations set out within Section 7 of the main agenda further conditions are suggested pertaining to:

- The completion of the development in accordance with the submitted Avoidance and Mitigation Strategy and;
- The provision of final details of the means of maintenance access into Shibdon Dene

TREES

Further to paragraphs 5.36 – 5.38 of the main report, Officers consider that given the proposal no longer requires incursion into Blaydon Cemetery the impact of the development on trees would be low.

Further to the recommendation set out within Section 7 of the main agenda further conditions are suggested pertaining to:

- The completion of the development in accordance with the submitted tree protection plan.

HERITAGE ASSETS

Further to paragraphs 5.22 – 5.24 of the main report, officers consider that given the proposal no longer requires incursion into Blaydon Cemetery the impact of the development on Heritage Assets (including Blaydon Cemetery) would be low. No further conditions are considered necessary.

Consultee Comments

Further to the above, additional consultee comments have been received in regard to highways, contaminated land and land stability, an updated is offered below:

HIGHWAYS

Following further consideration and further to paragraphs 5.30 - 5.35 of the main report, officers consider additional conditions are required in regard to highways.

Further, to the recommendation set out within Section 7 of the main agenda further conditions are suggested pertaining to :

- The provision of additional and replacement bus shelters;
- The provision of appropriate cycle parking;
- Investigation into potential for providing electric vehicle charging facilities and;
- The provision of a 'travel plan' welcome pack for new occupiers.

CONTAMINATED LAND

Following consideration of the additional (drainage) information and further to paragraphs 5.45 – 5.47 of the main report, it is considered appropriate to remove all planning conditions pertaining to development within Blaydon Cemetery (given the lack of incursion into this area). Further it is considered necessary to add a single condition requiring the submission of an updated Contaminated Land Remediation Strategy.

LAND STABILITY

Further to Section 2 and paragraph 5.48 of the main report, the Coal Authority have withdrawn their holding objection to the proposal.

Further to the recommendation set out within Section 7 of the main agenda further conditions are suggested pertaining to:

- The completion of the development in accordance with the submitted coal mining risk assessment.

CONCLUSION

It is considered that the development would bring about a number of benefits such as the provision of additional family housing in Gateshead and the housing growth required in the Local Plan. The development would also have economic benefits from construction jobs and the bringing back into use a site that is largely vacant.

Officers are of the view that the Applicant has satisfactorily addressed the issues which remained unresolved within the main report. As such, officers consider the proposal to be acceptable and recommend approval subject to (additional/amended) conditions set out above and per the recommendation at Section 7 of the main report.

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

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

LP-01-Location Plan
SS-01-Proposed Streetscene B-B, C-C and D-D
SL-01R-Proposed Site Layout
EF-01J-External Finishes
P17019-Topographical Survey
QD1241-04-04-External Levels Sheet 1
QD1241-04-05-External Levels Sheet 2
QD1241-04-06-External Levels Sheet 3
QD1241-04-01-External Works Sheet 1
QD1241-04-02-External Works Sheet 2
QD1241-04-03-External Works Sheet 3
QD1241-03-01-Engibeering Layout
KEE041.3384-Stopping Up Plan 1
KEE041.3384-Stopping Up Plan 2
QD1241-04-06-Longsections
Housetype Booklet – September 2018

Any material change to the approved plans will require a formal planning application to vary this condition

and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

3) The development hereby permitted shall be constructed entirely of the materials detailed and shown on plan number EF-01J-External Finishes.

4) All hard shall be undertaken in accordance with the details on approved plan EF-01J-External Finishes and in accordance with a schedule of implementation which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwellinghouse hereby approved.

5) Notwithstanding the submitted plans, no unit hereby approved shall be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a fully detailed landscaping scheme (ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting), proposed timings for implementation and a scheme and maintenance of the landscaping (for a period of 5 years following planting).

6) The landscaping details approved under condition 5 shall be implemented in accordance with the timings approved under condition 5.

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

8) The boundary treatment associated with each respective property hereby approved shall be installed, in accordance with approved plan number EF-01J-External Finishes, prior to the occupation of each respective property.

9) The noise mitigation measures (for each respective property hereby approved) set out within the submitted Noise Assessment (Assessment of Noise Levels and Noise Amelioration Measures, KH/BG/001) shall be implemented in full prior to the occupation of each respective property hereby approved.

10) All construction works shall be carried out in full accordance with the submitted Construction Management Plan.

11) Phase 1 (outwith Blaydon Cemetery) of the development shall take place in full accordance with the submitted Remediation Strategy (P16-081/RS) and shall be maintained for the life of the development.

