

Committee Report

Application No:	DC/16/00698/OUT
Case Officer	Lois Lovely
Date Application Valid	13 July 2016
Applicant	Persimmon Homes
Site:	Former Wardley Colliery Wardley Lane Felling Gateshead NE10 8AA
Ward:	Wardley And Leam Lane
Proposal:	Outline application for no more than 144 new residential dwellings (C3 use) with associated new highways access, landscaping, infrastructure and all site remediation works. All matters reserved (additional information and amended 07/02/18, additional information 29/05/18 and amended 10/09/18).
Recommendation:	GRANT subject to a Section 106 Legal Agreement
Application Type	Outline Application

1.0 Background

- 1.1 The application was reported to Planning and Development Committee on 12 December 2018 with a recommendation to refuse planning permission for three reasons, as set in the appended Officer Report (Appendix 1).
- 1.2 As the Committee were minded to GRANT the application, the application was deferred to allow Officers to develop appropriate planning conditions for later consideration by the Committee. The following is the outcome of the subsequent discussions between Officers and the applicant.

2.0 Recommendation:

To GRANT permission and subject to the following conditions and a SECTION 106 AGREEMENT

- 1) The agreement shall include the following obligations:
- A Welcome Pack containing a 2 x £50 preloaded POP cards per dwelling
 - 5% Affordable housing
 - Local Workforce Commitments
 - Contribution of £1,500 to Archaeological Interpretation Boards
 - Contribution of £30,000 for Ecological Management of the Proposed Wardley Manor Country Park

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 hereby permitted in outline shall not be carried out other than in substantial accordance with the plan(s) accompanying the application as listed below:
 - i. Access Parameter Plan received 9 Feb 2018
 - ii. 114570 1001 Rev A In Principle Highway Arrangement received 9 Feb 2018
 - iii. Maximum Building Heights Parameter Plan received 9 Feb 2018
 - iv. Land Use Parameter Plan received 9 Feb 2018
 - v. Landscape Parameter Plan received 9 Feb 2018

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

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

Reason

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

2. The application(s) for approval of the reserved matters referred to in condition 1 above shall be made to the Local Planning Authority within 3 years of the date of this permission.

Reason

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

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

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

Reason

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

4. The submission of Reserved Matters and the implementation of the development hereby permitted shall be carried out in substantial accordance with the principles described and illustrated in the Design and Access Statement July 2016.

Reason

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

5. Notwithstanding the information submitted and avoiding duplication with any activities and mitigation subject to licencing; a Biodiversity Method Statement covering:
 - a) the protection of habitats/ecological features to be retained on and off site
 - b) protected and priority species including, but not limited to: bats, breeding birds and dingy skipper butterfly;
 - c) invasive non-native species and;
 - d) the timescale for its implementation

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The content of the method statement shall include details of measures to be implemented to avoid/minimise the residual risk of harm to individual species during the construction and operations of the development; and to ensure, where possible, local populations are maintained at or above their current levels.

Reason for condition

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

Reason for pre- commencement condition

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

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

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

Reason

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

7. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until an updated Flood Risk Assessment in accordance with NPPG and local policy requirements has been submitted for approval to the Local Planning Authority. This should consider the impact of climate change. It shall include a detailed hydrogeological assessment which shall consider the current and future risks of groundwater and mine water flooding, the risk of the drainage and SuDS mobilising pollutants, and the impact upon the Coal Authority's infrastructure and mine water pathways, e.g. fractures, shafts, workings, boreholes.

