

**Committee Report**

<b>Application No:</b>	<b>DC/18/01165/FUL</b>
<b>Case Officer</b>	<b>Andrew C Softley</b>
<b>Date Application Valid</b>	<b>10 December 2018</b>
<b>Applicant</b>	<b>Leamside Care Centre Ltd</b>
<b>Site:</b>	<b>Site Of Former Social Club Gretna Terrace Felling</b>
<b>Ward:</b>	<b>Felling</b>
<b>Proposal:</b>	<b>Erection of 83 Bedroom Residential Care Centre with associated boundary treatments, on-site parking, servicing, landscaping and change of use of open space to form off-site parking provision (amended 13/02/19 and 06/06/19 and additional information received 26/03/19).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:****1.1 DESCRIPTION OF THE SITE**

The application site is a cleared area of land, which was formerly occupied by Felling Social Club that lies on the South side of Split Crow Road at the junction with Nursery Lane. Nursery Lane runs up the west side of the application site and Falla Park Road runs along the southern boundary. To the north east corner of the application site is Gretna Terrace, comprising 2 pairs of 2 storey flats fronting directly onto Split Crow Road, with a short lane that runs up the west side of the units. The service yard to the former social club opened off the end of this lane and hence the site wraps around the back of Gretna Terrace. Millfield Gardens, a pedestrian street, lies to the east of Gretna Terrace and the application site, with a lane providing rear access to the terrace of houses on the western side. The lane runs up the eastern boundary of the application site, terminating in a turning circle. Falla Park Primary School Nursery is situated on the north side of Falla Park Road, on the north boundary of the application site. The application site is on the edge of Felling District Centre, which contains a range of retail and other town centre uses, albeit the immediate vicinity of the application site is in residential use, with the exception of Falla Park Primary School.

1.2 The former social club buildings comprised a substantial 2 storey stone building (late 19th century) fronting onto Split Crow Road, adjacent to Gretna Terrace, onto which had been built extensions housing function rooms, bars and a caretaker's flat, dating from around the 1970s. The western boundary of the nursery site and the first part of its northern boundary are formed with a low brick wall topped with a metal paling security fence. The remaining part of the northern boundary is a high stone wall. The eastern boundary between the site

and Millfield Gardens is a 1.8m high mesh fence. The rear wall to Gretna Terrace is a high brick and stone wall. A low brick wall, dating from the construction of the extension in the 1970s, runs around the southern, western and northern boundaries. This wall steps down the western boundary, to follow the slope of the land and forms a retaining wall to the car parking area along the northern boundary.

- 1.3 The club buildings were located at the north east of the site and hard paving comprising parking and service areas surround the south and west sides and part of the north side. The buildings have been demolished, but the hard-standing areas and perimeter walls remain. The site has a vehicular access at the south-west corner from Falla Park Road and from Nursery Lane mid-way down the western boundary. The lane between Gretna Terrace and the original club building led to the service yard for the club and gives access to the rear of Gretna Terrace. There is a pedestrian footpath leading down the east side of the access from Falla Park Road, giving access to a pedestrian gate into the nursery site.
- 1.4 The site slopes from the north east corner at the lane entrance to the car park entrance on Falla Park Road, a rise of some 6.5 metres. The boundary to Millfield Gardens is densely planted with shrubs in a narrow strip of soil. The entire remainder of the site was covered in buildings or hard paving. There is a grassed margin between the pavement down Nursery Lane and the perimeter wall to the site. The margin outside of the site, to the south of the vehicle access onto Nursery Lane contains a row of 6 small cherry trees. There are 2 substantial trees in the nursery garden, near to the boundary wall.
- 1.5 **DESCRIPTION OF THE APPLICATION**  
This application proposes the erection of an 83 Bedroom Residential Care Centre with associated boundary treatments, on-site parking, servicing, landscaping and change of use of open space to form off-site parking provision (amended 13/02/19 and 06/06/19 and additional information received 26/03/19).
- 1.6 The proposed development will provide residential accommodation for up to 83 residents in a single building. The building will be arranged in three wings, at right angles to one another. The three wings are arranged in a 'Z' shape, with the main entrance, foyers and amenity spaces at the junctions of the wings. The northern wing (fronting Split Crow Road) will have four full storeys of accommodation, with plant, kitchen, laundry, staff, office and storage facilities housed on the ground floor. The other two wings will have three full storeys of accommodation. The three upper floors will have a total of 83 single bedrooms with en-suite shower and toilet accommodation. In addition to the en-suite accommodation, each wing has communal shower and bathroom facilities and there are accessible toilets positioned close to each of the Lounge / Dining Rooms.
- 1.7 Developments in the design of care establishments over the last few years have seen the introduction of large windows into bedrooms. This is beneficial for those residents who either choose to spend much of their time in their rooms