12) Following completion of the remediation measures for Phase 1 (outwith Blaydon Cemetery) approved within the submitted Remediation Strategy (P16-081/RS) a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of development.

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

The site investigation will consist of a series of boreholes/trial pits, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11-Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated Sites – Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment. Ground gas monitoring should be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with recommendations for ground gas mitigation measures.

14) Prior to the commencement of development pertaining to Phase II (within Blaydon Cemetery) of the development (other than demolition), where required, a detailed remediation scheme to remove unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

15) The remediation measures shall be carried out in full accordance with the details approved under condition 14 and shall be maintained for the life of the development.

16) Following completion of the remediation measures approved under condition 14 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of development.

17) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation 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 scheme shall be submitted to and approved in writing by the Local Planning Authority.

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/00745
Land at Hepburn Gardens
Cross Row
Gateshead

Applicant:

Tyneside Investments Ltd

Proposal:

Proposed erection of 30, two and three bed two-storey houses (amended 07/11/18)

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

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

CPT-240A PL-02 Rev F – Site Location Plan
CPT-240A PL-02 Rev F – Proposed Site Plan
CPT-240A PL-03 Rev D – Site Plan – Colour
CPT-240A PL-05 Rev B – Proposed Materials Plan
CPT-240A PL-06 Rev B – Proposed Materials Plan
CPT-240A PL-07 – Proposed Surface Materials Plan
CPT-240A PL-10 Rev A – Plans and Elevations
CPT-240A PL-11 Rev A – Plans and Elevations
CPT-240A PL-12 Rev A – Plans and Elevations
CPT-240A PL-13 Rev A – Plans and Elevations
CPT-240A HT-3B5P-01 Rev B – Plans and Elevations
CPT-240A HT-2B4P-01 Rev A – Plans and Elevations

CPT-240A HT-3B6P-02- Plans and Elevations
CPT-240A HT-3B5P-02 Rev A – Plans and Elevations
810.01 A – Planning Information

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

- 2) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
- 3) No individual external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.
- 4) The development shall be completed using the materials approved under condition 3 and retained as such in accordance with the approved details thereafter.
- 5) All hard landscaping shall be undertaken in accordance with details on approved plan CPT-240 PL-07-Proposed Surface Materials Plan and in accordance with a schedule of implementation which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwellinghouse hereby permitted
- 6) Notwithstanding the submitted plans, no unit hereby approved shall be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a fully detailed landscaping scheme (ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting), proposed timings for implementation and a scheme and maintenance of the landscaping (for a period of 5 years following planting).
- 7) The landscaping details approved under Condition 6 shall be implemented in accordance with the timings approved under condition 6.
- 8) The approved landscaping scheme shall be maintained in accordance with the details approved under condition 6.
- 9) The noise mitigation measures (for each respective property hereby approved) set out within the submitted Noise Assessment (Acoustic Design Statement 18-51-621) shall be implemented in full prior to the occupation of each respective property hereby approved and shall be retained as approved for the lifetime of the development.
- 10) Prior to the commencement of the development hereby approved, a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.
- 11) The construction control plan approved under condition 10 shall be implemented and complied with in full during all stages of construction until completion.
- 12) A pedestrian footpath shall be created between the site and the existing footpath network (to the rear of 31 Pensher Street East) within a timescale to be approved by the LPA prior to the occupation of any dwellinghouse hereby permitted.
- 13) The highway works at the junction with (Back) Pensher Street East (identified on approved plan CPT-240 PL-01 Rev D 0 Site Plan – Colour) shall be completed in full within a timescale to be approved by the LPA prior to the occupation of any dwellinghouse hereby permitted.

14) The cycle parking facilities associated with each individual property (shown on approved plan CPT-240 PL-01Rev D 0 Site Plan – Colour) shall be implemented in full accordance with the submitted details prior to first occupation of each respective unit hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.

15) No development shall take place on site until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Biodiversity Method Statement shall include details of measures required to:

- avoid adverse impacts on retained ecological habitats and features within and immediately outwith the proposed development site (incl. partially vegetated retaining wall adjacent the southern boundary) during the site clearance, construction and operational phases of the development, and;
- minimise the residual risk of harm to individual species during the site clearance, construction and operational phases of the development.

16) The Biodiversity Method Statement approved under condition 15 shall be implemented in full.

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

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

19) No work in relation to any proposed drainage features shall take place until a drainage construction management plan has been submitted to and approved in writing by the LPA.

20) The drainage scheme shall be constructed in full accordance with the construction management plan approved under condition 19.

