

Committee Report

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| Application No: | DC/16/00320/FUL |
| Applicant | Bellway Homes Ltd (North East) |
| Date Application Valid | 15 April 2016 |
| Site: | Land to the South of Cushy Cow Lane Ryton Tyne & Wear |
| Ward: | Ryton Crookhill And Stella |
| Proposal: | Proposed erection of 283 dwellings including associated access, infrastructure and open space including diversion of public rights of way (amended 22/12/17 and 17/10/18 and additional information and amended plans received 24/01/19). |
| Recommendation: | GRANT PERMISSION AT THE END OF THE PUBLICITY PERIOD AFTER CONSULTATION WITH THE CHAIR AND/OR VICE-CHAIR WITH A VIEW TO GRANT PERMISSION SUBJECT TO A SECTION 106 AGREEMENT AND CONDITIONS |
| Application Type | Full Application |

1.0 The Application:**1.1 BACKGROUND**

Ryton has been identified by Gateshead Council as a Village Growth Area and Land at South Ryton has been allocated (policies CS4 and GV6 of the CSUCP) for the development of up to 550 new homes.

1.2 Land within the allocation was promoted through the Core Strategy as sites 285 (Bellway) and 287 (a) and (b) (Taylor Wimpey) (the allocations also include some third-party land).

1.3 Bellway Homes and Taylor Wimpey have each submitted separate detailed planning applications for East and West Ryton (Bellway Ref: DC/16/00320/FUL) (Taylor Wimpey Ref: DC/17/01376/FUL), however, each application has been considered and developed in conjunction with the other.

1.4 Both of the above applications are on the agenda for consideration by the Planning and Development Committee.

1.5 DESCRIPTION OF SITE

Ryton is located within the west of the borough of Gateshead, approximately 12km from both Gateshead centre and Newcastle city centre.

1.6 The application site lies to the south of Ryton village, extends across approximately 16.7 hectares and is currently used for agricultural purposes. The site has a prominent position over Ryton owing to its high level with long range views over the village centre and surrounding fields.

- 1.7 The application site is currently divided into four connected crop fields, intersecting with mature and recently planted hedgerows with two of these hedgerows marking public rights of way. A number of public rights of way cross the site on a north-south axis, linking Ryton to open land to the south.
- 1.8 The site is directly surrounded by existing residential development to the north, and e A695 to the south. Open rural space continues to the south of the A695. The remainder of the Village Growth Area is located to the west (287a) and south east (287b) respectively. The topography of the site slopes down to the north-west and north-west from the southern edge.
- 1.9 The site was formerly located within the Green Belt but is now forms part of a housing allocation under the CSUCP for up to 550 homes.
- 1.10 DESCRIPTION OF APPLICATION
The planning application seeks planning permission for the residential development of 283 dwellings including associated access, infrastructure and landscaping on land to the south of Cushy Cow Lane, Ryton.
- 1.11 The application proposes that the primary access be taken from Cushy Cow Lane with a secondary access point to be provided by a link road connecting to the wider Village Growth Area (287a). An emergency and pedestrian/cycle access would also be provided via Mullen Drive.
- 1.12 The dwellings would have two storeys. The development proposes that 208 of the dwellings would be detached and 75 semi-detached; 162 dwellings would have four bedrooms, 94 would have three bedrooms and 27 would have two bedrooms.
- 1.13 In terms of pedestrian access, as well as the main vehicular access to the site on Cushy Cow Lane, there would be a further eight pedestrian access points into the site (not including those linking to the wider Village Growth Area).
- 1.14 The main areas of open space would be located in the southern, central and north eastern areas of the site, with smaller areas of open space distributed around the site. The main SuDS areas would be located to the north west and east of the application site.
- 1.15 The applicant held two public consultation drop-in events prior to the submission of the application and a further event following amendments to the proposal.
- 1.16 The following information has been submitted with the application:
- Affordable Housing Statement
 - Arboricultural Impact Assessment
 - Archaeological Desk Based Assessment
 - Archaeological Geophysical Survey
 - Design and access statement
 - Draft S106 heads of terms

- Flood Risk Assessment
- Foul sewerage, surface water drainage & utilities assessment
- Ground investigation survey, including coal mining risk assessment
- Masterplan and Phasing Document
- Noise impact assessment
- Statement of Community Involvement
- Sustainability Statement
- Transport Assessment
- Interim Travel Plan

1.17 PLANNING HISTORY

There are no historic planning applications of relevance to the current application. However the site forms part of the larger housing allocation which has been promoted through the various rounds of consultation for the Core Strategy and Urban Plan for Gateshead and Newcastle upon Tyne (and has been removed from the Green Belt).

2.0 Consultation Responses:

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| Coal Authority | No objection subject to conditions. |
| Highways England | No objection. |
| Natural England | Natural England's standing advice applies. |
| Northumbria Police | No objection. |
| Northumbrian Water Ltd | No objection. |
| Tyne And Wear Archaeology Officer | No objection. |
| Tyne And Wear Fire and Rescue Service | No objection. |
| Nexus | No objection. |

3.0 Representations:

3.1 An objection has been received from an MP (Liz Twist MP). The issues raised are as follows:

- Failure to submit a masterplan and phasing proposal for the whole of the Ryton Village Growth site;
- The application does not comply with the requirements of policy GV6 - Ryton;
- The application would have an adverse impact on residents in Stargate and on Cushy Cow Lane in regard traffic (both construction and residents), impact on health and education facilities;
- The loss/stopping up of existing well used footpaths.

- The ecological impacts of the site should be mitigated onsite and not offsite as proposed.
- The proposed development does not guarantee the creation of the link road; this would be a major failure.
- The proposed development includes a large area of open space which could be used for future housing and thus exceed the 550 house limit.
- The removal of hedging for access would impact on the character of the area.
- There are significant concerns regarding the traffic within the area, specifically in regard to the A695 and Cushycow Lane.
- There will be a significant loss of amenity for those occupiers living on Stargate Lane given existing heavy traffic; this impact follows years of odour impact from Path Head Landfill and the loss of areas of garden.

3.2 A letter objection has also been received from a Ward Councillor (Councillor Chris Buckley), the letter reiterates the objections raised by Liz Twist MP.

3.3 In addition, 96 letters of objection have been received. The issues raised by members of the public are set out below;

3.4 Policy issues

- The development has not been submitted alongside a masterplan for the whole GV6 allocation.
- It is confirmed by all other landowners that a masterplan has not been agreed by all parties.
- The area does not need more houses.
- There is no commitment to building the through road across the site.
- There is no phasing plan.
- The development represents a departure from policy GV6 of the CSUCP.

3.5 Transport issues

- The development would lead to an impact on already busy roads.
- The development would be inappropriate for cyclists.
- There is insufficient capacity on the A695 for the houses proposed.
- It would appear that the Stargate Lane widening plan would not provide both parking and two-way access.
- There are further junctions where traffic assessments are required.
- The development does not allow for an adequate level of parking within the development.
- The development would result in traffic rat running using Western Way or Hexham Old Road as a result of the through road not being constructed.
- The development would result in an additional 350-700 cars on the highway.
- It is possible that highway works proposed may not take place when required and this should be secured through condition if approved.
- The development does not allow for adequate access/egress into/out of the site.

- 3.6 Green Belt issues
- The area to be developed is Green Belt which is in place to prevent urban sprawl.
- 3.7 Local infrastructure issues
- The services within the area e.g. shops, doctors, dentists and schools cannot accommodate the additional requirements.
 - The proposed development would lead to an impact on BT infrastructure.
 - The development does not adequately deal with footpaths and rights of way across the site.
- 3.8 Flooding and drainage issues
- The proposed SUDs pond could overflow.
 - Who manages the SUDs prior to adoption?
 - The proposal would lead to flooding on Grange Lane.
- 3.9 Residential amenity issues
- The proposed construction traffic would have a significant impact on the amenity of properties on Stargate Lane
 - The additional traffic using Cushy Cow Lane would cause a significant impact on amenity.
- 3.10 Consultation issues
- The notification does not include all rights of way to be diverted/stopped up.
- 3.11 Other issues
- The proposed development demonstrates a poor understanding of public realm and the layout is inappropriate.
 - There are more appropriate sites across Gateshead for the erection of houses.
 - The area has already had 10 years of disruption owing to landfill within the area.
 - The developer should plant trees and greenery around the site while the development is undertaken.
 - The proposal represents an over-development of the site.
 - The development would result in mental health issues for residents.
 - There is no assurance that the developer will carry out the work (if approved).
 - The proposal would set a precedent.
 - The LPA should send members of the public a list of proposed planning conditions.
 - The LPA must assure the public that the development will be enforced, if approved.
 - The development should target first time buyers and not social tenure.
 - The development does not need an equipped play area, a more natural play space would be better.

- The public open space should be constructed early and should not be left to planning condition.
- The development should be reviewed by Design North East.
- A landscape audit must take place following the completion of the development.
- The development would result in a significant amount of mud and debris on the highway; this would need to be dealt with.
- The LPA have not managed landfill companies within the area which has resulted in air pollution.
- The removal of hedging would have an impact on birds.