or who are bedbound. High levels of daylight improve general demeanour and reduce the reliance on artificial lighting. The position of the window is also important to ensure that the occupants can enjoy views both from the sitting area and the bed, without suffering draughts should they choose to have the window open.

- 1.8 The proposed scheme retains the vehicular access from Nursery Lane, into the main visitor car park, and egress onto Falla Park Road. This is the same location as much of the parking for the former club. There will be parking for 20 cars, including 2 accessible spaces in this location and a motorcycle parking area, which will accommodate 2 - 3 motorcycles. The accessible spaces are positioned on either side of the main entrance. There is also an ambulance and drop-off bay outside of the main entrance. Two 'Sheffield' type cycle stands are also provided for visitors, next to the main entrance, under cover of the canopy. There is a room provided within the building at this level for staff cycles, which will accommodate 8 bicycles.
- 1.9 An area of grassed land adjacent to the site entrance from Falla Park Road is proposed to become a dedicated parking area for the neighbouring nursery. This would involve change of use of the land, laying of hardstanding and marking out 4 parking bays.
- 1.10 The service area is at the east side of the development, accessed from Split Crow Road via the lane that runs up the west side of Gretna Terrace. The service area is secure with an automatic sliding gate at the entrance from the lane. It contains wheelie bin storage areas for general waste, recycling and clinical waste. It also contains a further 7 parking spaces for staff of the care home, including one accessible parking space located next to the service entrance and a motorcycle parking area for staff.
- 1.11 **PLANNING HISTORY**  
There is no planning history pertaining to this development.

## **2.0 Consultation Responses:**

Northumbrian Water	No objection subject to condition.
Northumbria Police	No objections.
Tyne And Wear Fire And Rescue Service	No objections.
Coal Authority	No objections.

## **3.0 Representations:**

- 3.1 A total of 5 letters of representation have been received, of which 1 objects, 1 supports and 3 neither support nor object.

- 3.2 The concerns raised in the letter of objection are:
- The height of building could lead to possible privacy issues, as the front of the building faces directly onto the road. This could also lead to a loss of natural light.
  - There appears to be inadequate parking for the number of residents, staff and visitors.
  - Increased traffic in the area, especially at peak visiting times would prevent local residents and their families from parking outside their own properties.
- 3.3 The comments raised in the letter of support are:
- The empty site attracts vandals and fly-tipping. This development is welcomed.
- 3.4 The comments raised in the other 3 letters are summarised as:
- Reservations about the level of parking proposed.
  - The road serving Flexbury Gardens should not be used as an overflow car park.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS9 Existing Communities

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

DC1C Landform, landscape and after-use

DC1P Contamination, derelict land, stability

MWR28 Prov of Facilities in new Developments

## 5.0 Assessment of the Proposal:

### 5.1 ASSESSMENT

The main planning issues to be considered are the principle of the development, CIL, design, landscape, trees, highway safety, drainage, contaminated land, coal mining legacy, refuse and residential amenity.

### 5.2 PRINCIPLE

Paragraph 11 of the National Planning Policy Framework (NPPF) 2019 states that:

'At the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

5.3 Policy CS9 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle 2010 - 2030 (CSUCP) states that existing communities will be sustainable places of quality and choice. This will be achieved by preventing the loss of family homes, through the sub-division, change of use or redevelopment and by preventing an over concentration of shared accommodation. This development contributes to the range and choice of accommodation in the borough. There is no evidence of an overconcentration of shared accommodation in the local area, nor any expectation that this development would result in an over concentration.

