

Committee Report

Application No:	DC/18/00443/FUL
Applicant	Gleeson Regeneration Ltd.
Date Application Valid	23 May 2018
Site:	Land To The West Of Moorland View/Valley Dene, Chopwell NE17 7EX
Ward:	Chopwell and Rowlands Gill
Proposal:	Erection of 205 no. 2, 3 and 4 bedroom semi and detached two-storey dwellings with associated works (additional information/amended 21/12/18, 17/05/19, 29/05/19 and 19/08/19).
Recommendation:	GRANT SUBJECT TO A SECTION 106 AGREEMENT
Application Type	Full Application

1.0 The Application:**1.1 BACKGROUND**

This application was deferred at the meeting of the Planning and Development Committee on 25 September 2019 to allow further information to be provided relating to the offsite impact of construction. Further information will be provided by the applicant and will form part of an update report.

1.2 The Local Plan states that; '*Chopwell village is located in the far west of Gateshead borough, long in need of regeneration*'. As such, Chopwell has been identified by Gateshead Council as a Village Growth Area and sites at 'Middle Chopwell' and 'South Chopwell' have been allocated for the delivery of approximately 305 homes (policies CS4 and GV1 of the CSUCP). South Chopwell (the application site) has been allocated to deliver approximately 216 homes.

1.3 DESCRIPTION OF SITE

The application site is situated on land at Moorland View/Valley Dene, Chopwell, and extends to 7.6 hectares. The application site comprises three agricultural fields and part of a fourth, adjoining the existing housing estate to the south end of Chopwell.

1.4 The site was most recently used for agricultural purposes as an arable field. Given changes in land levels (sloping significantly from north to south) the site benefits from views of the surrounding countryside.

1.5 The application site contains a number of trees and hedgerows along its external boundaries and forming the field boundaries within the site.

1.6 The application site is surrounded by the following uses;

- Whinney Leas Road runs to the north of the application site, beyond which are residential properties and fields in agricultural use;

- To the east of the site is the main residential area of Chopwell;
 - To the south of the site are residential properties and fields in agricultural use; and
 - The west of the site are fields in agricultural use.
- 1.7 As referenced, the site was formerly located within the Green Belt but now forms a housing allocation under the CSUCP for the delivery of approximately 216 homes. However, a small portion of site (to the south west) is located outwith the housing application within the Green Belt.
- 1.8 **DESCRIPTION OF APPLICATION**
The application seeks planning permission for residential development totalling 205 homes, including associated access, infrastructure and landscaping.
- 1.9 The proposed layout shows the dwellings being split between the northern and southern portions of the site, 72 on the northern portion and 133 on the southern portion. Vehicular and pedestrian/cycle access into the northern portion is proposed via an extension of the existing residential street Moorland View. The southern portion of the site would be accessed via Valley Dene, both Moorland View and Valley Dene are accessed from Mill Road to the east of the site.
- 1.10 A pedestrian/cycle link is provided between the northern and southern portion of the site, a pedestrian/cycle link is also provided between the site and Whinney Leas and Runnymede Gardens.
- 1.11 Each dwelling would be a maximum of two-storeys in height. All dwellings would be of conventional design with pitched roofs. The development proposes that 91 of the dwellings would be detached and 144 semi-detached; 15 dwellings would have four bedrooms, 152 would have three bedrooms and 38 would have two bedrooms.
- 1.12 The main areas of open space would be located in the northern and central areas of the site, with smaller areas of open space distributed around the site. The main SuDS area would be located to the south west of the application site.
- 1.13 The applicant held a public consultation drop-in event during the consideration of the application. The public consultation took the form of a leaflet drop and a public exhibition both of which took place in July 2019. Engagement also took place with Councillors during two meetings which both took place in June 2019.
- 1.14 The following information has been submitted with the application:
- Affordable Housing Statement
 - Arboricultural Impact Assessment
 - Archaeological Desk Based Assessment
 - Design and Access Statement
 - Drainage Assessment
 - Ecological Impact Assessment
 - Economic Benefits Report
 - Flood Risk Assessment

- Ground Investigation Assessment
- Masterplan
- Parking Statement
- Statement of Community Involvement
- Sustainability Statement
- Transport Assessment
- Travel Plan

1.15 PLANNING HISTORY

There are no historic planning applications of relevance to the current application. However, there an application for advertisement consent under consideration (DC/18/01144/ADV). The application proposes the 'display of post-mounted, non-illuminated 'V' board sign advertising Gleeson Homes'.

2.0 Consultation Responses:

Highways England	No objection.
Northumbrian Water	No objection subject to conditions.
Coal Authority	No objection subject to conditions.
Durham County Council	No objection.
Nexus	No objection.
Northern Gas Network	No objection.
Natural England	No objection.
Tyne and Wear Archaeologist	No objection subject to conditions.

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. Neighbour letters were sent out in July 2018, January 2019, June 2019 and August 2019, the application appeared in The Journal and a number of site notices were erected.

3.1 A total of 151 letters of objection (including one from a Ward Councillor (Councillor Michael McNestry)), a petition of 136 signatures have been received in addition to eight letters of support.

