

**Committee Report**

<b>Application No:</b>	<b>DC/17/01376/FUL</b>
<b>Applicant</b>	<b>Taylor Wimpey</b>
<b>Date Application Valid</b>	<b>21 December 2017</b>
<b>Site:</b>	<b>Land East of Woodside Lane And North of A695</b>
<b>Ward:</b>	<b>Ryton Crookhill And Stella</b>
<b>Proposal:</b>	<b>Proposed erection of 267 dwellings including associated access, infrastructure and open space (amended 22/10/18 and 24/01/19).</b>
<b>Recommendation:</b>	<b>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</b>
<b>Application Type</b>	<b>Full Application</b>

**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 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 13.4 hectares in total 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 divided into two parcels of land. The larger parcel of the site is located to the west running adjacent to both Woodside Lane to the west

and the A695 to the south. The application also includes a smaller detached parcel of land in the south east corner, adjacent to the Stargate Industrial Estate and south of the Bellway portion of the Village Growth Area.

- 1.8 The larger parcel of land is bordered by housing developments to the north. A historic dismantled railway line runs directly to the east of the site forming a wagonway, which is a public right of way as well as a green corridor between the Wimpey and Bellway application sites. The A695 runs adjacent to the southern edge of the site with agricultural land beyond. Abutting the western boundary of the site is a pond located adjacent to Woodside Lane.
- 1.9 As referenced, the site was formerly located within the Green Belt but now forms part of a housing allocation under the CSUCP for up to 550 homes.
- 1.10 **DESCRIPTION OF APPLICATION**  
The application seeks planning permission for the residential development of 267 dwellings including associated access, infrastructure and landscaping on two parcels of land within the Ryton Village Growth Area.
- 1.11 The application proposes that the primary access point into the larger of the two sites will be from Woodside Lane and access to the smaller parcel will be taken through the proposed Bellway development (via Cushy Cow Lane). A secondary access to the larger site is to be provided via a link road connecting to the wider Village Growth Area.
- 1.12 The dwellings would be two and two and a half storeys. The development proposes that 55 of the dwellings would be detached, 167 semi-detached and 45 terraced; 71 dwellings would have four bedrooms, 138 would have three bedrooms and 58 would have two bedrooms.
- 1.13 The main areas of open space would be located in the southern and northern areas of the site, with smaller areas of open space distributed around the site. The main SuDS areas would be located to the north and north west of the application site.
- 1.14 The applicant held three public consultation drop-in events prior to the submission of the application.
- 1.15 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

### 1.16 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:

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 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, 34 letters of objection have been received. The issues raised by members of the public are set out below:

3.4 Policy issues

- The development omits areas of the allocation and as such does not comply with the requirements of the Development Plan.

3.5 Transport issues

- Works should not commence on site until amendments to Stargate Lane are made.
- The proposed development would cause congestion.
- There has been inadequate consideration of the impact on the A695.
- Alternative routes should be considered for construction traffic.
- Access to the new housing should come from the A695.

3.6 Green Belt issues

- The proposal is an attack on the Green Belt.

3.7 Local infrastructure issues

- The proposed development would impact on broadband provision, doctors' surgeries and sewerage services.
- There is a lack of amenities within the area.

3.8 Flooding and drainage issues

- Mine workings below the development would result in flooding.

3.9 Residential amenity issues

- The construction phase of the development would impact on the amenity of neighbour occupiers.
- The proposed development would lead to overlooking into a bathroom window.

### 3.10 Other issues

- The proposed development would impact on air quality.
- The loss of wooded areas is excessive.
- The proposal does not have adequate consideration of hedgehogs.
- The development is out of keeping with the wider area.
- The development will result in the loss of nesting areas for skylarks.