5.4 Furthermore, paragraph 91 of the NPPF, states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social integration... through mixed-use developments. Paragraph 92, then goes on to state that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. Whilst, paragraph 59 states, that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.

5.5 It is therefore considered that the development of the site as a residential institution would, in principle, accord with the above policies; albeit that detailed consideration needs to be given to potential impacts upon the local area. These are given consideration below.

### 5.6 TREES

There are a total of 8 trees that are outside of the application site, but that are in close proximity of the development site. Trees T1 and T2 are close to the south east corner of the site and could be affected by a new boundary treatment in that area.

- 5.7 Trees T3-T8 are mature cherry trees located just to the west of the western boundary of the site within highway verge. They are not intended to be affected by the proposal and the existing boundary wall will afford protection of the roots of trees T3-T7. T8 is close to where the parking provision for the nursery is intended to be constructed and hence could be affected. The submitted Tree Protection Plan shows barrier fencing for T8 to protect it during construction, which is considered to be appropriate (condition 3).
- 5.8 In addition to the above, it is considered that a construction method statement is required in respect of the parking spaces to serve the nursery and the boundary treatment for the south east corner of the site. This can be addressed by conditions and subject to them the proposal accords with the NPPF, policy CS18 of the CSUCP and saved policy ENV44 of the UDP (condition 30 and 31).
- 5.9 Vegetation clearance should not take place during the bird breeding season wherever possible and thus a condition to that effect is recommended (condition 4).
- 5.10 **CONTAMINATED LAND**  
The site is situated on potentially contaminated land based on previous historic development use. In view of the sensitive end use proposed, and following discussions at pre-application stage, the planning application is supported by a Preliminary Risk Assessment (PRA) and Phase 2 Site Investigation Report that addresses the whole site.
- 5.11 Samples taken at the site have been subject to chemical analysis and they have highlighted the need for a remediation strategy. This can be addressed by conditions (conditions 7-9).
- 5.12 It is also considered necessary to apply a condition, should planning permission be granted, to address the necessary course of action if unexpected contamination not previously identified is discovered during construction (condition 10).
- 5.13 Subject to the conditions referenced above the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policies ENV54 and DC1(p) of the UDP.
- 5.14 **COAL MINING LEGACY**  
The application site is within a Coal Authority Development High Risk Area and therefore a comprehensive Coal Mining Risk Assessment (CMRA) has been submitted with the application. The CMRA correctly identifies that the application site has been subject to past coal mining related activities. Specifically, the report identifies the presence of 1 no. mine entry within the application site boundary. In addition, the report also discounts the likelihood of

probable unrecorded shallow mine workings beneath the application site after analysis of geological and mining data; the report states the risk is "deemed negligible and as a result no further assessment or intrusive investigation works are required with regards to historical shallow coal mining activities" However, the CMRA recommended further site investigations in order to establish the location and condition of the 1 no. mine entry.

- 5.15 A Mine Shaft Investigation Report (Arc Environmental, 14 June 2018) was submitted presenting the findings of these site investigations. A total of 36 no. rotary probe boreholes were sunk on a grid pattern, as well as trenching works; the mine entry was not located. The report concludes "the site is no longer considered to be at risk from future surface instability issues associated with the mine entry recorded on this site". The Coal Authority have confirmed that it considers the intrusive site investigations undertaken to be sufficient in attempting to locate the mine entry, for which a permit was obtained, and on the basis of the information and data reviewed does not require any further remedial works to be undertaken through the planning process.
- 5.16 The proposal therefore accords with the NPPF and policy CS14 of the CSUCP.
- 5.17 FLOOD RISK AND DRAINAGE  
The application has been submitted with a flood risk assessment that has assessed all sources of flooding in accordance with policy CS17 of the CSUCP. It has identified any potential risks and the layout of the development is proposing a SuDS system that has followed the SuDS hierarchy.
- 5.18 The principle of the drainage strategy is considered to be acceptable, but a number of further details are deemed necessary to ensure that the development accords with the NPPF and policy CS17 of the CSUCP. These further details can be dealt with via conditions (conditions 11-14).
- 5.19 Furthermore, Northumbrian Water have offered no objection, subject to conditioning that more information is submitted, which the aforementioned conditions should address.
- 5.20 DESIGN AND VISUAL AMENITY/LANDSCAPING AND BOUNDARY TREATMENT  
The design, scale, layout, height, density and appearance of the proposed development is considered to be sympathetic to the surrounding area and would not appear out of keeping with the existing housing stock and other buildings as a result.
- 5.21 Furthermore, the design of the development would create sufficient amenity space and prevent the site from being overdeveloped. Some details of the materials to be used as part of the development (facing bricks and stone, roof slate, door and window frames, etc.) have been submitted and in general are considered to be acceptable in terms of preserving visual amenity. Therefore, it is considered appropriate to condition that final details of materials should be submitted for approval (conditions 15 and 16).