3.2 The objections raised by the Ward Councillor are summarised as follows:

- Concerns over traffic management;
- Concerns over the proposed drainage solution.

- There is a need for a crossing on Mill Road.
- Consultation procedure has not been followed.

3.3 The issues raised within the petition are summarised as follows:

- Highway safety improvements should be made on Mill Road owing to the expected increase in traffic following the construction of the proposed houses.

3.4 The objections received are summarised as follows:

- The proposed traffic calming on Moorland View will impact on access to properties.
- Access routes into the sites are inappropriate.
- The solution to flood risk and drainage issues is not adequate.
- The information submitted in regard to ecology is unconvincing.
- The proposed development would lead to an over-population of the area.
- The proposed development would result in gables of garages and garage areas being close to existing properties.
- No garden spaces should be located adjacent to boundaries with existing residents.
- The planting of trees would cause a loss of light to existing properties.
- The development would encroach onto existing properties to their detriment.
- The application site is Green Belt and should not have been allocated.
- The proposed development would impact on existing views.
- The development would impact on existing levels of onstreet parking.
- The proposed SuDS area is of poor design.
- The properties are of budget/value engineers design e.g. the use of gravel driveways and post and wire fencing.
- The increase in traffic using Valley Dene is unacceptable.
- The application site is not sustainable.
- The site has poor accessibility for those using cycles, wheelchairs and/or pushchairs.
- The construction traffic and operations would lead to a significant impact on occupiers.
- There is no requirement for additional two bedroomed properties.
- The proposed cycle route is dangerous.
- Other site within Chopwell (The Heartlands) should be developed prior to this one.
- Existing accesses to the site are not suitable for heavy machinery.
- The levels of dust, mud and noise will be unacceptable.
- Signage has been erected on the application site without planning approval.
- The proposed cycle track assessing onto Whinney Leas will cause highway safety conflicts.
- There are not enough educational facilities within the area.

- Existing infrastructure in Chopwell cannot accommodate the increased level of residents.
- The development is out of keeping with conservation area.
- The proposed development would lead to impact on ecology.
- The development would lead to flooding at Blackhall Mill.
- The properties proposed do not comply with NDSS.
- The development does not propose any affordable housing.
- There is no safe crossing point on Mill Road.
- The proposed development would result in a loss of open space.
- The development would result in a loss of agricultural land.
- The proposed development would lead to a significant loss of hedgerows.
- The submitted ecological information is out-of-date and does not include sufficient survey work.
- The proposed drainage scheme does not take account of existing floors and/or climate change.
- The proposed development does not comply with MSGP or national policy;
- Residents have not been given the opportunity to comment on the masterplan.
- The proposed footpath along Moorland View is inadequate
- The developer has not been challenged over the illegal sign.

3.5 The letters of support are summarised as follows:

- Chopwell is in need of three and four bedroomed housing and despite objection the development should go ahead.
- The proposed development is exactly what Chopwell needs.
- The proposal will provide a good range of an affordable housing.
- The proposal will kick-start 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

GV1 Chopwell

DEL1 Infrastructure/Developer Contributions

DC1C Landform, landscape and after-use

DC1D Protected Species

T1 Transport req for New Developments

ENV3 The Built Environment - Character/Design

ENV21 Sites of Archaeological Imp - Known

ENV2 The Built Environment - Gen Policy

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**
The application site is allocated in the CSUCP, under policies CS4 and GV1(1) for residential development for approximately 216 homes including a mix of predominantly family housing.
- 5.3 Policy GV1 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 masterplans to; demonstrate a comprehensive, phased and coordinated approach to site development, setting out how necessary infrastructure, and the strategic infrastructure identified for the site in the Infrastructure Delivery Plan will be delivered on a phased basis; and approved development phasing plans setting out build rates and triggers for infrastructure, and demonstrating how each phase of the development is sustainable and deliverable.
- 5.4 The applicant has provided a phasing plan and masterplan. The phasing plan shows that the site would be developed out over three phases. The first phase is shown to be around the centre of the site around the access off Valley Dene and would include the main spine road extending to the south and the SuDS feature. The second phase includes the southern portion of the application site. The third phase includes the northern portion of the application around the proposed access point at Moorland View. The masterplan shows how the site could ultimately be delivered, however it does not contain an infrastructure delivery plan element.
- 5.5 Any necessary off-site infrastructure would be delivered through condition(s), the Community Infrastructure Levy or S106 agreement.