3.11 1 letter of support has been received to the application. The issue raised is 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 north western portion of the application site and includes the proposed site access onto Woodside Lane. Phases two and three are proposed to take place towards the central part of the site and include the completion of the proposed link road up to the site boundary. The fourth phase of the site would take place within the smaller part of the application site (to the south east). 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/16/00320/FUL. Together these two sites cover the majority of the allocated wider Village Growth Area, site GV6. However, an area of circa 0.68ha to the south and an area of circa 0.46ha 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/16/00320/FUL)). If planning permission was to be granted a condition could be attached requiring the development in accordance with the submitted Masterplan (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 (40 units). Of these homes, 27 are to be allocated for affordable rent and 13 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 209 houses (out of a total of 267) 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 34 houses per hectare. This would comply with the 30-50 dwellings per hectare target within saved policy H12 of the UDP. In this case it is considered that the density of the development would assimilate well with the adjoining neighbourhoods. 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 good 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 development can be undertaken without necessity to remove any significant individual trees. However, the proposal will require some group tree removal to the north west of the large site to accommodate a SuDS pond. It is considered that any tree loss would 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 conditions 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**  
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 appraisal takes into account (amongst others) the proposed Bellway development i.e. most of the remaining GV6 allocation.
- 5.32 The appraisal agrees with the conclusion 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..."*
- 5.33 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]."*
- 5.34 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..."*
- 5.35 The application proposes the creation of a buffer to the south of the larger site with a width of between 18 and 25 metres, it is proposed for this area to be bunded and planted up with native woodland planting, native woodland edge planting and emergent/marginal planting. Further the proposed development would retain the majority of the existing tree planting to the western boundary of the application site. Further, the application proposes the retention of the existing tree planting to the south of the small site at a width of approximately 10 metres. The level of planting along the southern and western boundaries is considered by officers to represent *'... a substantial landscape/ecological buffer.'*
- 5.36 The area of woodland to the east of the larger 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 a neutral effect on the scheme.
- 5.37 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.
- 5.38 Therefore, while it cannot strictly be concluded that the proposal would fully comply with the requirements 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 (Conditions 4, 5 and 6), the application is considered to be acceptable in regard to landscape impact.

### 5.39 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 and central 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.

5.40 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 5.58 ha of open space and landscaped area 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.

5.41 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.

### 5.42 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).

5.43 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 GV6:11/13 of the Core Strategy.

5.44 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.

### 5.45 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.

5.46 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.

### 5.47 Drainage

A sustainable drainage system has been incorporated in the development in the form of ponds/detention basins, swales, water gardens and underground storage.

- 5.48 Policy GV6:11 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 into SuDS to ensure betterment for Grange Drive.
- 5.49 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 Bellway development and the wider Village Growth Area and offers a workable solution for the application site.
- 5.50 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.
- 5.51 **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.
- 5.52 The application site is made up of smaller areas of mixed plantation woodland, scrub, semi-improved grassland and wetland.
- 5.53 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.
- 5.54 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).
- 5.55 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.

- 5.56 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
- 5.57 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 Details of the external appearance/materials have been provided as part of the application and are considered to be suitable, however final details need to be secured through planning conditions (Condition 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 Woodside Lane together with a link road through the proposed Bellway site to Cushycow Lane. Woodside Lane would be improved to include: a right turn lane into the site; reduced speed limit; improvements to the existing bus lay-bys; a new bus turning facility; and an uncontrolled pedestrian crossing facility. A 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 Bellway development may have on the road network. The TA supplements the previous Transport Assessment that was undertaken as part of consideration of the allocated sites at Crawcrook North and Crawcrook South which also included the impact of site GV6. The submitted TA and Addendums contain an appropriate level of junction modelling and analysis and has not identified any additional works required on the A695 corridor.

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 Bellway application 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."

5.76 These highway improvement works are to be provided by the proposed Bellway application.

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

These highway improvement works are to be provided by the proposed Bellway application.

5.77 The latest addendum to the TA concludes;

*"The proposed development meets the sustainable objectives of the 2018 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."*

5.78 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.

5.79 Connectivity

The proposed development allows for some connection to existing cycle and pedestrian routes within the wider area. 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 30<sup>th</sup> occupation of this site or the 50<sup>th</sup> occupation of the Bellway site. 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 (Condition 27 and 28) and the creation of a turning facility off Woodside Lane; the final design and implementation of this facility can be conditioned (Condition 29 and 30).