3.12 1 letter of support has been received to the application. The issues raised are as follows:

- Site is ideally situated for infill development.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS1 Spatial Strategy for Sustainable Growth

CS4 Spatial Strategy - Rural/Village Area

CS5 Employment-Economic Growth Priorities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

GV6 Ryton

DEL1 Infrastructure/Developer Contributions

DC1C Landform, landscape and after-use

T1 Transport req for New Developments

ENV3 The Built Environment - Character/Design

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

ENV49 Sites of Nature Conservation Importance

ENV51 Wildlife Corridors

ENV52 Creation of New Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

H5 Housing Choice

H9 Lifetime Homes

H10 Wheelchair Housing

H12 Housing Density

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR20 Local Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment:

- 5.1 The main planning issues relating to this proposed development are considered to be: the principle of housing on this site; the impact on existing trees and hedges on and around the site; the impact on the landscape; flood risk and drainage; the possible impact on ecology on the site and in the area; whether the proposed design of the development is acceptable; transport issues; the

impact on the living conditions of the future occupiers of the proposed housing and existing residents near the site; the impact on archaeology remains on the site; the possible contamination of the site; children's play facilities; education impacts; site specific policy compliance; financial considerations; and any other issues arising.

5.2 PRINCIPLE OF DEVELOPMENT AND MASTERPLAN

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 land for new housing development in villages including Ryton.

5.3 Policy CS10 sets out a net provision of 8,500 new homes in Gateshead to contribute to the 30,000 total up to 2030.

5.4 The application site forms part of a wider site allocated in the CSUCP, under policies CS4 and GV6 for up to 550 homes. No part of the site is located in the Green Belt.

5.5 Policy GV6 also requires that development takes place in accordance with an approved masterplan and phasing plan. This follows on from policy CS4 which requires the approved masterplan and phasing plan to: demonstrate a comprehensive, phased and coordinated approach to site development, set out how necessary infrastructure, and the strategic infrastructure identified for the site in the Infrastructure Delivery Plan will be delivered on a phased basis; set out build rates and triggers for infrastructure, and demonstrate how each phase of the development is sustainable and deliverable.

5.6 The supporting text to Policy CS4 (paragraph 8.10) is very clear as to what is required in regard to a masterplan and phasing plan, stating;

"... Given the potential impact that the new development will have on the existing villages in terms of their infrastructure, facilities and services it is important that it is masterplanned. Village Growth Area sites, as a defined in Section 5 of the Plan are required to be masterplanned together where they adjoin each other regardless of ownership. Phasing plans will be required which set out the triggers for the provision of necessary infrastructure and legal agreements will need to be put in place to secure delivery. Masterplans will be prepared by the landowner/developer(s) in consultation with each Council and must be approved as part of the planning application process. The masterplanning and the development requirements of these sites are set out in policies in the Sub Areas and Site Specific policies in Section 5 of the Plan."

5.7 The applicant has provided a Masterplan and Phasing Document (the Masterplan). The Masterplan indicates that this application would be constructed over four phases. The first phase is shown as being towards the eastern portion of the application site and includes the proposed site access onto Cushy Cow Lane. Phases two and three are proposed to take place to the central part of the site whilst the fourth part of the site would take place to the

western part of the site (adjacent to the remainder of the Village Growth Area). The Masterplan shows how the site could ultimately be developed with the site-specific infrastructure. Any necessary off-site infrastructure would be delivered through condition(s), S106 and/or the Community Infrastructure Levy (CIL) the proposed timings of which are set out as part of the phasing plan.

- 5.8 The Masterplan covers not only this application site but also the application site of DC/17/01376/FUL. Together these two sites cover the majority of the allocated wider Village Growth Area, site GV6. However, an area of circa 390sqm to the south and an area of circa 280sqm to the west of site GV6 are omitted from the Masterplan and the two planning applications. These two relatively small areas equate to approximately 4% of the total area of site GV6.
- 5.9 In considering the current application, the submitted Masterplan can only be 'binding' and therefore afforded weight insofar as it relates to the application site i.e. the current application cannot secure works on the wider Village Growth Area (the remainder of which is subject to a separate planning application (DC/17/01376/FUL)). If planning permission was to be granted a condition could be attached requiring the development to be undertaken in accordance with the submitted Masterplan insofar as it relates to the application site (Condition 3).
- 5.10 Based on the above, it must be concluded that the development technically does not comply with the requirements of Policies CS4 and GV6. This view is formed for two reasons: firstly, that the submitted Masterplan does not cover the entirety of the Village Growth Area allocation and; secondly, that the application does not cover the entirety of the Village Growth Area and as such the Masterplan cannot be binding beyond the application boundaries.
- 5.11 Therefore, in accordance with section 70 (2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, consideration will need to be given whether material considerations exist which indicate that the application should be granted despite not according with development plan policies. Would the benefits of the development, based on material planning considerations, outweigh the harm caused as a result of the non-compliance with Policies CS4 and GV6.
- 5.12 **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.
- 5.13 The application proposes 15% affordable homes (43 units). Of these homes, 28 are to be allocated for affordable rent and 15 for intermediate tenure. Officers consider that this allocation is acceptable and subject to a Section 106 Agreement to ensure that these properties are kept affordable in perpetuity, it is considered that the application would be in accordance with policy CS11 of the CSUCP.
- 5.14 **OTHER HOUSING POLICIES**

5.15 Housing type and density

The proposed development includes 263 houses (out of a total of 283) which incorporate 3 or more bedrooms. In addition, all dwellings include private garden areas. It is therefore considered that the development would meet the requirements of policies CS11 and GV2 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. In addition, the type of housing would vary between detached, semi-detached and terraced and would be suitable for a wide range of groups in accordance with saved policy H5 of the UDP.

5.16 The density of the development would equate to approximately 24 houses per hectare. Whilst this would be slightly below the 30-50 dwellings per hectare target within saved policy H12 of the UDP, this policy also sets out that densities below 30 dwellings per hectare may be permitted where higher densities would have an unacceptably detrimental impact on the amenity and character of an area. In this case it is considered that the density of the development would assimilate well with the adjoining areas. Further, the requirement of policy H12 must be considered in context with the maximum housing numbers set out in policy GV6 of the CSUCP.

5.17 The Inspector within the report on the CSUCP stated that;

"... there may be benefit from a slightly higher number houses on the western part of the site and slightly fewer in the central and eastern parts than is shown in the development framework. Ultimately this is a matter for the masterplanning of the site."

5.18 The Masterplan submitted in support of the application has demonstrated that the density of development proposed is appropriate in the context of the wider GV6 allocation.

5.19 House size

Policy CS11 of the CSUCP requires that new residential development provides adequate space inside and outside of the home to meet the needs of residents. It is considered that all houses would have generous garden sizes in order to provide satisfactory outdoor private amenity space. Further, it is considered that the house types would provide good levels of internal space.

5.20 The development would provide adequate levels of internal and external space in accordance with policy CS11.

5.21 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.

- 5.22 In regard to wheelchair and lifetime homes, officers consider that there are an adequate number of proposed units which would potentially meet the requirements of lifetime and wheelchair homes and the application would be in accordance with policy CS11 of the CSUCP and saved policies H9 and H10 of the UDP.
- 5.23 **TREES AND HEDGEROWS**
Tree cover within the site is minimal with all tree cover being located around the periphery of the site within hedgerows or small groups at the edges of fields.
- 5.24 An arboricultural assessment was submitted with the application. The assessment sets out that two groups of trees will be removed, and two other groups will be partially removed, further the application shows several new access roads bisecting the field boundary hedges, and the loss of some hedgerows to allow access.
- 5.25 The report sets out that the trees set out above are of low and/or moderate value and that the loss of these trees not have a significant impact on the wider landscape of the area and that compensatory tree planting will be undertaken across the site that will provide new tree cover that is better integrated into the new layout. Officers agree with the submitted arboricultural assessment in regard to trees loss.
- 5.26 The applicant has submitted a Hedgerow Management Strategy as part of the application, the plan indicates that minimal incursion into existing hedgerows would occur. Further, the management strategy allows for significant positive management of the remaining hedgerow to the benefit of the site and the wider area. Therefore, whilst there would be a short term negative impact, in the medium to long term there would be a positive impact.
- 5.27 The replacement hedge planting, gapping up and long-term maintenance can be secured through the use of landscaping planning conditions (Conditions 4, 5 and 6). Further planning conditions are also required to secure the hedgerow and tree protection measures for the duration of construction works (Condition 7 and 8). Subject to these conditions, the proposed development would not have an adverse impact on amenity in relation to hedgerows.
- 5.28 A landscaping strategy has been submitted with the application and shows the approximate location of tree planting and species. As set out above, subject to a condition pertaining to the submission of an updated version of the strategy and the tree protection measures outlined in the report to be adopted for the duration of construction works it is considered that in terms of trees the proposed development would have a largely positive impact on amenity.
- 5.29 Given the above, it is considered that the application would be in accordance with policy CS18 of the CSUCP and saved policy ENV44 of the UDP.
- 5.30 **IMPACT ON THE LANDSCAPE**
The site predominantly comprises a plateau area which is slightly elevated above the adjacent residential estates in Ryton immediately to the north. The

land falls away gently from the A695 corridor to the north, although the landform is more undulating to the west of the site where the slope steepens towards a low point in the north-west. From the site the built form of Ryton restricts views of the Tyne Valley in the north to the upper extents only. In recognition of the site's landscape value, an initial landscape assessment was carried out to support the allocation of the site for residential development. This assessment considered that the development of the site for housing would not have an unacceptable impact on the surrounding landscape.