- 5.22 Some boundary treatment information has been submitted showing a combination of brick walls and metal railings, which is broadly considered to be acceptable in terms of preserving visual and residential amenity. Therefore, it is considered appropriate to condition that the final boundary treatments are submitted for approval (conditions 17 and 18).
- 5.23 Regarding landscaping, some details of soft and hard landscaping have been submitted but it is considered that more information is required to ensure that an appropriate landscaping scheme comes forward. Therefore, it is considered necessary to condition their final approval to ensure visual amenity is preserved (conditions 19-21).
- 5.24 Subject to the above the development would accord with the NPPF, policy CS15 of the CSUCP and saved policies ENV3 and DC1(c) of the UDP.
- 5.25 **TRANSPORT**  
The level of visitor parking proposed is acceptable for the scale of development and the layout of the car park and access points are acceptable, subject to agreeing an appropriate boundary treatment, which will be addressed through the landscaping and boundary treatment conditions. Therefore, the proposal should not have a significant impact upon the local highway network.
- 5.26 The separate staff and servicing area is considered to raise no highway safety concerns both in terms of access and egress and manoeuvrability within the yard area.
- 5.27 The addition of 4 dedicated parking spaces for the staff of the nursery is welcomed, as otherwise their staff would have to park on the street, as they currently have the consent of the applicant to park within the application site.
- 5.28 The provision of a secure facility within the building for staff cycle parking and the location and provision of visitor cycle parking is considered to be acceptable. Final details can be agreed by condition (conditions 22 and 23).
- 5.29 Electric vehicle charging should be provided on site, the details of which can be addressed by condition (conditions 24 and 25).
- 5.30 Motorcycle parking should be provided on site, the details of which can be addressed by condition (conditions 26 and 27).
- 5.31 A travel plan is required and can be addressed by condition (conditions 28 and 29).
- 5.32 Overall, the proposal is not considered to raise any highway safety concerns and thus accords with the NPPF and policy CS13 of the CSUCP.
- 5.33 **RESIDENTIAL AMENITY**  
It is considered that the orientation of windows, the layout of the site, including car parking, and the sympathetic design approach should help to safeguard residential amenity to neighbouring properties, both existing and proposed.

Furthermore, the separation distances to all the nearest neighbouring properties exceeds the relevant minimum recommendation distances of 13m and 21m respectively, and therefore visual intrusion, overshadowing, loss of light and overlooking are not considered to be issues.

5.34 In addition to the comments above, it is considered reasonable to condition that construction works should only take place during typical daytime hours of 8am-5pm Monday to Saturday to safeguard residential amenity. It is also necessary to condition the submission of a construction control plan to further help safeguard the amenity of nearby residents by minimising the impact of the construction phase. Subject to these conditions the proposal would accord with the NPPF, policy CS14 of the CSUCP and policies DC2 and ENV61 of the UDP (conditions 5, 6 and 32).

5.35 **REFUSE**

The proposed development has been assessed from a waste servicing perspective and there are no concerns with it. The bins are kept in an enclosed bin store, within an enclosed service yard at the bottom of a small access road. Furthermore, the clinical waste bins are kept in a secure section of the bin store and so everything has been well designed. The bin store looks to be of sufficient size, especially considering that, as a business, waste collections can be as frequent as the management choose. Therefore, it is considered that the proposal accords with the NPPF and saved policy MWR28 of the UDP.