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 Woodside Lane and Cushy Cow 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 142<sup>nd</sup> (end of Phase 2) dwelling (Condition 31 and 32).

- 5.83 Further, there a site-specific policy for the site to retain the Towneley Main Waggonway, specifically GV6 (9) requires;  
*“Interpretation and retention of the route of the Towneley Main Waggonway which runs through the site.”*
- 5.84 The proposed development retains the waggonway through the site, however the policy requirement for a link road necessitates the severance of the waggonway . The alignment and level of the proposed link road has been designed to minimise the impact on the waggonway, as referenced above the final detail of this crossing will be secured via condition.
- 5.85 **Public Rights of Way**  
The proposed development does not propose the diversion of any public rights of way within or outwith the application site.
- 5.86 **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 though planning conditions (Conditions 33 and 34).
- 5.87 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 should provide for either an appropriately sized 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 (Condition 35 and 36).
- 5.88 It is also considered necessary to condition the final location and details of visitor parking bays in relation to the site as a number of locations e.g. plots 147 and plots 174-183 require some minor amendment (Conditions 37 and 38).
- 5.89 Further, there is a need to condition the final details of bin storage to be provided for consideration; this could be secured via planning conditions (Conditions 39 and 40).
- 5.90 **Vehicle charging points**
- 5.91 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 41 and 42).
- 5.92 **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 43 and 44).

5.93 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.

5.94 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 Western Way, South Close, The Ridge and Grange View.

5.95 Whilst it is acknowledged that the outlook from all the properties which abut the application site will change, officers have considered the impact on these properties carefully together with the separation distances between the proposed development and existing housing.

5.96 In regard to existing properties on Western Way, it is considered that the separation distances from the gables of proposed houses to the rear windows of the existing properties (minimum of 25 metres) would be acceptable and would not result in an unacceptable visual impact or loss of privacy to existing properties on Western Way.

5.97 In regard to existing properties on South Close, officers have carefully considered the separation distanced afforded between the proposed development and existing housing (minimum of 21 metres window to window) and the retention of hedging to the boundary of the site sufficient to prevent any unacceptable visual impact or loss of privacy.

5.98 In regard to existing properties on The Ridge and Grange View, officers have carefully considered the separation distanced afforded between the proposed development and existing housing (minimum of 22 metres window to window), the retention of hedging to the boundary of the site and the staggered relationship between the properties; it is considered the proposal would not have any unacceptable visual impact or loss of privacy.

5.99 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.

5.100 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 45 and 46).

- 5.101 It is therefore considered that the application would be in accordance with policy CS14 of the CSUCP and saved policy DC2 of the UDP.
- 5.102 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.
- 5.103 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 (Conditions 47 and 48).
- 5.104 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.
- 5.105 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. The application would therefore not conflict with policy CS15 of the CSUCP and saved policies ENV21 and ENV22 of the UDP.
- 5.106 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 49 - 54). 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.
- 5.107 The Coal Authority have also been consulted on the application and have no objection to the proposal subject to the imposition of planning conditions (Conditions 55 to 58).
- 5.108 Subject to the above conditions, it is considered that the application would not conflict with policy CS14 of the CSUCP and saved policies ENV54 and DC1 of the UDP.
- 5.109 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 central and north-eastern parts 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.

5.110 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.

#### 5.111 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.

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

#### 5.113 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.

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

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

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

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 prove 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 application proposes the retention of and where necessary the improvement to existing planting adjacent to the existing reservoir (secured by conditions), the application therefore complies with this requirement.

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.

#### 5.114 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.

- 5.115 Aside from the above, the developer estimates that 56 direct full time construction jobs will be created during construction, as well as 84 indirect full time jobs. The total gross construction investment value is approximately £38 million and the New Homes Bonus payment is around £1.8 million. Furthermore, additional council tax receipts would be generated. The total gross spending power of the development would be approximately £6.6 million per year, based on average spend of households in the north east.

#### 5.116 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. It is not considered that this issue would justify a refusal of planning permission.

- 5.117 In regard to construction traffic, this matter is not a material planning consideration and should not be afforded weight in the decision making process.