- 5.31 In support of the application a landscape and visual appraisal has been produced. The assessment assesses the impact of the proposed development in addition to assessing the cumulative impacts of '*... forthcoming residential applications in the nearby area.*' This cumulative impact takes into account (amongst others) the Taylor Wimpey development i.e. most of the remaining GV6 allocation. The assessment is based on the assumption that "*... the development proposed would be similar to that illustrated within the Ryton Development Framework, Gateshead Borough Council.*"
- 5.32 In conclusion, the report states that;
"The most noticeable change to the character of the site will result from the introduction of proposed residential units which will introduce new elements to the site itself."
- 5.33 This conclusion is reflective of the Inspector's view in assessing the CSUCP in which stated:
"The development would adversely affect the local landscape by building on higher ground on the edge of the settlement..."
- 5.34 The Inspector went on to state that "*... through substantial buffer planting along the southern edge of the site would lessen the impact [of the development on the landscape].*"
- 5.35 These views are reflected within policy GV6 of the CSUCP which requires;
"Mitigation of the impact of the development on landscape, biodiversity and ecology connectivity including the provision of a substantial landscape/ecological buffer along the southern and western boundaries of the site..."
- 5.36 The application provides for the creation and maintenance of structure planting to the southern boundary of the application site, providing a landscape buffer of between 10 and 50 metres; this is considered by officers to represent a '*... a substantial landscape/ecological buffer.*'
- 5.37 The area of woodland to the south of the site (which falls outwith both the application site and the area covered by the Masterplan but is included within site GV6) cannot and is not relied upon as part of the screening of the application site and as such is considered to be have neutral impact.
- 5.38 Given the above, it is considered that the proposed development has been laid out so to try and assimilate well to its landscape. The existence of the woodland

area to the south of the application site currently affords a level of screening. However, it is considered that the impact of the potential loss of this coverage i.e. if the trees were to be removed, would not be so severe as to warrant refusal of the application.

5.39 Therefore, while it cannot strictly be concluded that the proposal would fully comply with the masterplanning requirement of Policy GV6 it is considered by officers that the resultant harm of this non-compliance is minimal. Therefore, subject to conditions requiring the submission of the final version of the landscape strategy, the application is considered to be acceptable in regard to landscape impact.

5.40 OPEN SPACE AND LANDSCAPING WITHIN THE SITE

In regard to open space and landscaping within the site as discussed above, a large area of open space and landscaping along with SuDS features would be created in the northern, central and eastern parts of the site. This would have a number of benefits including providing attractive green space for residents and being suitable for recreation. In addition, there are a number of other green spaces provided within the site. Whilst these smaller areas would have limited recreational value given their size, they would still provide attractive landscaped areas.

5.41 The site is located in a neighbourhood that is deficient in open space and therefore there would be a requirement to provide open space on site. The development proposes a total of approximately 5 hectares of open space and as stated above, this would be located in different areas within the site. In addition, the quality of open space on the site would provide excellent access to green space and recreation in accordance with policy CS14 of the CSUCP.

5.42 Therefore, given the compliance with saved policies H13 and CFR20 of the UDP, it is considered that an acceptable provision of open space would be made on site in terms of its quantity, quality and location.

5.43 DRAINAGE AND FLOOD RISK

A flood risk and drainage assessment has been submitted with the application. In accordance with policy CS17 of the CSUCP, the assessment has covered all sources of flooding and has had regard to the Council's Strategic Flood Risk Assessment (SFRA).

5.44 The development has had regard to the sequential approach by locating the SuDS attenuation features (basins/ponds) at the low points of the site. The layout also accommodates the modified overland flows through a series of swales reflecting Policy GV6 of the Core Strategy.

5.45 The submitted flood risk and drainage assessments have had regard to both the application site and the wider Village Growth Area and as such it has been possible to fully assess how the external overland flows would impact on the proposal.

5.46 Flood Risk

The flood risk assessment has assessed flood risk from all sources of flooding (fluvial/tidal, groundwater, sewer, overland flow and artificial sources). The FRA concluded that the site is at low risk of flooding from all sources except from overland flows which was considered to be medium/high risk.

- 5.47 It is considered that the proposal has been designed to ensure that the proposed development would not be at risk of flooding specifically in regard to overland flows.
- 5.48 **Drainage**
A sustainable drainage system has been incorporated in the development in the form of ponds/detention basins, swales, water gardens and underground storage.
- 5.49 Policy GV6 of the Core Strategy requires 'A positive response to the potential to manage flood risk in the Grange Drive, Constable Close/Turner Close and Woodside Road areas by incorporating overland flows from A695 and integrating additional SuDS storage'. The drainage strategy has regard to Policy GV6:11: it will improve the flood management of the surrounding area by intercepting the overland flows which currently pass freely across arable fields towards Grange Drive and the drainage strategy will divert overland flows into SuDS to ensure betterment for Grange Drive.
- 5.50 Based on the above, it is considered that subject to conditions (pertaining to the final design of the SuDS scheme (Conditions 9 - 14)) and based upon flood risk the drainage scheme proposed is broadly acceptable. The proposed drainage solution is considered to have appropriate regard to the proposed Wimpey development and the wider Village Growth Area and offers a workable solution for the application site.
- 5.51 It is considered that the application has appropriate regard to the requirements of NPPF and Policies GV6, CS4 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.
- 5.52 **IMPACT ON BIODIVERSITY**
The proposed development site is located within 1km of several designated Local Wildlife Sites (LWS) including Stargate Ponds & Bewes Hill LWS (c. 450m), Path Head Quarry (c. 400m), Crookhill Pasture LWS (c. 550m) and The Folly LWS (c. 900m). Sections of the adjacent A695 Blaydon to Crawcrook By-Pass are being considered as a candidate LWS.
- 5.53 The proposed development site is dominated by four large arable fields separated and bound by hedgerows. Within and adjacent the site are smaller areas of mixed plantation woodland, scrub, semi-improved grassland and wetland.
- 5.54 The application is supported by a number of ecological studies. Overall the site is considered to be of low ecological value, being dominated by arable land. However, this does not give appropriate consideration to the value of site for particular species/species groups, for example, farmland birds.

- 5.55 The survey work undertaken by the applicant has confirmed that the site supports the following species: bats, badger, amphibians, breeding and non-breeding birds. Habitats within and immediately adjacent to the site are also considered to provide potential opportunities for brown hare and hedgehog (UKBAP & DBAP priority species).
- 5.56 Whilst the applicant has sought to avoid adverse impacts on biodiversity and provide on-site mitigation and compensation where impacts are unavoidable; it is not possible (in this instance) to provide the large open area(s) of undisturbed (i.e. no/limited public access) and connected habitat within the red line boundary of the site necessary to support the required number of breeding territories of those priority bird species affected by the development. Ground nesting birds including skylark, meadow pipit and lapwing are particularly sensitive to disturbance and vulnerable to predation by domestic cats.
- 5.57 Therefore, offsite compensatory measures are required to address the direct and indirect residual impacts of the development on biodiversity, including:
- BAP priority farmland birds - ground nesting species, incl. skylark and meadow pipit and hedgerow species, incl. yellowhammer, linnet and tree sparrow
 - BAP priority wading birds - breeding and wintering waders, incl. lapwing and curlew
 - The compensatory measures to be delivered on council owned land at Burdon Moor Local Wildlife Site, include the:
 - creation, enhancement and long-term positive management of:
 - 5ha of BAP priority heathland, acid grassland and wetland; and
 - 1.2km of native hedgerow
- 5.58 To facilitate the above it is required to undertake a programme of initial site investigations (incl. soil analysis), feasibility and design work prior to implementation, establishment, aftercare and long-term management.
- 5.59 Burdon Moor has been identified as the most appropriate location for providing replacement/improved opportunities for farmland/ground nesting/wading birds owing to:
- Its size, setting and connectedness to adjacent areas of suitable/functional habitat;
 - It being subject to carefully managed access (i.e. no public access into proposed area(s) of habitat creation, restoration and enhancement);
 - Its relative isolation reducing the risk of predation by domestic cats;
 - Its elevated position within a strategic Wildlife Corridor;
 - It being a designated nature conservation site and unlikely to be threatened with future development and;
 - The opportunity to engage with a local nature conservation charity in the long-term management of the site.

- 5.60 In addition to providing replacement/improved habitat benefitting a broad range of species; the proposed compensatory measures will also form part of a catchment based approach to ameliorating flood risk and improving water quality. Whilst there will be no direct public access into the proposed area of habitat creation, it will be possible to view the area and its features of interest from an adjacent surfaced footpath providing improved recreational opportunities for visitors.
- 5.61 Further, it is considered that the application has had appropriate regard to the wider Village Growth Area allocation as whole and has determined the cumulative impact of the developments; this has allowed the production of a joint mitigation scheme (as set out above).
- 5.62 It is recommended that a Biodiversity Method Statement (Conditions 15 and 16), a Lighting Design Strategy (Conditions 17 and 18), a Landscaping Scheme (Conditions 4, 5 and 6) are secured by way of a planning conditions and the offsite ecological compensation is secured by way of a planning obligation to ensure that the proposed development can be delivered within acceptable ecological limits, and in accordance with both national and local planning policies.
- 5.63 As a result, the application is considered to comply with the principles of the NPPF and the following local planning policies GV6, CS4, CS18, DC1(d), ENV44, ENV46, ENV47 and ENV49.
- 5.64 DESIGN AND LAYOUT
The NPPF at Paragraph 124 makes it clear that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.' It goes on to make clear that 'good design is a key aspect of sustainable development...'
- 5.65 Further, Paragraph 130 states that:
"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development."
- 5.66 The CSUCP reflects the general aims of the NPPF encouraging economic growth and identifying the importance of quality of place. Policy CS15 refers specifically to Place Making and the need for new development to demonstrate high and consistent design standards in line with the council's design guidance contained in the Gateshead Placemaking SPD.
- 5.67 The design, scale, layout, height, density and appearance of the proposed development is considered to be sympathetic to the surrounding area while having regard to the wider Village Growth Area. The proposed development

provides a positive response to the site constraints and an appropriate design solution.