5.36 **COMMUNITY INFRASTRUCTURE LEVY**

On 1st January 2017 Gateshead Council became a CIL Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development. As such no CIL charge is liable.

**6.0 CONCLUSION**

6.1 Taking all the relevant issues into account, it is recommended that planning permission be granted, as the proposal has been able to demonstrate that it would be acceptable, subject to conditions. It is considered that the proposal does accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

**7.0 Recommendation:**

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

1

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

Plan list to follow as an update

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

Before any materials are brought onto site or any development granted in full is commenced, the tree protection measures shown on plan reference Tree Protection Plan (TPP) 10.09.18 shall be implemented on site. The fencing must remain in place for the duration of the development and shall not be moved or removed until all equipment; machinery and surplus materials have been removed from the site, unless otherwise and firstly approved in writing by the Local Planning Authority. No materials, plant or equipment or temporary buildings or structures shall be stored or located within the fenced areas.

#### Reason

To ensure that the trees to be retained on the site are adequately protected from damage during the development works in accordance with the NPPF, saved policies DC1 and ENV44 of the Unitary Development Plan and CSUCP Policies CS17 and CS18.

#### Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on the trees to be retained by ensuring the trees are retained and 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.

4

No vegetation clearance works shall be undertaken during the bird breeding season (i.e. March to August inclusive). Where this is not possible a breeding bird checking survey will be undertaken by a suitably qualified ecologist immediately prior (i.e. no more than 48hrs) to the commencement of works on site. Where active nests are confirmed these must be retained undisturbed until the young have fledged and the nest(s) is no longer in use.

Reason

To safeguard biodiversity in accordance with the National Planning Policy Framework, policy CS18 of the Core Strategy and Urban Core Plan and saved policy DC1(d) of the Unitary Development Plan.

5

No development shall commence (except for tree protection measures and vegetation clearance works) until a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

Reason for prior to commencement condition

The construction control plan must demonstrate that the residential amenities of adjacent properties will be protected during construction of the development.

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 construction control plan approved under condition 5 shall be implemented and complied with in full during all stages of construction, until completion.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

7

No development shall commence (except for tree protection measures and vegetation clearance works) until 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, has been 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 and phasing 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.

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

#### Reason

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

#### Reason for prior to commencement 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.

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

The details of remediation measures approved under condition 7 shall be implemented prior to commencement of each phase 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

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.

9

Following completion of the remediation measures approved under condition 7 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted and maintained for the life of 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.

10

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

11

Development shall not commence in respect of the SuDS and drainage system until the following construction details have been submitted to and approved in writing by the Local Planning Authority:

1. Details of geocellular system and flow control.
2. Electronic drainage model submitted in Microdrainage format.

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

12

The details approved under condition 11 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

To ensure appropriate drainage and the exploration as to sustainable drainage systems 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.

13

Prior to the first occupation of the development hereby approved a SuDS and drainage maintenance plan to cover the following:

- i. Clearly describe the drainage system and define the SuDS features, describing how each element is expected to work;
- ii. Confirm party responsible for the system maintenance in the short and long term;
- iii. Provide specification of maintenance tasks; and schedule of tasks and inspections for the lifetime of the development

shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

14

The details approved under condition 13 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

To ensure appropriate drainage and the exploration as to sustainable drainage systems 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.

15

Construction of the new development hereby approved shall not proceed beyond damp proof course until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2, ENV3 and ENV7 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

16

The development shall be completed using the materials approved under condition 15 and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building 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.

17

The development hereby approved shall not be occupied until a fully detailed scheme for the boundary treatment of and within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and 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.

18

The boundary treatment details approved under condition 17 shall be implemented wholly in accordance with the approved details prior to the development being occupied and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and 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.

19

The development hereby approved shall not be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, proposed trees and hedges, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and 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 landscaping scheme approved under condition 19 shall be completed in full accordance with the approved plans during the first planting season (October to March) following commencement of the development unless otherwise approved in writing by the Local Planning Authority. The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

To ensure that the approved landscaping scheme is completed within a reasonable time scale in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

21

The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and 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

Notwithstanding the details on the submitted plans, final details of secure and weatherproof cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and the Gateshead Council Cycling Strategy.