5.118 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 4, 5 and 6 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 Bellway application (DC/16/00320/FUL) the applications cover the majority (96%) of the Village Growth Area. As such, subject to the approval of application DC/16/00320/FUL, officers are of the view that the developments 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.

6.3 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.

6.4 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:**

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 -

<b>Plan</b>	<b>Reference Number</b>
Masterplan and Phasing Document 2019	Ryton Masterplan Document_1.03.2019 (1)
AA22 Affordable Elevations	AA22/6/PL2
AA22 Affordable Floor Plans	AA22/6/PL1
AA33 Affordable Elevations	AA33/6/PL2
AA33 Affordable Floor Plans	AA33/6/PL3
Garage Floor Plan	GARAGES/PL1
Beauford - Floor Plans	NA21/7/PL1 C
Beauford - Elevations	NA21/7/PL2 B
Manford – Floor plans	NA44/7/PL1 B
Manford – Elevations Character 1	NA44/7/PL3 B
Manford – Elevations Character 2	NA44/7/PL2 B
Braxton – Ground Floor Plan	NB31/CP/01 A
Braxton – Elevations Character 1	NB31/7/PL3 B
Braxton – Elevations Character 2	NB31/7/PL2 A
Braxton – Floor Plans	NB31/7/PL1 B
Elliston – Elevation Character 1	NB41/7/PL3 A
Elliston – Elevation Character 2	NB41/7/PL2 B
Elliston – Floor Plans	NB41/7/PL1 B
Coltham – Elevations Character 1	ND40/7/PL2 A
Coltham – Elevations Character 2	ND40/7/PL3 A
Coltham – Floor Plan	ND40/7/PL1 A
Kingham – Floor Plans	ND42/7/PL1 A
Kingham – Elevations Character 1	ND42/7/PL2 A

Kingham – Elevations Character 2	ND42/7/PL3
Canford – Elevations Character 1	PA25/7/PL2 A
Canford – Elevations Character 2	PA25/7/PL3
Canford – Floor Plans	PA25/7/PL1 A
Gosford – Elevations Character 1	PA34/7/PL2 A
Gosford – Elevations Character 2	PA34/7/PL3 A
Gosford – Floor Plans	PA34/7/PL1 A
Midford – Elevations Character 1	PA44/7/PL2 A
Midford – Elevations Character 2	PA44/7/PL3
Midford – Floor Plans	PA44/7/PL1 C
Amersham – Elevations Character 1	PD30/7/PL2
Amersham – Elevations Character 2	PD30/7/PL3
Amersham – Floor Plans	PD30/7/PL1
Lavenham – Elevation Character 1	PD51/7/PL2
Lavenham – Elevation Character 2	PD51/7/PL3
Lavenham – Floor Plans	PD51/7/PL1 B
Easedale – Floor Plans	PT36/7/PL1 A
Easedale – Elevation Character 1 (roof 1)	PT36/7/PL2
Easedale – Elevation Character 1 (roof 2)	PT36/7/PL3
Easedale – Elevation Character 2 (roof 1)	PT36/7/PL4
Easedale – Elevation Character 2 (roof 2)	PT36/7/PL5
Site A SW Basin A	QD836 Site A SW Basin A
Site A SW Basin B	QD839 Site A SW Basin B
Site B SW Network	QD839 Site B SW Network
Site A Drainage Strategy	QD839-00-01 Rev B
Site A External Works Sheet 1	QD839-00-02 Rev B
Site A External Works Sheet 2	QD839-00-03 Rev B
Site A External Works Sheet 3	QD839-00-04 Rev B
Site A External Works Sheet 4	QD839-00-05 Rev B
Site A External Works Sheet 5	QD839-00-06 Rev B
Site B Drainage Strategy	QD839-00-07 Rev A
Site B External Works	QD839-00-08 Rev A