- 5.68 Full details of the external appearance/materials have been provided as part of the application and are considered to be suitable and would safeguard visual amenity (Conditions 19 and 20).
- 5.69 With regard to landscaping, hard landscaping has been submitted as part of the application and are considered broadly acceptable; it is considered necessary to condition the final details to be submitted and approved in writing (Conditions 21 and 22). While a general landscaping scheme has been provided, it is considered necessary to condition the submission of final landscaping details, implementation, maintenance and retention in accordance with the submitted details (Conditions 4, 5 and 6).
- 5.70 Furthermore, the boundary treatment details submitted in support of the application are considered to be largely acceptable with the exception of those used to divide rear boundary gardens. It is therefore considered necessary to condition the delivery of these boundary treatments (Conditions 23 and 24).
- 5.71 It is considered that the proposed development has successfully demonstrated that it has achieved a high standard of design that will contribute to the site and its surrounding context. Subject to the recommended conditions accords with the design aims and objectives of the NPPF, saved policy ENV3 of the Council's UDP and policy CS15 of the Council's CSUCP.

5.72 TRANSPORT AND HIGHWAYS

5.73 Access

Vehicular access to the site would be provided directly from Cushy Cow Lane together with a link road through the proposed Taylor Wimpey site to Woodside Lane. Cushy Cow Lane would be improved with the introduction of traffic calming, four bus stops, and enhanced uncontrolled pedestrian facilities and replacement of the steps opposite 39 Cushy Cow Lane down to the existing footpath with a ramp. An emergency access will also be provided via Mullen Drive. Suitable vehicle access can be provided and the final detailed design of the access will be secured by planning conditions (Conditions 25 and 26).

5.74 Strategic highway issues and impact on the local highway network

The application was accompanied by a Transport Assessment ('the TA'), this assessment considered the cumulative impact that this application and the proposed Taylor Wimpey development may have on the road network. The TA supplements the previous Transport Assessment that was undertaken as part of the consideration of the allocated sites at Crawcrook North and Crawcrook South which also considered the impact of site GV6. The submitted TA and addendums contain an appropriate level of junction modelling and analysis and has not identified the need for any additional highway improvement works on the A695 corridor to that in the previous Transport Assessment.

5.75 There are number of works required on the existing highway network identified as being necessary by Policy GV6, these have been considered within the submitted TA. These works are as follows;

- GV6(3) - "mitigation of cumulative traffic impact of the proposed development on junctions along the A695, including Blaydon Roundabout (A695/B6317)."

Financial contributions have already been secured through s106 from the developments at Crawcrook North, Crawcrook South, and the former Prudhoe Hospital site towards highway improvements at Blaydon Roundabout (now implemented) and improvements to the three roundabouts on the A695 at Beweshill, Stargate Lane, and Greenside Lane. The contribution from this application and the proposed Taylor Wimpey development would be secured through the Community Infrastructure Levy (CIL). The highway works outlined appear on the Council's CIL Regulation 123 list, as such the works can only be funded through CIL and not a S106 legal agreement.

- GV6 (4) - "Improvements to the junction of Cushycow Lane and Stargate Lane."

It is considered that the final detail and a timescale for the implementation of the proposed works should be secured through planning conditions (Conditions 27 and 28).

- GV6 (5) - "The widening of Stargate Lane and improvement to footways between Cushycow Lane and the A695."

The applicant has provided details of the proposed widening of Stargate Lane to accommodate existing car parking whilst allowing two-way movement. However, the extent of road widening is constrained by the available space and need to provide a continuous 1.8 metre footway to the eastern side of the road. It is considered that the final details of the proposed works could be secured through planning conditions (Conditions 29 and 30).

5.76 The latest addendum to the TA concludes;

"The proposed development meets the sustainable objectives of the 2018 [remains unchanged by 2019 NPPF] National Planning Policy Framework and its residual traffic impacts are not severe, following mitigation. It is therefore considered that there is no justifiable transportation reason why planning consent should not be granted."

5.77 Subject to the conditions set out above (and to the further considerations discussed below) officers consider that the conclusion set out by the applicant is sound.

5.78 Connectivity

The proposed development allows for a number of connections to existing pedestrian routes within the wider area.

- 5.79 Further, the application proposes a new bus service which would serve the application site during construction and for two years following completion. The bus service would commence following the earlier of either the 50th occupation of this site or the 30th occupation of the Taylor Wimpey site (whichever is earlier). The final details of the proposed bus service can be controlled through via S106 legal agreement.
- 5.80 The proposed bus route requires the creation/installation of infrastructure in order to function both during the construction and following completion of the development. The infrastructure requirements are the installation of bus stops (Conditions 31 and 32) and the creation of a turning facility off Woodside Lane; the final design and implementation of this facility can be conditioned (Condition 33 and 34).
- 5.81 The site-specific policy for the site also requires the provision of a link road within the Village Growth Area, specifically GV6 (6) requires;
"A continuous vehicular link-road within the site between Cushycow Lane and Woodside Lane."
- 5.82 It is considered that the timely implementation of the link road is imperative to the medium and long-term operation of the proposed bus service. The submitted TA addendum states that the link road needs to be open '*...prior to occupation of the 334th dwelling across both sites...*' This is based on accessibility distances that can be achieved from the proposed bus stops on Cushy Cow Lane and Woodside Lane. To this end, it is considered necessary to condition the final details of the link road and that the link road be installed up to the boundary of the application prior to the occupation of the 192nd (end of phase 2) dwelling (Conditions 35 and 36).
- 5.83 In addition to the above, the application site links to a portion of the proposed Taylor Wimpey development to the south east of the application site. In order to ensure the connectivity of this element of the Taylor Wimpey proposal it is considered necessary to condition that the highway link be installed prior to the commencement of Phase 2 of the development (Conditions 37 and 38).
- 5.84 Further, there a site-specific policy for the site also requires retention of the Towneley Main Waggonway, specifically GV6 (9) requires;
"Interpretation and retention of the route of the Towneley Main Waggonway which runs through the site."
- 5.85 The waggonway is within the Taylor Wimpey element of site GV6.
- 5.86 In addition to the above, it is considered necessary to condition the final details of the emergency and pedestrian access onto Mullen Drive in order to ensure appropriate emergency access and connections to existing bus links (Conditions 39 – 42).
- 5.87 Public Rights of Way
The proposed development proposes the diversion of one public right of way (PROW) - Footpath Ryton 26 which currently runs east to west across the site.

All other PROW on site (Footpaths Ryton 24, 27 and 95) are proposed to be retained and accommodated within the scheme on their current alignment although their condition will need to be improved through the use of appropriate surfacing materials in order to assist movement and permeability through the development.

- 5.88 In regard to the diversion of Footpath Ryton 26, consideration has also been given to the Defra Circular 1/09 on public rights of way. The circular sets out that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and LPAs should ensure that the potential consequences are taken into account whenever such applications are considered.
- 5.89 The circular goes on to state that in considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic.
- 5.90 It should be noted that even if planning permission is granted for the development the formal diversion of the public right of way will be required and this is subject to a separate application and approval regime under Section 257 of the Town and Country Planning Act 1990.
- 5.91 It is considered that the proposed development would make it necessary to divert Footpath Ryton 26. The applicant however, has proposed an alternative route along the northern boundary of the site. This would be south of the existing hedges and vegetation along the boundary and then around the proposed SuDS pond linking back to Conway Gardens. The route would avoid the use of estate roads as far as possible apart from when crossing the vehicular access into the site.
- 5.92 Whilst it is clear that many local residents value this public right of way across the site and use it regularly, it is inevitable that to facilitate a development that is allocated in the CSUCP, the public right of way would need to be diverted. However, it is considered that, in planning terms, the alternative route would be the optimum in terms of avoiding estate roads and using landscaped areas. It is considered necessary to impose a planning condition the final details of all diversions and timetables of implementations are submitted to an approved in writing (Conditions 43 and 44).
- 5.93 Given the above, it is considered that the proposed diversion of Footpath Ryton 26 is acceptable in planning terms and would comply with the NPPF, policy CS13 of the CSUCP and Defra Circular 1/09.
- 5.94 **Parking and layout**
The internal layout of the scheme incorporates a number of features to manage vehicle speeds within the site and create a self-enforcing 20mph zone. It is

considered that the final details of traffic claiming measures should be secured through planning conditions (Conditions 45 and 46).

- 5.95 In regard to cycle parking, this would be an important component of the development in order to give less reliance on the private car. In recognition of this the development provides for either a garage or secure alternative such as a suitably designed shed within each plot and this would provide parking for a cycle within each property. This can be secured through planning conditions (Conditions 47 and 48).
- 5.96 It is also considered necessary to condition the final details of bin storage facilities to ensure their appropriateness both in visual and highway terms (Conditions 49 and 50).
- 5.97 **Vehicle charging points**
Some provision of electric vehicle charging infrastructure is proposed by the applicant. However, the final details are not known at this stage. A condition is considered to be reasonable to secure an acceptable scheme for EV charging point provision (Conditions 51 and 52).
- 5.98 **Construction traffic**
It is proposed for construction traffic to access the site via the proposed access at Cushy Cow Lane via Stargate Lane. The option of accessing the application site via the A695 has been fully investigated by the Applicant, it has been concluded:
"Construction traffic access directly from the A695 is not possible without reducing the speed limit of the A695 and providing temporary traffic management including traffic lights. Such measures would cause considerable disruption to the flow of traffic along this strategic route and due to the length of the construction period would be unacceptable. Construction traffic should therefore be routed via Stargate Lane until the link road is completed."
- 5.99 Ultimately, the proposed development could lead to significant issues in regard to the traffic flows on the A695 for the entirety of the proposed construction period (which the developer anticipates being 7-8 years).
- 5.100 It is accepted that the proposed development would lead to additional residential amenity impacts for those residents on the construction traffic route, it is noted several objections have been received around this point from residents on Stargate Lane.
- 5.101 It is considered that the impact on residents will be limited through the control of onsite construction via a submission of construction control plan (discussed within Residential Amenity section).
- 5.102 As identified above, it is the view of officers that the utilisation of Stargate Lane for construction access is necessary to avoid significant highway impacts and that any impact will be reduced as a result of conditions pertaining to construction management and the requirement for highway works.