- 5.6 Given the above, Officers consider that the application has sufficiently demonstrated it can be developed in a phased and coordinated approach in line with policy GV1, subject to a planning condition requiring the submission of a final masterplan (containing an infrastructure delivery plan).
- 5.7 Further, the proposed housing numbers (205) is considered to satisfy the approximate figure referred to within policy GV1 of the Council's Core Strategy and Urban Core Plan (CSUCP).
- 5.8 GREEN BELT
A portion of the proposed SuDS pond to the south west of the application site extends beyond the housing allocation and into the Green Belt.
- 5.9 In terms of the control of new development in the Green Belt, the relevant policy is contained in paragraphs 143 to 147 of the NPPF and states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt (inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances).
- 5.10 Engineering operations are defined as an exception by paragraph 146 of the NPPF, as such the proposal would not be inappropriate development in Green Belt terms. Further, it is considered that the proposed SuDS feature would cause minimal change to land form and would be well planted and as such would not impact on the openness of the Green Belt. It is considered that this engineering operation would not conflict with the purposes of including land within the Green Belt.
- 5.11 The proposal would therefore accord with the NPPF and policy CS19 of the Core Strategy.
- 5.12 HOUSING POLICIES
- 5.13 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. The applicant has supplemented their application with a Viability Assessment. The report makes reference to the viability appraisal carried out on behalf of Gateshead Council as part of the Local Plan process. This appraisal was prepared in connection with the Viability and Deliverability Report (Feb.2014). Comparison with the Council appraisal is in accordance with NPPF and NPPG. There are two key factors when considering viability for this proposed development. The first is the impact of S106 contributions and the second is the abnormal site development costs set out within the submitted assessment.
- 5.14 The submitted Viability Assessment concludes that providing affordable housing would make the scheme unviable. Officers have reviewed the submitted assessment and additional information provided and consider that the conclusion of the report is reasonable. On this basis, no affordable housing will be provided.

5.15 Housing type and density

The proposed development includes 167 houses (out of a total of 205) 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 GV1 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 and semi-detached 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 40 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 approximate housing numbers set out in policy GV1 of the CSUCP.

5.17 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 acceptable levels of internal space.

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

5.19 TREES AND HEDGEROWS

The majority of trees and hedges are located within or immediately outside of the site boundary, with some trees and hedgerows forming field boundaries within the site. The site consists of three and a half fields which are used for grazing and they are separated by existing hedgerows and young to mature trees. The northern field boundary comprises both unmanaged and managed hedges with a mixture of young to large mature trees. The central field boundaries comprise predominately unmanaged hedges with a mixture of young to large mature trees. The southern fields comprise the entire eastern field and approximately half of the western field. The field boundaries, with the exception of the western boundary, comprise unmanaged hedges with young to large mature trees.

5.20 An arboricultural assessment was submitted with the application. The assessment indicates that a total of 14 individual trees, a single group of trees and three significant lengths of hedgerow would need to be removed to accommodate the proposed development. Large portions of the retained hedgerows are proposed to be located within rear garden space.

5.21 Whilst the amount of direct hedgerow loss and the likely reduction in the value of hedgerow to be retained fails to comply with Policy GV1(9), it is considered by officers that the constraints of the site, particularly with regards to

topography, that reasonable effort has been made to limit the potential loss of both hedgerows and trees.

5.22 Therefore, it is considered that the proposed tree and hedgerow loss would inevitably lead to both a local visual impact and a wider landscape impact. However, it is acknowledged that compensatory tree planting will be undertaken across the site that will provide new tree cover that is better integrated into the new layout.

5.23 It is considered that the application allows for the potential creation of replacement/translocation hedge planting, gapping up and long-term maintenance which can be secured through the use of planning conditions (Conditions 12 and 13). Further planning conditions are also required to ensure the final details of design, implementation and maintenance of an updated landscaping plan (Conditions 12 and 13). Conditions are also required to secure the hedgerow and tree protection measures for the duration of construction works (Condition 5).

5.24 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.

5.25 IMPACT ON THE LANDSCAPE

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.

5.26 In terms of the layout of the development, there would be numerous opportunities for additional planting, particularly along the western boundary, within the large area of open space and within the proposed SuDS area to the southern part of the site. The areas of green space, the retention of hedgerow and creation of a western landscape buffer would significantly reduce the impact of the development in the landscape.

5.27 Given the above, it is considered that the proposed development would be laid out so as to assimilate well into its landscape, particularly due to the large areas of open space and SuDS and the orientation of the development.

5.28 OPEN SPACE AND LANDSCAPING WITHIN THE SITE

In regard to open space and landscaping within the site as discussed above, large areas of open space and landscaping along with SuDS features would be created in the northern, central and southern 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.

5.29 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.

5.30 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).

5.31 The development has had regard to the sequential approach by discharging surface runoff into the unnamed watercourse south of Runnymede Gardens at a lower rate than pre-development for all significant rainfall events. The layout also accommodates the modified overland flows reflecting Policy GV6:11/13 of the Core Strategy.

5.32 The submitted flood risk and drainage assessments have had regard to both the application site and the requirements of Policy GV1.

5.33 Flood Risk

The flood risk assessment has assessed risk from all sources of flooding (fluvial/tidal, groundwater, sewer, overland flow and artificial sources) and concludes that the flood risk is low.

5.34 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 flow.

5.35 Drainage

A sustainable drainage system has been incorporated in the development primarily in the form of a detention basin.

5.36 Policy GV1:6 of the Core Strategy requires 'A flood risk assessment to demonstrate there is no risk of ground water flooding to property, and to demonstrate there is no increase in flood risk downstream should surface water be discharged into the nearest watercourse and consider the potential for additional SuDS storage to manage flood risk at Blackhall Mill'. The drainage strategy has regard to Policy GV1:6 it will improve the flood management of the surrounding area by intercepting the overland flows and reducing existing flow rates and reducing the surface water flood risk at Blackhall Mill.