Site A – Area A - Storm	QD839 Site A Area A
Site A – Area B – Storm	QD839 Site A Area B
Site B – Storm Network	QD839 Site B Storm
Longsection Sheet 1	QD839-00-09 Rev A
Longsection Sheet 2	QD839-00-10 Rev A
Bus Turning Area Proposed Levels	QD839-00-11
Refuse Tracking Layout Sheet 1	QD839-40-01 Rev A
Refuse Tracking Layout Sheet 2	QD839-40-02 Rev A
Enclosure Details	RYT-SK-30 Rev C
Ryton Enclosure Details 1	RYT-SK-30 Rev B
Ryton Enclosure Details 2	RYT-SK-31 Rev A
Southern Boundary Indicative Sections Rev A	952_02
Indicative Sections Southern Boundary	952_10 Rev A
Management of Existing Hedgerows	952_50 Rev B
Open Space Provisions rev A	952_02
Woodside Lane LVA Rev A	952_ Woodside Lane LVA Rev A
Offsite Mitigation Area – Proposed Works	952_110
Sketch Layout	RYT/SK4-01 Rev D
Landscape Strategy	952_01(Rev B)
Design and Access Statement	HPS_DAS v3

<b>Document</b>	<b>Reference Number</b>
Noise Assessment	NT12153/0005-Rev2
BFL12 Assessment	BFL12_2
Arboricultural Impact Assessment	AE/ARB/1122
Tree Survey and Constraints Plan	ARB/AE/1122
Transport Assessment Addendum	A078337 & A089225-2 v2
Sustainability Statement	TW
Flood Risk Assessment and Drainage Strategy	QD836 Rev B
Revised Interim Travel Plan	A089225-2 v2
Geoenvironmental Appraisal	C6194A
Bat Survey	3920 TW Bats 2017 R03
Ecological Impact Assessment	3920 TW ECIA 2017 R04
Great Crested Newt Survey	3920 TW GCN 2017 R04
Hydrogeological Risk Assessment	C6194A
Geotechnical Review	70035931 Date: June 2017

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

Reason

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

2

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

Reason

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

3

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 soft 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 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 scheme shall be implemented in accordance with the details and timings approved at 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 soft 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 site set up, site hoardings, 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.
- Cross section through swale behind Plot 119 showing relationship to houses; rear gardens; hedge and RPA; wagonway; and maintenance access. Cross section between Plots 84 and 46 showing relationship of swale and swale crossing to drives, houses and hedgerow.
- 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, flow controls and treatment devices.
- Landscape details for SuDS features including detailed planting plans, soiling.
- Detailed results from exceedance flow analysis to be presented to demonstrate no off site risk from exceedance flows.
- All necessary consents required for off-site works.
- 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, permeable surfaces, 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 and Elevational Treatment Plan 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 for each development phase 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 plan RYT/SK4-01 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 Woodside 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 dwellings hereby permitted shall be occupied until the final details and locations of all bus stops within the site 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.

28

All bus stops shall be installed at the locations, in accordance with the details and timescale approved at condition 27.

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 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.

30

The bus turning facility on Woodside Lane shall be provided in accordance with the details approved at condition 29 prior to the occupation of the 30th dwelling house hereby permitted.

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 development (except for the site set up, site hoardings, installation of tree protection measures, site investigations and remediation works) shall commence until the details of a continuous vehicular link-road within the site between Woodside Lane and the boundary with East Ryton (285) 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.

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 Woodside Lane to the boundary with 285. This information is fundamental to the development and requires approval prior to development starting on the site.

32

The vehicular link-road approved at condition 31 shall be implemented in accordance with the approved details and made available for the use by all vehicles (including buses and construction), 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 285 at all times. No barriers or other physical impediments to the use of this road by vehicles, pedestrians and cyclists to access to 285 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.

33

Notwithstanding the submitted details, prior to the commencement of development (except for the site set up, site hoardings, installation of tree protection measures, 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.

34

The traffic calming measures approved at condition 33 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.

35

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 Secured 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.

36

The cycle storage provision approved at condition 35 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.

37

Notwithstanding the submitted details, prior to the first occupation of any dwelling hereby approved final details of visitor parking within the site 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.

38

The visitor approved at condition 37 shall be provided prior to the completion of each phase of the development.

Reason

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

39

Notwithstanding the submitted details, prior to the first occupation of any dwelling hereby approved final details of bin storage areas for each house within private shared drives 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.