5.103 Interim Travel Plan

The applicant has submitted an Interim Travel Plan which is considered to be appropriate in its content while also having appropriate regard to the wider Village Growth Area, it is considered that the final travel plan and its implementation can be secured by conditions (Conditions 53 and 54).

5.104 RESIDENTIAL AMENITY

The relevant considerations are the impact on residential amenity in terms of existing nearby properties and also for future residents of the proposed development.

5.106 Impact on existing nearby properties

There are a number of existing residential properties that would be potentially affected by the development. These are properties located on Conway Close, Turner Close, Constable Close and to a lesser extent Grange View, Grange Drive and Cushy Cow Lane.

5.107 In regard to existing properties on Conway Close, whilst it is acknowledged that the outlook from these properties would change, officers have considered the impact on these properties carefully and it is considered that the separation distances from the gables of proposed houses to the rear windows of the existing properties (minimum of 17 metres) would be acceptable and would not result in an unacceptable visual impact or loss of privacy to existing properties on Conway Close.

5.108 In regard to existing properties on Turner Close, officers have carefully considered the varied orientation of these properties with some of them located at a slightly oblique angle to the site. Again, whilst the outlook from these properties would change, it is considered that due to the separation distances to the proposed properties (minimum of 18.5 metres window to window) and the oblique angle would be sufficient to prevent any unacceptable visual impact or loss of privacy.

5.109 With regard to Grange View, Grange Drive and Cushy Cow Lane it is considered that the separation distances and the intervening land use i.e. highway is sufficient to ensure that existing residents would not be impacted upon by the development to an unacceptable degree.

5.110 Given the above, it is acknowledged that the development would alter the outlook of existing properties as it would introduce housing on land which has been open and undeveloped. However, it is considered that the layout of the development is such that it would not lead to an unacceptable visual impact or an unacceptable reduction in privacy to existing properties.

5.111 It is also acknowledged that the construction of the development would have a potential impact on nearby properties in terms of noise, disturbance and dust. Whilst these impacts cannot be avoided, it is considered that through the imposition of a planning condition for final construction control measures these

impacts can be minimised to ensure no unacceptable impact on residential amenity (Conditions 55 and 56).

5.112 It is therefore considered that the application would be in accordance with policy CS14 of the CSUCP and saved policy DC2 of the UDP.

5.113 Living conditions for future residents

It is considered that the proposed layout of the development is adequate to ensure that the interface distances between proposed dwellings would ensure no unacceptable impact would occur.

5.114 Further, part of the proposed development would be located close to existing highway infrastructure and Stargate Industrial Estate to the south east of the application site, to this end a noise impact assessment has been submitted in support of the application. This noise impact assessment concludes that no unacceptable impact on future occupiers would occur as a result on ongoing activity subject to appropriate mitigation measures, which could be conditioned (Condition 57 and 58).

5.115 On this basis, it is considered that living conditions for future residents would be acceptable and the proposal would not conflict with policy CS14 of the CSUCP and saved policies ENV61 and DC2 of the UDP.

5.116 ARCHAEOLOGY

An archaeological assessment has been submitted with the application. The assessment concludes that the site is very unlikely to contain archaeological remains, and so will not require further archaeological work. Officers and the Tyne and Wear Archaeologist broadly agree with these findings, however post excavation reporting and publication of findings is required; it is considered this information can be conditioned (Conditions 59 and 60). The application would therefore not conflict with policy CS15 of the CSUCP and saved policies ENV21 and ENV22 of the UDP.

5.117 GROUND CONDITIONS AND COAL MINING

The findings of an intrusive site investigation, including boreholes and trial pits have been submitted with the application. The submitted report suggests that further investigation works are required. This requirement can be secured by planning conditions (Conditions 66 - 66). It is therefore considered that the proposed development would not cause unacceptable risk in terms of ground contamination to existing and future residents. The application would not conflict with policy CS14 of the CSUCP and saved policies ENV54 and DC1 of the UDP.

5.118 The Coal Authority have also been consulted on the application and have stated they have no objection to the proposed application subject to conditions pertaining to the final details of the proposed remediation works (Conditions 67 and 68).

5.119 Subject to satisfactory resolution of the Coal Authority's concerns, it is considered that the application would not conflict with policy CS14 of the CSUCP and saved policies ENV54 and DC1 of the UDP.

5.120 CHILDREN'S PLAY

The plans submitted with the application identify locations for informal play provision suitable for all age groups (toddler to teen) in the northern part of the site and the north east corner of the site. It is considered that these locations are suitable given that they would be well overlooked with dwellings fronting on to them. The areas would also be highly accessible from all areas of the development.

5.121 Given the above, the proposed development would be in accordance with policies CS14 and GV2 of the CSUCP and saved policies H15, CFR28, CFR29 and CFR30 of the UDP.

5.122 EDUCATION CONTRIBUTIONS

Policy GV6 of the CSUCP requires that development contributes to local primary school provision. Policy DEL1 requires new development to be made acceptable through the provision of necessary infrastructure. In this case, this is being delivered through CIL. Education requirements appear on the Council's CIL Regulation 123 list, as such the works can only be funded through CIL and not a S106 legal agreement.

5.123 Subject to this, the proposal would be in accordance with policies GV2 and DEL1 of the CSUCP.

5.124 SITE SPECIFIC POLICY

Policy GV6 allocates land at South Ryton for up to 550 homes to take place in accordance with an "approved masterplan and phasing plan". The Policy also sets out 13 criteria against which proposals for development within the allocation are to be assessed. The compliance with these requirements is assessed within the main body of the report and is summarised below;

1. Mitigation of the impacts of the development on landscape, biodiversity and ecological connectivity including the provision of a substantial landscape/ ecological buffer along the southern and western boundaries of the site, and the protection and enhancement of those hedgerows to be retained as part of the development.

The proposed layout incorporates measures to incorporate landscape mitigation. Officers are of the view that a substantial buffer has been provided by the application and would therefore comply with this requirement.

2. Open space, sport and recreational facilities, where necessary.

The proposed development provides for an acceptable and appropriate level of informal recreational facilities, there is no identified need for any sports facilities on site. The application complies with this requirement.

3. Mitigation of the cumulative traffic impacts of the proposed development on junctions along the A695, including Blaydon Roundabout (A695/ B6317).

This requirement is addressed through the payment of CIL, the application therefore complies with this requirement.

4. Improvements to the junction of Cushycow Lane and Stargate Lane.

These works are to take place as part of the development with final details to be submitted to and approved by the council.

5. The widening of Stargate Lane and improvement to footways between Cushycow Lane and the A695.

These works are to take place as part of the development with final details to be submitted to and approved by the council.

6. A continuous vehicular link-road within the site between Cushycow Lane and Woodside Lane.

The final details of and the provision of the link road (upto the applicant site boundary) within an appropriate timescale have been secured though the use of appropriate conditions; while the proposed development is not considered to comply with this requirement it does provide facilitate the ability to provide a continuous link.

7. A contribution to local primary school provision.

This requirement is addressed through the payment of CIL, the application therefore complies with this requirement.

8. A landscaped buffer between the site and the reservoir located to the east of Woodside Lane.

The proposal is not compliant in this regard; however the requirement would be addressed by the Wimpey development.

9. Interpretation and retention of the route of the Towneley Main Waggonway which runs through the site.

The Waggonway is to be retained in situ and remain unaffected by the development other than through the creation of the proposed link road, the final design of which will be secured via planning condition, the application therefore complies with this requirement.

10. Evidence that there is adequate foul and surface water infrastructure capacity before connecting to the existing public sewerage system.

NWL has raised no objection to the proposed development through the submission of appropriate information the applicant has demonstrated the proposal would comply with the above requirement.

11. A positive response to the potential to manage flood risk in the Grange Drive, Constable Close/ Turner Close and Woodside Road areas by incorporating overland flows from A695 and integrating additional SuDS storage.

SUDS proposals incorporated into the scheme will reduce the overland flows towards Woodside Road and intercept flows towards Grange Drive providing betterment to both, the final details of the proposed drainage will be secured through conditions and the proposal would comply with the above requirement.

12. A flood risk assessment to demonstrate there is no risk of flooding from Woodside Pond and the local land drains.

The application through the submission of appropriate information has demonstrated the proposal would comply with the above requirement.

13. Measures to ensure existing greenfield runoff rates for up to a 100 year rainfall event taking into account anticipated climate change and maintaining overland flow paths.

The application through the submission of appropriate information has demonstrated the proposal would comply with the above requirement.

5.125 FINANCIAL CONSIDERATIONS

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 onsite affordable housing.