5.37 Based on the above, it is considered that subject to conditions (Conditions 6 - 9) and based upon the submitted flood risk assessment and drainage proposals, the drainage scheme proposed is acceptable.

5.38 It is considered that the application has appropriate regard to the requirements of NPPF and Policies GV1, CS4 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

5.39 IMPACT ON BIODIVERSITY

The application site is located approximately 400 metres east of Milkwellburn Wood Local Wildlife Site (LWS), 500 metres north of the River Derwent LWS and 250 metres west of Tongue Burn Wood LWS. Chopwell Wood LWS lies approximately 450 metres west of the application site. The application site

comprises four former agricultural fields bound by young to mature native hedgerows incorporating hedgerow trees. Similar habitat occurs immediately west and south of the proposed development with residential housing located immediately to the east and north.

- 5.40 The planning application is supported by an up to date ecological survey, assessment and mitigation report comprising the following elements:
- Ecological Impact Assessment;
 - Botanical Survey;
 - Bat Survey;
 - Breeding Bird Survey; and
- 5.41 Habitats on site include predominately unmanaged semi-improved neutral grassland, marshy grassland, dense scrub/hedgerow incorporating hedgerow trees, short horse grazed semi-improved grassland and bare ground. Individually the relatively species rich hedgerows incorporating mature hedgerow trees and the area of more botanically diverse marshy grassland are considered to present the most distinctive and ecologically valuable habitats on site and are of district value. Collectively the site is assessed as being of parish value and provides opportunities for a broad range of statutorily protected and priority species.
- 5.42 The survey work undertaken by the applicant has confirmed that the site supports the following species: bats, breeding and non-breeding birds. Habitats within and immediately adjacent to the site are also considered to provide potential opportunities for amphibians, brown hare and hedgehog.
- 5.43 The applicant has sought to avoid adverse impacts on biodiversity and provide on-site mitigation and compensation where impacts are unavoidable. Owing to the predicted significant residual loss of biodiversity resulting from the development despite the implementation of avoidance, mitigation and onsite compensation measures; the submitted Ecological Impact Assessment acknowledges the requirement for a proportionate programme of offsite ecological compensatory measures to be delivered through a developer contribution (S106).
- 5.44 It is considered that the amount of direct hedgerow loss and the likely reduction in the value and function of hedgerow to be retained/created on site creates partial conflict with Policy GV1. However, Officers are satisfied that given the constraints of the site, particularly with regards to topography, that reasonable effort has been made to follow the principles of the mitigation hierarchy set out within para. 175 of the NPPF in designing the layout of the development.
- 5.45 As such, it is considered that subject to the submission of a final/updated ecological and compensatory strategy and a developer contribution to allow for the delivery offsite compensatory measures (within reasonable proximity of the proposed development site) the proposed development can be achieved within acceptable ecological limits consistent with national and local planning policy.

- 5.46 It is recommended that a Construction Ecological Management Plan (Conditions 10 and 11), an Ecological and Landscape Design Strategy (Conditions 12 and 13), Landscape and Ecological Management Plan (Conditions 14 and 15) and a Lighting Design Strategy (Conditions 16 and 17) are secured by way of planning conditions and the offsite ecological compensation is secured by way of 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.
- 5.47 As a result, the application is considered to comply with the principles of the NPPF and the following local planning policies GV1, CS4, CS18, DC1(d), ENV44, ENV46, ENV47 and ENV49.
- 5.48 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...'*
- 5.49 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."
- 5.50 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.
- 5.51 The design of the proposed development has evolved following submission of the application, including the use of improved surface materials, improved landscaped areas, streetcapex with greener, softer finishes, the utilisation of corner turner units in key locations and an appropriate materials palette. The proposed layout is considered to have responded well to the existing land levels on site and as such delivers an appropriate design solution.
- 5.52 On the basis of the above, the design, scale, layout, height, density and appearance of the proposed development is considered to be sympathetic to the surrounding area. The proposed development provides a positive response to the site constraints and an appropriate design solution.
- 5.53 Details of the external appearance/materials have been provided as part of the application and are considered to be suitable, these materials should be conditioned (Condition 18).