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

22) The drainage scheme shall be managed in full accordance with the management plan approved under condition 21 for the lifetime of the development.

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

The site investigation and Phase II Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11- Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated Sites – Code of Practice.

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

24) Following completion of the site investigation and Phase II Risk assessment site investigation works (condition 23), and following approval by the Council, if the findings of the Phase II investigation require remediation works to be undertaken then a 'Remediation Strategy' statement document is required to be produced and submitted to the Council for approval. The 'Remediation Strategy' (including timescales) must detail objectives, methodology and procedures of the proposed remediation works. This must be

submitted to the Council, for approval before any remediation works commence.

25) The remediation works detailed in the 'Remediation Strategy' submitted and approved by the Council in respect of Condition 24, shall be wholly undertaken within the timescales set out within the approved strategy.

26) Upon completion of the remediation works detailed in the approved Remediation statement and prior to the occupation of any dwellinghouse hereby permitted, under condition 24, a detailed Remediation Verification Report shall be submitted to the Local Planning Authority for approval. The report should provide verification that the required works regarding contamination have been carried out in full accordance with the approved Remediation Strategy Statement, and should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test result to demonstrate that the required remediation has been fully met.

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

28) Any works deemed to necessary following testing (as part of condition 27) shall be carried out in full within the timescale approved as part of Condition 28.

29) The boundary treatment associated with each respective property hereby approved shall be installed, in accordance with approved plans CPT-240 PL-05-Boundary Treatments Rev B and CPT-240 PL-05-Proposed Boundary Types, prior to the occupation of each respective property

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/00746
Land at Hepburn Gardens
Felling
Gateshead

Applicant:

Tyneside Investments Ltd

Proposal:

Proposed erection of 6, two and three bed two-storey houses (amended 07/11/18)

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

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

CPT-240A PL-01 – Site Location Plan
CPT-240A PL-02 Rev F – Proposed Site Plan
CPT-240A PL-03 Rev A – Site Plan – Colour
CPT-240A PL-04 Rev A – Proposed Materials Plan
CPT-240A PL-05 Rev B – Proposed Boundary Types
CPT-240A PL-06 Rev B – Proposed Materials Plan
CPT-240A PL-07– Proposed Surface Materials Plan
CPT-240A PL-10 Rev A – Plans and Elevations
CPT-240A HT-2B4P-01 Rev A – Plans and Elevations
CPT-240A HT-3B5P-01 Rev B – Plans and Elevations
CPT-240A HT-3B5P-01 Rev B – Plans and Elevations
810.01 A – Planning Information

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2) The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

3) No individual external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.

4) The development shall be completed using the materials approved under condition 3 and retained as such in accordance with the approved details thereafter.

5) All hard landscaping shall be undertaken in accordance with details on approved plan CPT-240 PL-07-Proposed Surface Materials Plan and in accordance with a schedule of implementation which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwellinghouse hereby permitted

6) The boundary treatment associated with each respective property hereby approved shall be installed, in accordance with approved plans CPT-240 PL-05-Boundary Treatments Rev B and CPT-240 PL-05-Proposed Boundary Treatments Rev B and CPT-240 PL-05-Proposed Boundary Types, prior to the occupation of each respective property.

7) The noise mitigation measures (for each respective property hereby approved) set out within the submitted Noise Assessment (Acoustic Design Statement 18-51-621) shall be implemented in full prior to the occupation of each respective property hereby approved and shall be retained as approved for the lifetime of the development.

8) Prior to the commencement of the development hereby approved, a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

9) The construction control plan approved under condition 8 shall be implemented and complied with in full during all stages of construction until completion.

10) The cycle parking facilities associated with each individual property (shown on approved plan CPT-240 PL-01Rev D 0 Site Plan – Colour) shall implemented in full accordance with the submitted details prior to first occupation of each respective unit hereby permitted. Thereafter, the cycle parking shall be retained as approved for the lifetime of the development.

11) No development shall take place on site until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Biodiversity Method Statement shall include details of measures required to:

- avoid adverse impacts on retained ecological habitats and features within and immediately outwith the proposed development site (incl. partially vegetated retaining wall adjacent the southern boundary) during the site clearance, construction and operational phases of the development, and;
- minimise the residual risk of harm to individual species during the site clearance, construction and operational phases of the development.

12) The Biodiversity Method Statement approved under condition 11 shall be implemented in full.

13) No work in relation to any proposed drainage features shall take place until the final details of the drainage scheme has been submitted and approved in writing by the LPA. The scheme shall include detailed drainage drawings, electronic model, adoption arrangements, timetable for implementation and

health and safety assessment in accordance with the Council's SuDS Guidelines.