- 5.126 Aside from the above, the developer estimates that 33 direct full time construction jobs will be created during construction, as well as 39 indirect full time jobs. The total gross construction investment value is approximately £39 million and the New Homes Bonus payment is around £2.5 million. Furthermore around £420,000 in council tax receipts would be generated. The total gross spending power of the development would be approximately £6.3 million per year, based on average spend of households in the north east.

5.127 OTHER MATTERS

In regard to insufficient GP and dental places and facilities in the area, the site was allocated for housing following an Examination in Public (EIP). No

concerns were raised from the NHS Clinical Care Commissioning Group to this allocation.

5.128 In regard to concerns that the site is in close proximity to a proposed landfill site and that there are alternative brownfield sites, these matters were considered at the Examination in Public and ultimately it was considered that the site was suitable for residential development and allocated in the CSUCP.

5.129 It is considered that all the other issues raised from the representations have been covered elsewhere in the report.

6.0 CONCLUSION

6.1 The site is allocated in the CSUCP for residential development and therefore the principle of the development is clearly acceptable. This said, there would be a technical conflict with part 2 (both limbs i and ii) of policy CS4 which specifies that development in allocated growth areas should be carried out in accordance with approved masterplans and delivery plans. It is also acknowledged that the proposed development would fail to comply with limbs 6 and 8 of the site specific GV6 Policy.

6.2 Section 38 of the Planning and Compulsory Purchase Act 2004 sets out that decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. When considered alongside the Wimpey application (DC/17/01376/FUL) the applications cover the majority (96%) of the Village Growth Area. As such, when considered alongside application DC/17/01376/FUL, officers are of the view that the development would be substantially in accordance with the policy requirements despite the technical non-compliance. Officers are of the view that the impacts of the development can be adequately mitigated through planning conditions or planning obligations. Further, the proposed development would be considered to comply almost entirely with the site-specific policy (Policy GV6) as the Bellway and Taylor Wimpy application sites have been appropriately Masterplanned, accounting for approximately 96% of the allocation by area.

6.2 Further, 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 CSUCP. The development would also have economic benefits from construction jobs and employment including targeted local employment. Further benefits would be the reduction in surface water flood risk from the site as a result of SuDS.

6.3 Given the above, it is recommended that planning permission be granted following the expiry of the notification period and subject to planning conditions and Section 106 Agreement.

7.0 Recommendation:

Plan and policy CS14 of the Council's Core Strategy and Urban Core Plan. Authorise the Service Director of Development, Transport and Public Protection to deal

with the application at the end of the publicity period after consultation with the Chair and/or Vice-Chair with a view to GRANT SUBJECT TO A SECTION 106 AGREEMENT:

1) The agreement shall include the following obligations:

- Affordable housing in perpetuity
- Biodiversity mitigation
- Local workforce commitments
- Provision of a new bus service

2) That the Strategic Director of Corporate Services and Governance 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 shall be carried out in complete accordance with the approved plan(s) as detailed below -

Layout & Other Plans

Overall Masterplan – dwg no. 573-BEL 13-031-P01Z

Site Layout Plan (West) – dwg no. 573-BEL 13-031-P02E

Site Layout Plan (East) – dwg no. 573-BEL 13-031-P03E

Boundary Treatment Plan (West) – dwg no. 573-BEL 13-031-P07.1C

Boundary Treatment Plan (East) – dwg no. 573-BEL 13-031-P07.2C

Elevational Treatment Plan – dwg no. 573-BEL 13-031-P12C

Landscape Strategy – dwg no. 916_01 Rev C

Drainage Strategy Sheet 1 – dwg no. QD958-00-01 Rev A

Drainage Strategy Sheet 2 – dwg no. QD958-00-02 Rev A

Housetypes

Country Brick Character Area

Potter Elevations & Floor Plans – dwg no. A_769_00_CB_01_PO-2B-2S-P1 & A_769_00_CB_02 Rev A

Cooper Elevations & Floor Plans – dwg no. A_770_00_CB_01_CO-2B-2S-P1 & A_770_00_CB_02_CO-2B-2S-CB-E

Tailor Elevations & Floor Plans – dwg no. A_802_00_CB_01_TA-3B-2S-P1 & A_802_00_CB_02_TA-3B-2S-CB-E

Chandler Elevations & Floor Plans – dwg no. A_951_00_CB_01_CH-3B-2S-P1 & A_951_00_CB_02_CH-3B-2S-CB-E

Carver Elevations & Floor Plans – dwg no. A_981_00_CB_01_CA-3B-2S-P1 & A_981_00_CB_02_CA-3B-2S-CB-E

Peony (3b5p) Elevations & Floor Plans – dwg no. A/1129/00/CB/01 & A/1129/00/CB/02

Scrivener Elevations & Floor Plans – dwg no. A_1214_00_CB_01_SC-4B-2S-P1 & A_1214_00_CB_02_SC-4B-2S-CB-E

Milliner Elevations & Floor Plans – dwg no. A_1289_00_CB_01_MI-4B-2S-P1 & A_1289_00_CB_02_MI-4B-2S-CB-E

Cutler Elevations & Floor Plans – dwg no. A_1335_00_CB_01_CU-4B-2S-P1 & A_1335_00_CB_02_CU-4B-2S-CB-E

Bowyer Elevations & Floor Plans – dwg no. A_1356_00_CB_01_BO-4B-2S-P1 & A_1356_00_CB_02_BO-4B-2S-CB-E

Philosopher Elevations & Floor Plans – dwg no. A_1507_00_CB_01_PH-4B-2S-P1 & A_1507_00_CB_02_PH-4B-2S-CB-E

Acacia (4b7p) Elevations & Floor Plans – dwg no. A/1550/00/CB/01 & A/1550/00/CB/02

Town Contemporary Character Area

Potter Elevations & Floor Plans – dwg no. A_769_00_TC_01_PO-2B-2S-P1 & A_769_00_TC_02 Rev A

Cooper Elevations & Floor Plans – dwg no. A_770_00_TC_01_CO-2B-2S-P1 & A_770_00_TC_02_CO-2B-2S-TC-E

Tailor Elevations & Floor Plans – dwg no. A_802_00_TC_01_TA-3B-2S-P1 & A_802_00_TC_02_TA-3B-2S-TC-E

Chandler Elevations & Floor Plans – dwg no. A_951_00_TC_01_CH-3B-2S-P1 & A_951_00_TC_02_CH-3B-2S-TC-E

Carver Elevations & Floor Plans – dwg no. A_981_00_TC_01_CA-3B-2S-P1 & A_981_00_TC_02_CA-3B-2S-TC-E

Peony (3b5p) Elevations & Floor Plans – dwg no. A/1129/00/TC/01 & A/1129/00/TC/02

Scrivener Elevations & Floor Plans – dwg no. A_1214_00_TC_01_SC-4B-2S-P3 & A_1214_00_TC_02_SC-4B-2S-TC-E

Milliner Elevations & Floor Plans – dwg no. A_1289_00_TC_01_MI-4B-2S-P1 & A_1289_00_TC_02_MI-4B-2S-TC-E

Cutler Elevations & Floor Plans – dwg no. A_1335_00_TC_01_CU-4B-2S-P2 & A_1335_00_TC_02_CU-4B-2S-TC-E

Bowyer Elevations & Floor Plans – dwg no. A_1356_00_TC_01_BO-4B-2S-P1 & A_1356_00_TC_02_BO-4B-2S-TC-E

Town Feature Brick Character Area

Cooper Elevations & Floor Plans – dwg no. A_770_00_TF_01_CO-2B-2S-P1 & A_770_00_TF_02_CO-2B-2S-TF-E

Tailor Elevations & Floor Plans – dwg no. A_802_00_TF_01_TA-3B-2S-P1 & A_802_00_TF_02_TA-3B-2S-TF-E

Chandler Elevations & Floor Plans – dwg no. A_951_00_TF_01_CH-3B-2S-P1 & A_951_00_TF_02_CH-3B-2S-TF-E

Carver Elevations & Floor Plans – dwg no. A_981_00_TF_01_CA-3B-2S-P1 & A_981_00_TF_02_CA-3B-2S-TF-E

Peony (3b5p) Elevations & Floor Plans – dwg no. 1129/00/TF/01 & A/1129/00/TF/02

Scrivener Elevations & Floor Plans – dwg no. A_1214_00_TF_01_SC-4B-2S-P1 & A_1214_00_TF_02_SC-4B-2S-TF-E
Milliner Elevations & Floor Plans – dwg no. A_1289_00_TF_01_MI-4B-2S-P1 & A_1289_00_TF_02_MI-4B-2S-TF-E
Cutler Elevations & Floor Plans – dwg no. A_1335_00_TF_01_CU-4B-2S-P1 & A_1335_00_TF_02_CU-4B-2S-TF-E
Bowyer Elevations & Floor Plans – dwg no. A_1356_00_TF_01_BO-4B-2S-P1 & A_1356_00_TF_02_BO-4B-2S-TF-E
Philosopher Elevations & Floor Plans – dwg no. A_1507_00_TF_01_PH-4B-2S-P1 & A_1507_00_TF_02_PH-4B-2S-TF-E
Acacia (4b7p) Elevations & Floor Plans – dwg no. A/1550/TF/01 & A/1550/TF/02

Supporting Documents

Masterplan and Phasing Document – 01/03/19
Arboricultural Impact Assessment - AE/ARB/1021, January 2019
Ecological Impact Assessment – R09, December 2017
Flood Risk Assessment - Rev C, 18/01/19
Noise Assessment – NT11928, 002, December 2017
Transport Assessment Addendum – September 2018
Transport Assessment Addendum V2 – January 2019

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

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Unless otherwise approved in writing by the Local Planning Authority, the phasing of the development shall take place in accordance with 'Phasing and Infrastructure Delivery' plan set out within Section 7 of the approved "Masterplan and Phasing Document 2019" (the 'Phasing Plan'). For the avoidance of doubt, development shall proceed in the order of Phase 1 first, Phase 2 second, Phase 3 third and Phase 4 last.