Reason for condition

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

Reason for pre commencement condition

The updated FRA must demonstrate that there are no risks of current and future risks of groundwater and mine water flooding

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

8. No development shall commence on the development hereby permitted until a Demolition and Construction Management Plan (DCMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCMP shall include:

- a) an asbestos survey and mitigation measures for disposal of asbestos;
- b) construction haul routes
- c) a dust management plan
- d) a noise management plan
- e) pollution prevention measures
- f) contractor parking
- g) details of delivery arrangements including hours and routing
- h) measures to limit and manage transfer of debris on to the highway
- i) a drainage construction method statement containing:

- 1) Consideration of any construction phasing, demonstrating that adequate interim drainage and surface water pollution protection measures are in place.
- 2) Description of any construction methodologies to protect the SuDS functionality including the provision of any required temporary drainage systems, and methods for temporary protection of infiltration features, permeable surfaces, erosion prevention, pollution control, and de-silting prior to completion of works.

Reason for condition

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

Reason for pre commencement condition

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

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

9. The development hereby permitted shall be implemented wholly in accordance with Demolition and Construction Management Plan (DCMP) measures approved at condition 8.

Reason

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

10. No development or any other operations shall commence on the development until a scheme for the protection of the existing trees and hedges that are to be retained 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 for condition

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

Reason for pre commencement condition

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

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

11. The tree protective fencing for the development approved at condition 10 must be installed prior to the commencement of development and thereafter retained intact for the full duration of the construction works 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 for condition

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

Reason for pre commencement condition

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

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

12. All vegetation and site clearance work, including demolition of the buildings, will be undertaken outside the breeding bird season (March to August inclusive) or following the inspection by a suitably qualified ecologist who has declared the area free of birds nesting activity. Any works happening during the breeding season must be first reported to the Local Planning Authority prior to the commencement of works on site.

Reason

To ensure habitats and ecological features are retained and protected and priority species will be protected in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

13. No development approved by this Planning Permission shall be commenced until further site investigations (based on the findings of the Patrick Parsons Phase 2 Preliminary Ground Investigations report prepared by Simon Jones and dated November 2012) are 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 trial pits, and boreholes, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design. A suitable suite of chemical soil analysis should be undertaken on soil samples and should include asbestos analysis (presence, type and quantity). The investigation should delineate the extent of asbestos previously identified on site.

Further investigation is required into the main body of the perimeter mound to assess the potential risk of combustion of materials in the mound, the extent of any existing capping to the mound and to assess the potential 'spread of fire' risk to the adjacent proposed development.

The site investigation and Phase 2 Risk Assessment report shall include a summary of the findings of the Patrick Parsons Preliminary Site Investigation and shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice. The Risk Assessment should confirm possible pollutant linkages. Ground gas monitoring shall be undertaken at the site and a Gas Risk Assessment report produced and submitted to the Local Planning Authority with recommendations for ground gas mitigation measures.

Reason for condition

In order to ensure the land is suitable for its sensitive end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for pre commencement condition

To ensure that contamination and remediation measures are identified prior to commencement of the development hereby permitted to ensure risks to future users of the land are minimised.

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

14. The recommendations of the intrusive site investigation and the Phase 2 Risk Assessment Report approved by the Local Planning Authority under condition 13 shall be implemented prior to commencement of the development hereby permitted.

Reason for condition

In order to ensure the land is suitable for its sensitive end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy

and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for pre commencement condition

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

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

15. Prior to commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and proposed validation strategy. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. NB The Local Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape / garden areas.

Reason for condition

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

Reason for pre commencement condition

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

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

16. The details of remediation measures approved under condition 15 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

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

Reason for condition

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

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for pre commencement condition

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

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

17. Following completion of the remediation measures approved under condition 15 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.

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

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

Reason

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

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

Reason for condition

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

Reason for pre commencement condition

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

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

20. The remediation measures approved under condition 19 shall be implemented wholly in accordance with the approved scheme prior to the commencement of the development hereby permitted.

Reason for condition

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

Reason for Pre commencement condition

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

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

21. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until a detailed drainage strategy and assessment. The assessment shall be in full accordance with the Gateshead Council Interim Surface Water (SuDS) Guidelines for New Development and shall include all relevant information set out in the guidelines, plus:

- a. Demonstration of conformity to the discharge hierarchy including confirmation of the surface water discharge route. If discharge is via the watercourse, a condition survey and ecological survey of the existing watercourse up to the point where it passes beneath the railway line will be required, plus agreement with Gateshead and South Tyneside Lead Local Flood Authorities, and Northumbrian Water.
- b. Demonstration of conformity to national and local SuDS and flood risk policy and DEFRA Non-Statutory Technical Standards for SuDS.