- 5.54 With regard to landscaping, hard landscaping has been submitted as part of the application and is considered acceptable; it is considered necessary to condition that the application be undertaken in accordance with the submitted information (Condition 19).
- 5.55 Furthermore, the boundary treatment details submitted in support of the application are considered to be acceptable. It is considered necessary to condition the boundary treatment be provided in accordance with the details provided (Condition 20).
- 5.56 It is considered that the proposed development has successfully demonstrated that it has achieved an appropriate standard design. Subject to the recommended conditions the application 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.
- 5.57 **TRANSPORT AND HIGHWAYS**
The principal of development on this site was established in the authorities Core Strategy adopted in March 2015 where, approximately 305 new homes were allocated to Chopwell with approximately 216 on the application site.
- 5.58 **Layout**
The site is on a relatively steep hillside on the south western edge of Chopwell village and due to gradient issues, the site has been split into two parts the northern section incorporating 72 dwellings and accessed via the existing residential street Moorland View and the southern side with 133 dwellings accessed via Valley Dene. Both of these access roads link onto Mill Road which connects with the A694 the main route to Gateshead and Newcastle. The layout has been dictated by a large degree by gradients and attempts by the developer to limit highway gradients.
- 5.59 The layout has been designed with suitably located traffic calming, which can be secured via planning condition(s). The new development is proposed to be part of a 20mph zone which will incorporate the existing residential estate and proposed development. In order to achieve this some traffic calming works are required on Moorland View. The developer will incorporate this within a package of wider off-site highway works.
- 5.60 The proposed surface materials on the site have been amended through the application process, most notably the application now proposes the use of consolidated surfaces for driveways.
- 5.61 **Parking**
In terms of parking the developer has confirmed that connection points will be provided for EV charging for each dwelling, this can be conditioned (Condition 21). The number of visitor car parking spaces equates to a ratio of 1 per 4 dwellings. It is proposed for there to be 21 in the northern section for 72 dwellings and 36 in the southern section for 133 dwellings; the parking levels are considered to be acceptable.

- 5.62 Not all properties have garages as they are provided on request, the applicant proposes that those properties which are not provided with a garage would have a weatherproof secure cycle store, this can be conditioned (Condition 22).
- 5.63 **Accessibility**
A footpath link to Whinney Leas at the north of the site has been provided to link the site into the adjacent footpath network. Similarly, a footpath link to Runnymede Gardens at the southern edge of the site has also been provided. There are footways provided alongside both access points to Valley Dene and Moorland View for pedestrian and cycle access to Mill Road on the eastern edge of the site. Broadly speaking, the application would therefore benefit from good links to existing facilities including schools, health care facilities and post offices.
- 5.64 Due to the steep gradients on the site particularly between the two sections north and south the footpath link has several steps and as such is not suitable for wheelchair users, cyclists, people with prams and mobility difficulty; this does create issues in regard to accessibility to bus stops.
- 5.65 The recommended maximum walking distance to a bus stop is 400 metres and for those able to use the stepped link within the development this means almost 90% of the new site is within this distance of existing bus stops, however this figure reduces to 50% of the site for those users unable to use steps. As referenced above, the layout has largely been dictated by land levels and in order to facilitate appropriate highway gradients the 'splitting' of the site is unavoidable. Further, given land levels on site, the creation of an accessible route linking the two portions of the site is not achievable without the loss of a significant number of units. On this basis, it is considered that the level of accessibility is, on balance, acceptable.
- 5.66 **Access to the Highway Network**
As mentioned previously it is considered necessary for the northern access to the site at Moorland View to become part of the overall proposed 20mph zone. Concerns were raised by Ward Councillors and residents in that the traffic generated by the 72 new dwellings in the northern portion of the development would be required to access Mill Road along Moorland View which heavily parked up. To mitigate this the developer has proposed to widen the road and provide parking laybys for residents along this section.
- 5.67 Another safety concern of Ward Councillors and officers is the sightline for vehicles exiting the Moorland View/Mill Road junction. Although the sightline is adequate in terms of highway standards the verge areas to the north and south of the junction have been hard paved and vehicles park on them obstructing the sightline in both directions. Measures in the form of physical parking restrictions and parking areas are proposed to mitigate this concern.
- 5.68 While a scheme for physical parking restrictions has been submitted it is considered the form of these restrictions i.e. bollards isn't appropriate. Further, it is considered that the location of the pedestrian dropped kerb could potential cause a highway conflict. On this basis, the final detail of the physical parking

restrictions and the location of an alternative crossing point should be secured by planning condition.

- 5.69 In regard to the provision of a crossing point, there is a point approximately 20 metres northwest of the proposed dropped kerb that provides a pedestrian desire line to amenities within the wider Chopwell centre including the local school, subject to detailed design a pedestrian refuge could be incorporated along with dropped kerbs and tactile paving. It is considered that the creation of this crossing would ensure a crossing point directly on the junction is no longer required.
- 5.70 At the Valley Dene southern access, the issue is not as bad as there is no parking on the verges although several vehicles have been observed parking too close to the junction. A short length of waiting restrictions will be required to provide adequate visibility.
- 5.71 The applicant has submitted information detailing all of the proposed highway works referenced above, the final details and implementation of these works can be secured via planning conditions (Condition 23 and 24).
- 5.72 **Transport Assessment**
As part of the application the developer has submitted a Transport Assessment (TA) and a Travel Plan (TP).
- 5.73 The TA estimates how initially traffic from this site along with all the traffic from the other core strategy sites will impact on the network both now and in the future (2028). As well as modelling the junctions outside the site it looks at the effect further downstream at key junctions on the A694 the main classified principal road in the area for access to Gateshead and Newcastle.
- 5.74 The TA has provided modelling analysis of a number of key junctions in order to identify any capacity and/or safety issues in order to identify any required mitigation. The results of the analysis have been reviewed by highways officers. The modelling and survey work indicate no works are required at any junctions other than the two signalised junctions at Noel Avenue and Thornley Lane on the A694. As the junctions are already signalised the only form of mitigation available is to upgrade the traffic signal controllers to a new form of reactive controller that detects queue lengths and reacts accordingly, the cost of delivering these controllers can be secured via a S106 legal agreement.
- 5.75 In addition to the above, concerns were raised by Durham County Council regarding the lack of survey work undertaken at the Mill Road/A694 junction (within Durham). Further information has been provided and it is considered that the development would not impact significantly on the County Durham road network.
- 5.76 **Travel Plan**
A TP has been submitted in support of the application, the contents of TP and sustainability measures including the provision of a welcome pack, the distribution of Nexus Pop Cards and the development of cycling activities. The