No dwellings hereby permitted shall be commenced in any successive Phase until 75% of dwellings on the previous Phase are substantially complete and all (on site) infrastructure identified by the Phasing Plan is substantially complete.

Reason

In the interest of good design and to ensure a comprehensive, phased and co-ordinated approach to the site development to accord with the aims and objectives of the NPPF, saved policy ENV3 of the Council's Unitary Development Plan and Policies CS4, CS15 and GV6 of the Council's Core Strategy and Urban Core Plan.

4

Notwithstanding the submitted plans, no dwelling shall be occupied on each phase of the development, until a fully detailed scheme for the landscaping for that phase of the development of the site and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of all landscaping, ground preparation and planting plans noting the species, plant sizes, planting densities for all new planting, gapping up/planting of hedgerows and a scheme of maintenance of the landscaping (for a period of five years following planting).

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety and in accordance with the NPPF, policies GV6 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

5

The landscaping and hedgerow planting/gapping up details approved under Condition 4 shall be implemented in accordance with the timings approved under Condition 4.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety and in accordance with the NPPF, policies GV6 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

6

The approved landscaping and hedge maintenance schemes shall be maintained in accordance with the details approved under condition 4.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety and in accordance with the NPPF, policies GV6 and CS18 of the Core Strategy and Urban Core Plan

and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

7

No development shall commence on each phase of the development until a scheme for the protection of the retained 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, policies GV6 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the development can be carried out in a manner that protects existing trees and hedges that are to be retained. This information is fundamental to the development and requires approval prior to development starting on the site.

8

The tree protective fencing for each phase of the development approved at condition 7 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, policies GV6 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

9

No development shall commence on each phase of the development (except for the installation of tree protection measures, site investigations and remediation works) until a detailed drainage scheme for that phase including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The information submitted shall include:

- Detailed final drawings of the drainage network showing clearly numbered pipes, falls, diameters, invert and cover levels that correspond with the submitted drainage model. Show connection of all SuDS features and final details of connections to existing off site sewers.

- Detail of all inlet and outlet features including landscape treatment, to demonstrate appropriateness for residential setting.
- Final detail of detention basins, showing detail of local variation of slope and form following landscape design. Include detail of any lining, soil depths, and low flow channel. Show water levels at 1:1, 1:30 and 1:100 (plus cc).
- Detail of all other SuDS features, field drains, flow controls and treatment devices.
- Landscape details for SuDS features including detailed planting plans, soiling.
- Final detail of drainage link to Stargate Industrial Estate showing accurate line and level of pipes, plus accurate tree locations and root protection areas.
- Detailed results from exceedance flow analysis to be presented to demonstrate no off site risk from exceedance flows.
- Confirmation of adoption arrangements and parties responsible for all drainage features.
- A SuDS Health and Safety Assessment where appropriate consideration and management of any health and safety issues relating to the SuDS system is required.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and GV4 of the Core Strategy and Urban Core Plan.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the development and associated drainage provision is carried out in a comprehensive and co ordinated manner. This information is fundamental to the development and requires approval prior to development starting on the site to prevent the increased risk of flooding.

10

Each phase of the development shall be implemented in accordance with the drainage scheme for that phase of the development and the timetable for implementation approved at condition 9.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and GV4 of the Core Strategy and Urban Core Plan.

11

No drainage shall be constructed on each phase of the development until a Drainage Construction Method Statement (DCMS) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The information submitted shall include:

- Consideration of any construction phasing, demonstrating that adequate interim drainage and surface water pollution protection measures are in place to protect surface water discharge off site during the construction phase.

- 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, erosion prevention, pollution control, and de-silting prior to completion of works.

Reason

To protect the water environment and to ensure correct functioning of the drainage system at completion to accord with the NPPF, saved policy DC1 (j) of the Unitary Development Plan and policy CS17 of the Core Strategy and Urban Core Plan.

12

Each phase of the development shall be implemented in accordance with the Drainage Construction Method Statement for that phase of the development approved at condition 11.

Reason

To protect the water environment and to ensure correct functioning of the drainage system at completion to accord with the NPPF, saved policy DC1(j) of the Unitary Development Plan and policy CS17 of the Core Strategy and Urban Core Plan.

13

Prior to each phase of the development being brought into use a Drainage Management Plan for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure to correct functioning of the drainage system for the lifetime of the development and to prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, saved policies DC1 (h) and (j) of the Unitary Development Plan and policies CS14, CS17 and GV4 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

14

The drainage scheme provided for each phase of the development shall be managed and maintained in accordance with the Drainage Management Plan approved at condition 13.

Reason

To prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, saved policies DC1 (h) and (j) of the Unitary Development Plan and policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

No development (including any groundworks or site clearance) shall commence on each phase of the development until an Ecology Method Statement (EMS)

for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The EMS shall include details of the following measures and a timetable for their provision, implementation and retention:

- a) measures to avoid adverse impacts on retained ecological habitats and features during the site clearance and construction phases of the development
- b) measures to minimise the residual risk of harm to individual species during the site clearance and construction phases of the development
- c) measures to ensure local populations of protected and/or priority species are maintained at, or above, their current status.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction phases of the development in accordance with the NPPF, saved policies DC1(d) and ENV44, ENV46 and ENV47 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the site clearance and construction phases of the development can be carried out in a manner which avoids or minimises harm to ecology. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of site clearance and construction works and the manner in which they are undertaken could harm existing ecology on the site.

16

The ecology method statement approved at condition 15 shall be provided for each phase of the development in accordance with the approved details and the approved timetable for implementation and retention.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction phases of the development in accordance with the NPPF, saved policies DC1(d) and ENV44, ENV46 and ENV47 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

17

No external lighting shall be provided on each phase of the development until an external lighting strategy for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

- c) identify those areas of highway (including footpaths) which are intended to be adopted.

Reason

To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, policies DC1(d) and ENV46 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

18

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy at condition 17.

Reason

To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, policies DC1(d) and ENV46 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

19

The dwellings hereby approved shall not progress above damp proof course until an external materials schedule has been submitted to and approved in writing by the Local Planning Authority and samples of the materials, colours and finishes to be used on the external surfaces have been made available for inspection on site and subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

20

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 19.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

21

No individual hard landscaping material shall be used on site until a detailed hard landscaping plan (including a timescale of implementation) for each phase

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

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

22

All hard landscaping shall be completed in full accordance with the details approved at Condition 21 (including timescales for implementation) and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

23

No boundary treatments shall be provided within each phase of the development until a timetable for implementation has been submitted to and subsequently approved in writing by the LPA.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

24

All boundary treatments at the site shall be installed in accordance with approved plans 13-031-P07.1 C - Boundary Treatment Plan (West) and 13-031-P07.2 C within the timescales approved at condition 23.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

25

Notwithstanding the submitted details no development shall commence on the new site access onto Cushy Cow Lane until a revised access scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

26

The site access approved at condition 25 shall be provided in accordance with the approved details prior to the first house being occupied.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan

27

Notwithstanding the submitted details no dwellinghouse hereby permitted within phase 1 shall be occupied until the final details of improvements to the junction of Cushycow Lane and Stargate Lane and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

28

The improvements to the junction of Cushycow Lane and Stargate Lane approved at condition 27 shall be implemented prior to the occupation of no more than 67 dwellings within phase 1.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

29

Notwithstanding the submitted details no dwellinghouse hereby permitted within phase 1 shall be occupied until the final details of the widening of Stargate Lane and improvement to footways between Cushycow Lane and the A695 have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

30

The widening of Stargate Lane and improvement to footways between Cushycow Lane and the A695 approved at condition 29 shall be implemented prior to the occupation of no more than 67 dwellings within phase 1.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

31

Notwithstanding the submitted details no dwellings hereby permitted shall be occupied until the final details of all bus stops and shelters within the site and on Cushycow Lane and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

32

All bus stops shall be installed at the locations, in accordance with the details and timescale approved at condition 31.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

33

Notwithstanding the submitted details no dwellings hereby permitted shall be commenced within phase 2 until the final details of bus turning facility on Woodside Lane have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

34

The bus turning facility on Woodside Lane approved at condition 33 shall be provided in accordance with the approved details prior to the occupation of 50th dwellinghouse within phase 1.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

35

Notwithstanding the submitted details, no development shall commence until the details of a continuous vehicular link-road within the site between Cushycow Lane and the boundary with West Ryton (287a) as identified within Section 1 of the approved "Masterplan and Phasing Document" to facilitate all vehicular including buses and construction traffic, pedestrian and cyclist access shall be submitted to and approved in writing by the LPA.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the proposed link road is deliverable up to the site boundary and would provide a continuous link from Cushycow Lane to the boundary with 287a. This information is fundamental to the development and requires approval prior to development starting on the site.