40

The bin storage areas approved at condition 39 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.

41

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.

42

The electric vehicle charging units/points approved at condition 41 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

43

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.

44

The Travel Plan approved under condition 43 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.

45

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.

46

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 45.

#### 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.

47

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 (NT12153 September 2018)) 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.

48

The noise mitigation measures approved under condition 47 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.

49

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.

The site investigation and Phase 2 report should also include, where applicable, permeability tests and an assessment of potential contamination issues in relation to any proposed / required SUDS features.

#### 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.

50

The recommendations of the intrusive site investigation and the Phase 2 Risk Assessment Report approved under condition 49 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.

51

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.

52

The details of remediation measures approved under condition 51 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.

53

Following completion of the remediation measures approved under condition 52 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.

54

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.

55

No development shall commence until a scheme for intrusive site investigations in order to establish the location of mine entries, the opencast high wall and shallow mine workings has been submitted to an approved in writing by the LPA.

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 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.

56

No development shall commence until the intrusive site investigations approved at condition 55 have been undertaken in full.

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 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.

57

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 and mine entries 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

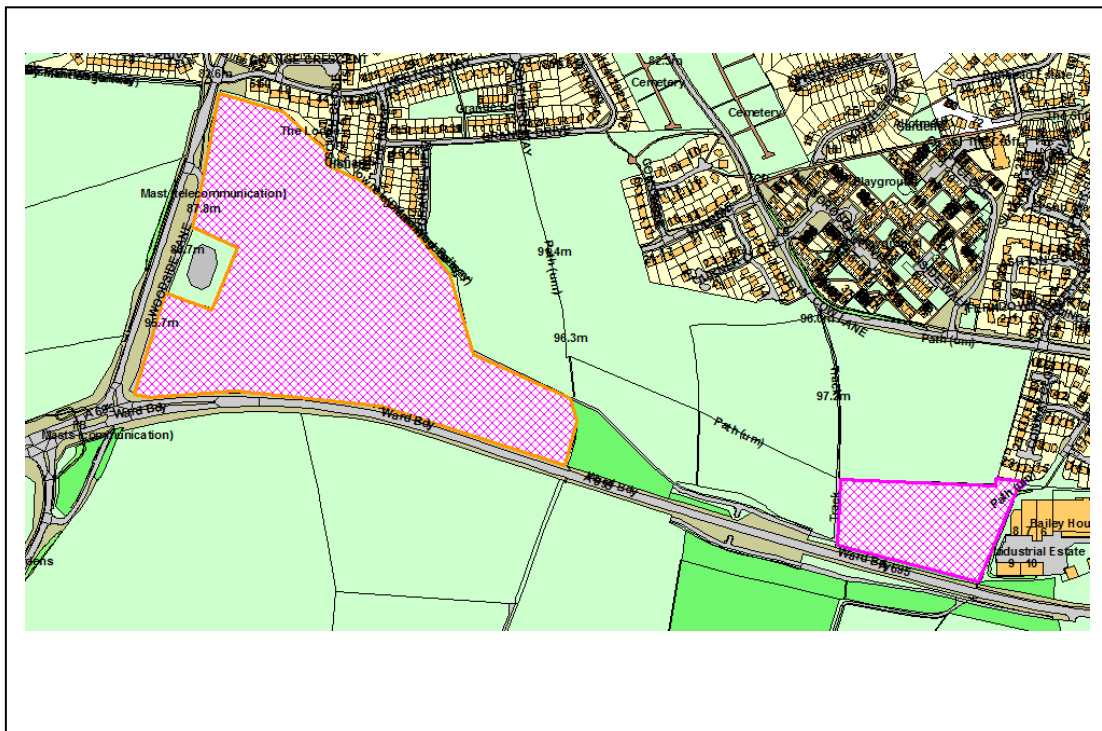
This pre-commencement condition is required due to the presence of shallow mine workings below the site and to satisfy the Local Planning Authority that the development can be carried out in a safe and stable manner. This information is fundamental to the development and requires approval prior to development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

58

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 57 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 Plan and policy CS14 of the Council's Core Strategy and Urban Core Plan.



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