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

15) No work in relation to any proposed drainage features shall take place until a drainage construction management plan has been submitted to and approved in writing by the LPA.

16) The drainage scheme shall be constructed in full accordance with the construction management plan approved under condition 15.

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

18) The drainage scheme shall be managed in full accordance with the management plan approved under condition 17 for the lifetime of the development.

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

The site investigation and Phase II Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11- Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated Sites – Code of Practice.

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

20) Following completion of the site investigation and Phase II Risk assessment site investigation works (condition 20), and following approval by the Council, if the findings of the Phase II investigation require remediation works to be undertaken then a 'Remediation Strategy' statement document is required to be produced and submitted to the Council for approval. The 'Remediation Strategy' (including timescales) must detail objectives, methodology and procedures of the proposed remediation works. This must be submitted to the Council, for approval before any remediation works commence.

21) The remediation works detailed in the 'Remediation Strategy' submitted and approved by the Council in respect of Condition 20, shall be wholly undertaken within the timescales set out within the approved strategy.

22) Upon completion of the remediation works detailed in the approved Remediation statement and prior to the occupation of any dwellinghouse hereby permitted, under condition 20, a detailed Remediation Verification Report shall be submitted to the Local Planning Authority for approval. The report should provide verification that the required works regarding contamination have been carried out in full accordance with the approved Remediation Strategy Statement, and should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test result to demonstrate that the required remediation has been fully met.

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

necessary.

24) Any works deemed to necessary following testing (as part of condition 27) shall be carried out in full within the timescale approved as part of Condition 23.

Date of Committee: 12 December 2018

Application Number and Address:

DC/18/01061/OUT
Grove House
Glossop Street
High Spen
Rowlands Gill
NE39 2EE

Applicant:

Mr Gary Ashurst

Proposal:

Demolition of existing buildings and erection of 6no. dwellings, associated site work and new highways access (revised).

Declarations of Interest:

Name

Nature of Interest

List of speakers and details of any additional information submitted:

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

- 1) Unless otherwise required by condition, the development hereby permitted in outline shall not be carried out other than in complete accordance with the plan(s) accompanying as listed below:

Proposed site plan 3031/C-01 rev C

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

- (1) appearance
 - (2) landscaping
 - (3) scale
- 2) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

- 3) The five dwellings in the terrace at the eastern part of the site shall be limited to a maximum of two storeys of accommodation and the bungalow at the north western part of the site shall be limited to a maximum of one storey of accommodation.
- 4) Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays' Bank Holidays or Public Holidays.
- 5) Following demolition, no further development hereby approved shall commence until details of final levels on site have been submitted to and approved in writing by the Local Planning Authority.

The new access road and car parking area hereby approved shall not be steeper than 1 in 12.5.

- 6) The dwellings hereby approved shall not be occupied until final details of works to the highway, to reinstate the footway to the east and to create the new access and provide adequate visibility to the south, have been submitted to and approved in writing by the Local Planning Authority.
- 7) The details approved under condition 6 shall be implemented in full accordance with the approved scheme before any of the dwellings hereby approved are occupied.
- 8) Following demolition, no further development hereby approved shall commence until a report of intrusive site investigations in relation to coal mining legacy, and where required, measures and timescales for remediation, monitoring, and verification reports have been submitted to the Local Planning Authority.
- 9) The remediation and monitoring measures approved under condition 8 shall be implemented in full accordance with the approved timescales and the approved details.
- 10) Following demolition, no further demolition hereby approved shall commence until a report of findings arising from further intrusive site investigations (to a depth of at least 1.15m) and a Phase II Detailed Risk Assessment (to assess potential contamination at the site) have been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.
- 11) Where required, the remediation and monitoring measures approved under Condition 10 shall be implemented in accordance with the timescales approved and in full accordance with the approved details.
- 12) Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the exposed material shall be chemically tested..

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

- 13) The amended remediation and monitoring measures approved under condition 12 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.
- 14) Where remediation is required (under conditions 8-13), following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority

- 15) Notwithstanding the information submitted, the dwellings hereby approved shall not be occupied until final details, including the number, specification (i.e. type) and precise location of integral potential bat roost features to be provided within the fabric of the new building(s) have been submitted to and approved in writing by the Local Planning Authority.
- 16) The details approved under condition 15 shall be implemented in full accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.
- 17) Following demolition, no further development hereby approved shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority.
- 18) The details approved under condition 17 shall be implemented before any of the dwellings hereby approved are occupied and retained in accordance with the approved details for the lifetime of the development.