36

The vehicular link-road approved at condition 35 shall be implemented in accordance with the approved details and made available for the use by vehicles, pedestrians and cyclists before the occupation of any dwellinghouse within phase 3. Thereafter the road shall remain open for use for vehicles, pedestrians and cycles to access 287a at all times. No barriers or other physical impediments to the use of this road by vehicles, pedestrians and cyclists to access to 287a shall be put in place without the prior written consent of the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

37

Notwithstanding the submitted details, no occupation of any dwellinghouse hereby permitted shall take place until the design of a continuous vehicular link-road within the site between Cushycow Lane and the boundary with West Ryton (287b) as identified within Section 1 of the approved "Masterplan and Phasing Document" to facilitate, vehicular, pedestrian and cyclist access shall be submitted to and approved in writing by the LPA.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

38

The vehicular link-road approved at condition 37 shall be implemented in accordance with the approved details and made available for the use by vehicles, pedestrians and cyclists before the occupation of any dwellinghouse within phase 2. Thereafter the road shall remain open for use for vehicles, pedestrians and cycles to access 287b at all times. No barriers or other physical impediments to the use of this road by vehicles, pedestrians and cyclists to access to 287b shall be put in place without the prior written consent of the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

39

Notwithstanding the submitted details no dwellings hereby permitted shall be occupied within Phase 2 until the final details of the emergency access route to

Mullen Drive and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

40

The emergency access route to Mullen Drive approved at condition 39 shall be provided in accordance with the approved details and timescales.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

41

Notwithstanding the submitted details no dwellings hereby permitted shall be occupied within Phase 2 until the final details of the pedestrian access to Mullen Drive and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

42

The pedestrian access route to Mullen Drive approved at condition 41 shall be provided in accordance with the approved details and timescales.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

43

Notwithstanding the submitted details no development shall commence until final details of all footpath diversions including a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

44

The footpath diversions approved at condition 39 shall be provided in accordance with the approved details and timescales.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF and policies GV6 and CS13 of the Core Strategy and Urban Core Plan.

45

Notwithstanding the submitted details, prior to the commencement of development (except for the installation of tree protection measures, removal of vegetation (as approved) site investigations and remediation works) details of a traffic calming scheme for the housing layout to maintain a self-enforcing 20 MPH zone and a timetable for its delivery shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in accordance with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

46

The traffic calming measures approved at condition 45 shall be provided in accordance with the approved details and approved timetable for delivery.

Reason

In the interests of highway safety and in accordance with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

47

Notwithstanding the submitted details, prior to the first occupation of any dwelling hereby approved final details of cycle storage for each house to include details of the locking mechanism and anchor point to be located in each garage or shed to Secure by Design standards shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy.

48

The cycle storage provision approved at condition 43 shall be provided for each house prior to each house being occupied.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy.

49

Notwithstanding the submitted details, prior to the first occupation of any dwelling hereby approved final details of bin storage areas for each house shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP.

50

The bin storage areas approved at condition 43 shall be provided for each house prior to each house being occupied.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP.

51

Prior to the first occupation of any dwelling hereby approved details confirming the provision of an electric vehicle charging unit in all affordable units and a spur for charging points for all remaining dwellings shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP.

52

The electric vehicle charging units/points approved at condition 45 shall be provided for each house prior to each house being occupied.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP.

53

No dwelling hereby approved shall be occupied until a final Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.
- Clearly defined objectives, targets and indicators.
- Details of proposed measures.
- Appointment of a travel plan co-ordinator and their allocated budget
- Detailed timetable for implementing measures.
- Proposals for maintaining momentum and publicising success.
- A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Evidence of the implementation of the approved Travel Plan over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

Reason

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

54

The Travel Plan approved under condition 52 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.

55

No development shall commence on each phase of the development (except for the installation of tree protection measures) 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:

- a dust management plan
- a noise management plan
- contractor parking
- details of delivery arrangements
- the hours of construction

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 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

Reason

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.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the construction phases of the development can be carried out in a manner which minimises nuisance to surrounding residents and businesses. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of construction works and the manner in which they are undertaken could affect adjacent occupiers.

56

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 55.

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.

57

No development shall commence on any dwellings within a phase of the development until noise mitigation measures for those dwellings in that phase to protect the occupiers of the dwellings from road traffic noise in accordance with the Noise Assessment (Wardell Armstrong December 2017 ref NT11928) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the living conditions of the future occupiers in accordance with the NPPF, policy DC2 of the Council's Unitary development Plan and policy CS14 of the Council's Core Strategy and Urban Core Plan.

58

The noise mitigation measures approved under condition 50 shall be provided in accordance with the approved details prior to each dwelling being occupied.

Reason

To safeguard the living conditions of the future occupiers in accordance with the NPPF, policy DC2 of the Council's Unitary Development Plan and policy CS14 of the Council's Core Strategy and Urban Core Plan.

59

No more than 100 dwellinghouses hereby permitted shall be occupied until the final report of the results of the archaeological excavation undertaken on site has been submitted to and approved in writing by the Local Planning Authority.

Reason

The investigation is required to ensure that any archaeological remains on the site can be recorded, in accordance with the NPPF, Core Strategy Policies CS15 and saved Unitary Development Plan Policies ENV21 and ENV22.

60

No more than 150 dwellinghouses hereby permitted shall be occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason

The site is of archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with the NPPF, Core Strategy Policies CS15 and UC14 and saved Unitary Development Plan Policies ENV21 and ENV22.

61

No development shall commence until an intrusive site investigation is undertaken, and 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, soil sampling, chemical laboratory testing, to assess potential contamination issues.

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 the environment, 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.

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

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

62

The recommendations of the intrusive site investigation and the Phase 2 Risk Assessment Report approved under condition 61 shall be implemented insofar as it relates to each individual phase prior to commencement of each phase of the development hereby permitted.

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

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

63

Prior to commencement of the development hereby permitted, where required, a detailed remediation scheme to bring the site to a condition suitable for the

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

Reason

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

Reason for Pre-commencement Condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

64

The details of remediation measures approved under condition 63 shall be implemented insofar as it related to each individual phase prior to commencement of the development on each phase of the development hereby permitted and maintained for the life of the development.

Reason

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

Reason for Pre-commencement Condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

65

Following completion of the remediation measures approved under condition 63 for each individual phase a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written

approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

Reason

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

66

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An 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.

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

Reason

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

67

No development shall commence on each phase of the development (except for the installation of tree protection measures and site investigation) until a detailed scheme of remediation works for shallow coal mining workings in that phase including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development is not at risk from unstable land in accordance with the NPPF, policies DC1(p) of the Council's Unitary Development Plan and policy CS14 of the Council's Core Strategy and Urban Core Plan.

Reason for Pre-commencement Condition

This pre-commencement condition is required due to the presence of shallow mine workings below the site and to satisfy the Local Planning Authority that the development can be carried out in a safe and stable manner. This information is fundamental to the development and requires approval prior to development starting on the site as it may not be possible to carry out the investigations and remediation works once development has started.

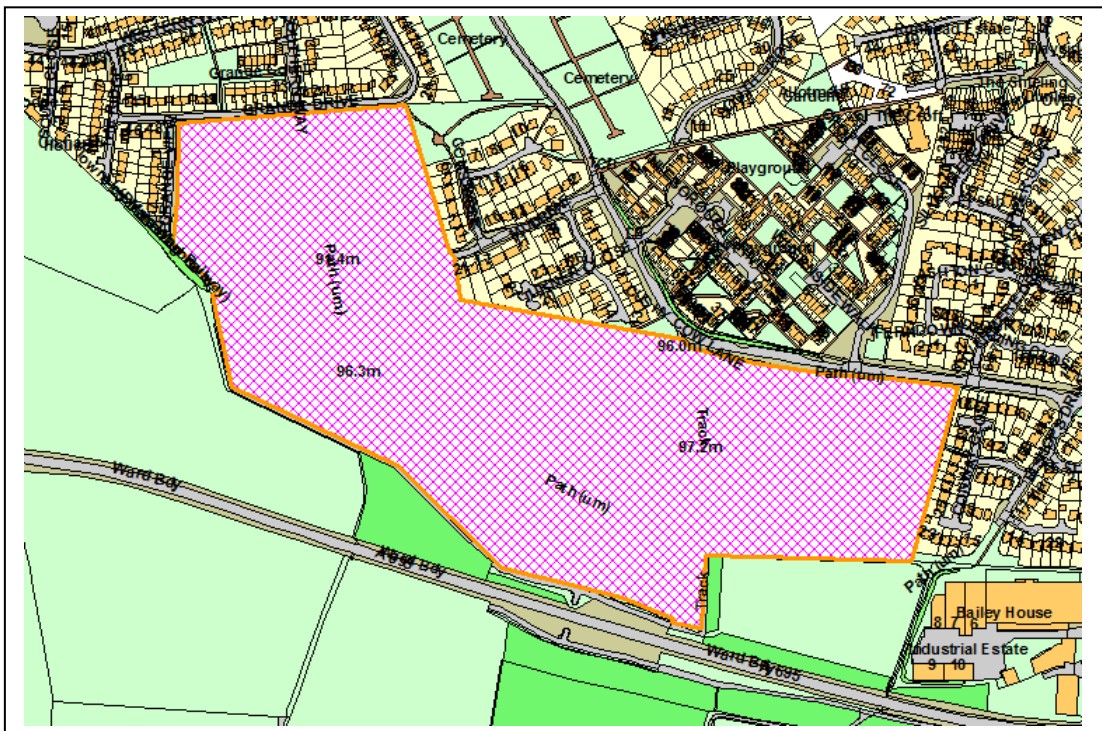
68

The scheme of coal mining remediation works on each phase of the development

shall be carried out in accordance with the details approved for that phase under condition 67 including the approved timetable of implementation.

Reason

To ensure that the development is not at risk from unstable land in accordance with the NPPF, policies DC1(p) of the Council's Unitary Development



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