- c. Water quality assessment to ensure no adverse impact upon ground and surface water quality during construction and for the lifetime of the development. This shall include detailed evidence of how the SuDS system will provide treatment to surface water runoff in accordance with all relevant planning policy.

Reason for condition

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

Reason for pre commencement condition

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

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

- 22. The details of SuDS measures approved under condition 21 shall be implemented wholly in accordance with the approved details prior to first occupation of any of the dwellings of the development hereby permitted in accordance with the approved details and retained thereafter for the life of the development.

Reason

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

- 23. Prior to the development hereby permitted commencing a drainage maintenance and maintenance plan in perpetuity, in full accordance with the Gateshead Council Interim Surface Water (SuDS) Guidelines for New Development, shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason for condition

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

Reason for pre commencement condition

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

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

24. The details approved under condition 23 shall be substantially implemented prior to first occupation of any of the dwellings hereby permitted in accordance with the approved details and retained thereafter for the life of the development

Reason

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

25. Prior to commencement of the development any development of SuDS must be subject to a Drainage Construction Method Statement, and SuDS Health and Safety Risk Assessment in accordance with the CIRIA SuDS Manual (C753) that shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason for condition

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

Reason for pre commencement condition

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

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

26. The details approved under condition 25 shall be wholly adhered to for the duration of the construction of the drainage approved under condition 21 and retained thereafter for the life of the development

Reason

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

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

07:00 hours to allow deliveries to come off the main highway;
07:30 hours construction start on site;

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

Reason

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

28. As part of any reserved matters submission, pursuant to condition 1 above, the details of the relevant off-site highway works, including, the new access road, junction with Shields Road, works to the railway bridge, and improvements to the existing lane shall be included. The submitted details shall include a timescale for their implementation.

Reason for condition

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

29. As part of any reserved matters made pursuant to condition 1 above, full details shall be submitted for the consideration and written approval of the Local Planning Authority of the retained landscaped bund running along the southern part of the development site, such details to include existing and retained bund heights, details of any remediation requirements and landscape management proposals for ecological purposes. The details shall demonstrate that no part of the bund is to be included in any areas of private gardens or as publicly accessible open space. The approved details shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

Reason

To ensure suitable landscaping and planting in the interests of the visual amenity of the area, in accordance with the National Planning Policy Framework, Saved UDP policy DC1p and Policies CS15 and CS18 of the Core Strategy and Urban Core Plan.

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

Reason for condition

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

Reason for pre commencement condition

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

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

31. The details approved under condition 30 shall be implemented wholly in accordance with the approved details and retained thereafter

Reason

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

32. As part of any reserved matters made pursuant to condition 1 above, full details shall be submitted for the consideration and written approval of the Local Planning Authority of the layout, such details to demonstrate that the development can achieve a self enforcing 20mph zone. The details shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

Reason

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

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

Reason

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

34. No dwelling hereby permitted shall be first occupied until final details of the cycle parking provision for each dwelling is submitted to and approved in writing by the Local Planning Authority.

Reason

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

35. The cycle parking facilities approved at condition 34 shall be provided in accordance with the approved details prior to the relevant dwelling being first occupied and be retained thereafter.

Reason

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

36. Prior to the construction of any dwelling, hereby permitted, above damp proof course details of external materials to be used on that dwelling shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

37. The materials approved under condition 36 shall be implemented wholly in accordance with the approved details and retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

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

38. Prior to the development hereby permitted progressing above damp proof course details of electric vehicle charging points for each of the affordable units shall be submitted for the consideration and written approval of the Local Planning Authority. For all other units, a spur shall be provided to allow future installation of charging equipment.