submission of a final TP can be secured by planning condition (Condition 25 and 26).

5.77 Based on the above assessment, it is considered that the proposed development is acceptable in highways terms and would accord with the aims and objectives of the NPPF and policies CS13 and GV1 of the Council's CSUCP.

5.78 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.

5.79 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 Whinney Leas, Pear Tree Terrace, Moorland View, Valley Dene and Runnymede Gardens.

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

5.81 In regard to the properties on Whinney Leas, it is considered that the separation distances from the rear and side elevations of the existing properties (Dorville and Silverdale) to the rear elevations of the proposed dwellings (a minimum of 21.5 metres) would be acceptable. While proposed property 201 would be located within 14 metres of the rear elevation of Silverdale it is considered the oblique relationship and the proposed separation distance would ensure no acceptable overlooking would occur. Further, the separation distances afforded between the rear elevation existing properties (Kendale and Lyncroft) to the gable of the proposed dwelling to the south would be acceptable. On the basis of the above, it is considered that the physical development would not result in an unacceptable visual impact or loss of privacy to existing properties on Whinney Leas.

5.82 In regard to existing properties on Pear Tree Terrace, it is considered that the separation distances afforded between the proposed development and existing housing (rear to gable (minimum of 28 metres)) is sufficient to prevent any unacceptable visual impact or loss of privacy.

5.83 In regard to existing properties on Moorland View, officers have considered the separation distanced afforded between the proposed development and existing housing (minimum of 23 metres window to window and 15 metres gable to window) and the staggered relationship between the properties; it is considered the proposal would not have any unacceptable visual impact or loss of privacy.

5.84 In regard to existing properties on Valley Dene, officers have considered the separation distances afforded between these properties and the proposed development (15 metres rear to gable) and the offset relationship between the

properties; it is considered that the proposed development would not have any unacceptable impact or loss of privacy.

- 5.85 In regard to existing properties on Runnymede Gardens, officer have considered the separation distanced afforded between these properties and the proposed development (36 metres window to window) and the retention of existing planting; it is considered that the proposed development would not have any unacceptable impact or loss of privacy.
- 5.86 It is acknowledged that the application proposes the garden spaces associated with proposed dwelling be located up to the boundaries with existing properties in a number of circumstances. It is considered this arrangement is not unusual within residential areas and in itself would result in a significant impact on amenity.
- 5.87 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.
- 5.88 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 27 and 28).
- 5.89 It is therefore considered that the application would be in accordance with policy CS14 of the CSUCP and saved policy DC2 of the UDP.
- 5.90 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.
- 5.91 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.
- 5.92 ARCHAEOLOGY
The application has been supported by an appropriate level of archaeological assessment. Some archaeological remains have been found; these remains are not significant enough to require preservation *in situ*, however further archaeological work will be required (Conditions 32 - 35). The application would therefore not conflict with policy CS15 of the CSUCP and saved policies ENV21 and ENV22 of the UDP.
- 5.93 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 concludes that

there are no major soil contamination issues on the site and that no gas protection measures are required, officers agree with these recommendations.

- 5.94 It is considered necessary to impose conditions requiring the production of an amended risk assessment and a remediation strategy if any previously unidentified contamination is found (Condition 29).
- 5.95 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.
- 5.96 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 30 to 31).
- 5.97 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.
- 5.98 **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 northern 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 accessible from all areas of the development.
- 5.99 Given the above, the proposed development would be in accordance with policies CS14 and GV1 of the CSUCP and saved policies H15, CFR28, CFR29 and CFR30 of the UDP.
- 5.100 **EDUCATION CONTRIBUTIONS**
Policy GV1 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. This would usually be 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.
- 5.101 The proposed development would be in accordance with policies GV1 and DEL1 of the CSUCP.
- 5.102 **SITE SPECIFIC POLICY**
Policy GV1 allocates land at Chopwell for approximately 305 homes to take place in accordance with an "approved masterplan and phasing plan". The Policy also sets out 9 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) Delivery of approximately 216 homes at South Chopwell.

The application seeks approval for 205 homes. The application complies with this requirement.

2) Mitigation of cumulative traffic impacts of the proposed development on the transport network, including access to sustainable modes of transport.

The application proposed a number of offsite highway works and improvements to a number of junctions. Further, the application would create links to existing pedestrian and vehicular highways. While there are some concerns in regard to access to bus stops it is considered that the sustainable credentials of the site are acceptable. The application complies with this requirement.