23

The details approved under condition 22 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and the Gateshead Council Cycling Strategy.

24

Prior to the first occupation of the development hereby approved, a scheme for the provision of electric vehicle charging shall be submitted to and approved in writing by the Local Planning Authority:

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

25

The details approved under condition 24 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

26

Notwithstanding the details on the submitted plans, final details of motorcycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

27

The details approved under condition 26 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

28

No part of the residential accommodation shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

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

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

- 2) Minimal operational requirements for car parking in accordance with the National Planning Policy Framework and Council Policy CS13;
- 3) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

29

The Travel Plan shall be implemented in accordance with the details and timescales approved under condition 28 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

30

No development or other operations shall commence in respect of the car parking to serve the nursery or the boundary wall in the south east corner of the site until a detailed construction specification and arboricultural method statement for any works to trees or areas within the approved tree protection areas has been submitted to and approved in writing by the Local Planning Authority. This must provide for the protection and retention of the existing trees on the site during the construction of the development.

Reason

To ensure the satisfactory protection of trees in accordance with policies DC1 and ENV44 of the Unitary Development Plan.

31

The details approved under condition 30 shall be implemented and adhered to at all time during construction the car parking to serve the nursery and any works to the boundary wall in the south east corner of the site.

Reason

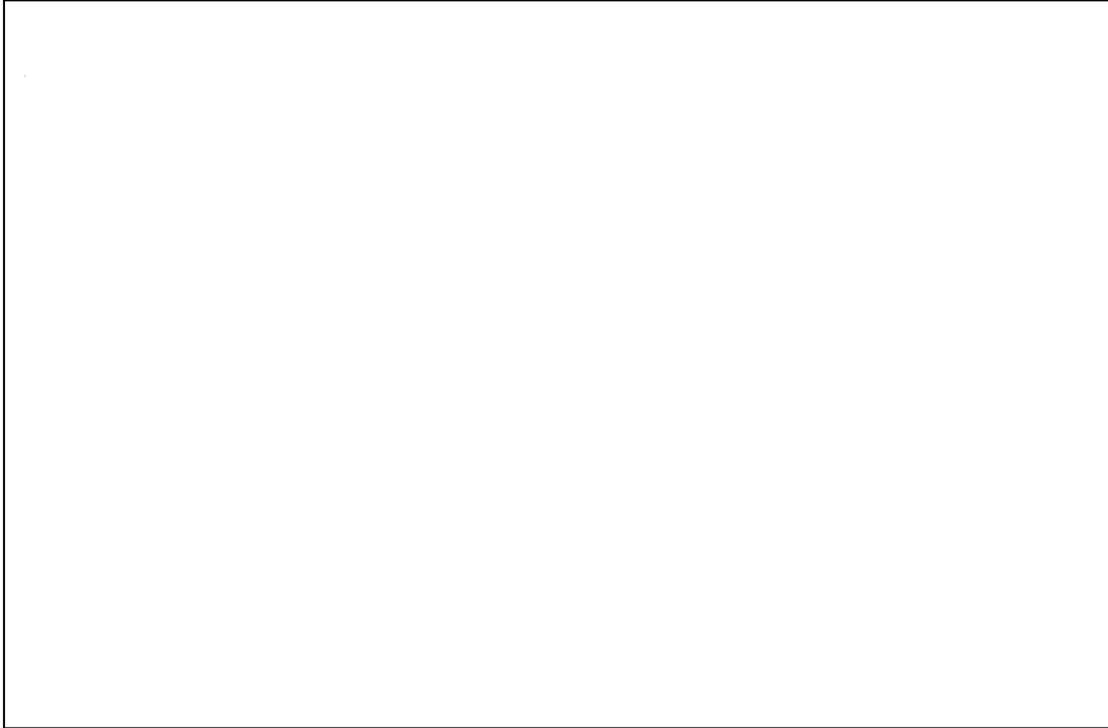
To ensure the satisfactory protection of trees in accordance with policies DC1 and ENV44 of the Unitary Development Plan.

32

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF, saved policies DC1(h), DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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