Reason

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

39. The electric vehicle charging points approved at condition 38 shall be provided for each given house in accordance with the approved details prior to the first occupation of that dwelling and be retained thereafter.

Reason

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

40. Prior to first occupation of any dwelling of the development hereby permitted, final details of the design of the play areas and play equipment and a timetable for its installation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

41. The play equipment approved under condition 40 shall be installed wholly in accordance with the approved details and timetable.

Reason

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

42. Prior to first occupation of the development hereby permitted, a lighting strategy for biodiversity for the proposed development site shall be 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; and
 - 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.

Reason

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

43. The external lighting details approved under condition 42, shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason

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

44. In the event the development hereby permitted is not commenced on site within 2 years of the date of this permission, an updating ecological survey, assessment and mitigation report (scope and method to be agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved mitigation measures detailed within the approved and updated ecological survey, assessment and mitigation report shall be implemented in full and retained for the life of the development.

Reason

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

45. No dwelling hereby approved shall be occupied until the submission of a Final Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

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

- a) Reduction in car usage and increased use of public transport, walking and cycling;

- b) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;

Evidence of the travel plan's implementation 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. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details.

Reason

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

- 46. Notwithstanding the provisions of article 3 and classes A, B, C, D and E of Part 1 and Class A of Part 2 of the Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the permitted development rights for all properties hereby approved are removed.

Reason

In the interests of protecting the openness of the green belt in accordance with the NPPF, Saved UDP policy ENV36 and CSUCP policy CS15.

- 47. Prior to the first occupation of the development hereby permitted, full details of the revised bus stop, as detailed in the Transport Assessment, shall first be submitted to and approved in writing with the Local Planning Authority in consultation with Nexus. Thereafter the work shall be undertaken in full accordance with the approved details prior to the occupation of the 50th dwelling on site.

Reason

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

- 48. Prior to the commencement of the development hereby approved, full details of a minimum 3m wide shared use pedestrian and cycle route on Wardley Lane between the site access and Manor Gardens (including any necessary works to bridge) along with a timetable for its implementation, shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with the approved details and timetable.

Reason

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

- 49. No demolition/development shall take place until a programme of archaeological building recording has been completed on the 1950s Fan House, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing

by the Local Planning Authority prior to any development or demolition work taking place.

Reason

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

Reason for pre commencement condition

The programme of archaeological building recording must ensure that any archaeological remains on the site are recorded before the development commences.

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

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

Reason for condition

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22.

Reason for pre commencement condition

The programme of archaeological fieldwork must ensure that any archaeological remains on the site can be preserved wherever possible and recorded before the development commences.

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

51. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks during the removal of contaminated land in the south-east corner of the site to prevent damage to archaeology during remediation in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason for condition

The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site are retained, to be excavated by an archaeologist in accordance

with the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22

Reason for pre commencement condition

The archaeological fieldwork investigation is to ensure that any archaeological remains on the site can be preserved wherever possible and recorded before the development commences.

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

52. The development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) shall not be commenced until a programme of archaeological excavation has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason

The site is located within an area identified as being of archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22.

53. No dwellings shall be occupied until the final report of the results of the archaeological fieldwork undertaken in pursuance of conditions 50 and 52 has been submitted to and approved in writing by the Local Planning Authority.

Reason

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with the NPPF and saved Unitary Development Plan Policies ENV21 and ENV22.

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

Reason

The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with the NPPF.

55. The dwellings shall not be occupied until the intended locations and design of the interpretation boards, which assist in the understanding and appreciation of

The Bowes Railway and Wardley Moated Site, have been submitted to and approved in writing by the Local Planning Authority. The interpretation boards shall be installed in the approved locations prior to the occupation of the 50th dwelling hereby approved.

Reason

This will better reveal the significance of the heritage assets across this site in accordance with the NPPF.