3) A contribution to local primary school provision.

A contribution to local primary school provision would only be secured via CIL; the LPA cannot seek contributions on education via S106 agreement, the application therefore complies with this requirement.

4) Mitigation and enhancement of biodiversity and green infrastructure, including improved links to the surrounding countryside.

The proposed layout incorporates areas of green space within the central and northern parts of the site as well as a SuDS area to the south of the site. Further, links have been created to the north and south of the site improving links to the surrounding countryside. Officers are of the view that the development would therefore comply with this requirement.

5) 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.

6) Demonstration that there is no risk of ground water flooding, increased flood risk downstream and consideration to additional SuDS capacity to manage flood risk as Blackhall Mill.

The submitted FRA has demonstrated that the development would comply with the above requirements.

7) Measures to ensure existing greenfield runoff rates are maintained.

The submitted FRA has demonstrated that the development would comply with the above requirements.

8) Protection and enhancement of the existing hedgerow network to encourage biodiversity and to assist with landscape impact and enhancement of the existing south west boundary of the site.

It is considered that the amount of direct hedgerow loss and the likely reduction in the value and function would take place within acceptable ecological limits consistent with national and local planning policy. Further, the proposed development would be laid out so as to assimilate well to its landscape, particularly due to the large areas of open space and SuDS and the orientation of the development

9) 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.

5.103 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 C and the levy is £0 per sqm for market housing.

5.104 Aside from the above, the developer estimates that the development would 'sustain or create' 312 full time jobs during the anticipated construction phase. The total gross construction investment value is approximately £17.7 million and the New Homes Bonus payment is around £1.04 million. Furthermore, additional council tax receipts of approximately £305,934 (following completion) would be generated.

5.105 OTHER MATTERS

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. It is considered that the proposed development is acceptable in terms of national and local planning policy, including site specific policy.

6.2 Further, it is considered that the development would bring about a number of benefits such as the provision of additional family housing in Gateshead and the housing growth required in the CSUCP. The development would also have economic benefits from construction jobs and employment including targeted local employment. Further benefits would be the reduction in surface water flood risk from the site as a result of SuDS.

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

7.0 Recommendation:

GRANT SUBJECT TO A SECTION 106 AGREEMENT:

- 1) The agreement shall include the following obligations:
 - Upgrading of traffic signals Noel Avenue and Thornley Lane junctions on the A694; and
 - Offsite ecological mitigation
- 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

Unless otherwise required by planning condition, the development shall be carried out in complete accordance with the approved plan(s) as detailed below -

- Location Plan – Dwg No. GH83:L:02
- Single Garage drawing – Dwg No. SD700 Rev C
- Double Garage drawing – Dwg No. SD701 Rev D
- Terraced Single Garage drawing – Dwg No. SD703 Rev D
- 1800mm Timber Fence drawing – Dwg No. SD100 Rev F
- Post and Wire Fence drawing – Dwg No. SD103 Rev C
- Planning Layout – Dwg No. GH83:L:01 Rev L
- Boundary Treatment Plan – Dwg No. GH83:L:04 Rev I
- Materials Plan – Dwg No. GH83:L:09 Rev G
- Overall Landscaping plan – Dwg No. GH83:L:03 Rev J
- Landscaping plan – sheet 1 – Dwg No. GH83:L:10 Rev F
- Landscaping plan – sheet 2 – Dwg No. GH83:L:11 Rev C
- Landscaping plan – sheet 3 – Dwg No. GH83:L:12 Rev G
- Phasing Plan – Dwg No. GH83:L:13 Rev D
- Tarmac Drive detail – Dwg No. PD910
- Cycle Shed detail – Dwg No. SD705
- Tarmac Drive Detail – Dwg No. PD910
- Detention Basin Planting Plan – Dwg No. 2998/2
- 201 housetype – Dwg No. 201/1G
- 202 housetype – Dwg No. 202/1F
- 212 housetype – Dwg No. 212/1-
- 301 housetype – Dwg No. 301/1H
- 303 housetype – Dwg No. 303/1E
- 309 housetype – Dwg No. 309/1E
- 304 housetype – Dwg No. 304/1E
- 307 housetype – Dwg No. 307/1B
- 310 housetype – Dwg No. 310/1D
- 311 housetype – Dwg No. 311/1B
- 313 housetype – Dwg No. 313/1-
- 314 housetype – Dwg No. 314/1-
- 401 housetype – Dwg No. 401/1G

- 403 housetype – Dwg No. 403/1J
- 405 housetype – Dwg No. 405/1E
- 201 rural housetype elevation – Dwg No. 13/201-8 Rev E
- 202 rural housetype elevation – Dwg No. 13/202-9 Rev F
- 212 rural housetype elevation – Dwg No. 13/212-9 Rev A
- 301 rural housetype elevation – Dwg No.13/ 301-8 Rev E
- 303 rural housetype elevation – Dwg No. 13/303-9 Rev F
- 309 rural housetype elevation – Dwg No. 13/309-10 Rev D
- 304 rural housetype elevation – Dwg No. 13/304-10 Rev G
- 307 rural housetype elevation – Dwg No. 13/307-10 Rev F
- 310 rural housetype elevation – Dwg No. 13/310-10 Rev D
- 311 rural housetype elevation – Dwg No. 13/3 -11-8 Rev C
- 313/314 rural housetype elevation – Dwg No. 13/313/314-9 Rev B
- 401 rural housetype elevation – Dwg No. 13/401-9 Rev D
- 403 rural housetype elevation – Dwg No. 13/403-9 Rev C
- 405 rural housetype elevation – Dwg No. 13/405-9 Rev F
- Brick choice sheet – Forterra Ashwell Yellow Multi
- Brick choice sheet – Forterra Fulwood Multi
- Brick choice sheet – Forterra Lindum Cottage Red Multi
- Arboriculture Impact Assessment – Ref: BioC19-004 V1.1 – 03/09 2019
- Bat Assessment Report – Ref: BioC19-004 V1.1 – 19/08/19
- Breeding Bird Survey Report – Ref: BioC19-004 V1.1 – 19/08/19
- Badger Report – Ref: BioC19-004 V1.1 – 19/08/19
- Ecological Impact Assessment (ECIA) – Ref: BioC19-004 V2.0 – 22/08/19
- Ecology Submission August 2019 Cover letter V1.0
- Phase 2 Ground Investigation Report – Ref: C7112 – November 2016
- Ground Gas Monitoring Addendum Letter – Ref: C712/6550/APC/APC – 3rd January 2017
- Archaeology Desk-Based Assessment – Ref: AD287 – April 2018
- Hydrogeological Risk Assessment – Ref: C7112/7180/DCB/DCB – 28th Nov 2018
- Drainage Strategy – Ref: RO/FRA/17000.200 V2 - June 2018
- FRA – Ref. RO/FRA/17000.100 V2 - April 2018
- Transport Assessment – Ref: AH/18015/TA/3 – Rev 3 – June 2019
- Travel Plan – Ref: AH/18015/TP/4 – Rev 4 – August 2019
- Archaeological Geophysical Survey report – Ref: AD330 – August 2019
- WSI & trenching plan approved version 27.08.19
- SUDS Maintenance Plan – Ref: 17000/RO/SuDS – Issue 3 – April 2019
- SUDS Risk Assessment – Ref: RO/SRA/17000.100 July 2019 Version 1

- Surface Water CMP – Ref: 17200/RO/SWCMP.1 July 2019
Version 1
- Overall Engineering Layout – Dwg No. D001 Rev M
- Engineering Layout Sheet 1 – Dwg No. D002 Rev M
- Engineering Layout Sheet 2 – Dwg No. D003 Rev M
- Engineering Layout Sheet 3 – Dwg No. D004 Rev M
- Proposed Levels Sheet 1 – Dwg No. D100 Rev D
- Proposed Levels Sheet 2 – Dwg No. D101 Rev D
- Proposed Levels Sheet 3 – Dwg No. D102 Rev D
- Proposed Drainage Sheet 1 – Dwg No. D200 Rev D
- Proposed Drainage Sheet 2 – Dwg No. D201 Rev D
- Proposed Drainage Sheet 3 – Dwg No. D202 Rev D
- Basin Sections and Details – Dwg No. D203 Rev E
- Basin Planting Plan – Dwg No. D204 Rev –
- Proposed Manhole Schedules – Dwg No. D210 Rev G
- Impermeable Areas Plans – Dwg No. D211 Rev C
- Proposed First Off Manholes Schedules – Dwg No. D212 Rev B
- Proposed Longsections Sheet 1 – Dwg No. D300 Rev H
- Proposed Longsections Sheet 2 – Dwg No. D301 Rev H
- Proposed Longsections Sheet 3 – Dwg No. D302 Rev G
- Proposed Longsections Sheet 4 – Dwg No. D303 Rev G
- Proposed Longsections Sheet 5 – Dwg No. D304 Rev F
- Road Setting Out Sheet 1 – Dwg No. D400 Rev -
- Road Setting Out Sheet 2 – Dwg No. D401 Rev -
- Road Setting Out Sheet 3 – Dwg No. D402 Rev -
- Plot Setting Out Sheet 1 – Dwg No. D403 Rev -
- Plot Setting Out Sheet 2 – Dwg No. D404 Rev -
- Plot Setting Out Sheet 3 – Dwg No. D405 Rev -
- Kerbs and Surfacing – Dwg No. D500 Rev C
- Cut & Fill – Dwg No. D600 Rev F
- Cut & Fill Ground Water – Dwg No. D601 Rev -
- Drainage Details – Dwg No. D701 Rev C
- SUDS Maintenance Plan – Dwg No. D803 Rev D
- Flood Route Plan – Dwg No. D804 Rev E
- Off-Site Engineering Plan – Dwg No. D902 Rev 3
- Findrain drawing – Dwg No. ABGF18 – 01/09/16
- Findrain Type 6 Installation Guide
- Hydrobrake Characteristics – Dwg No.
SHE-0231-3040-1500-3040 – 18/12/2018
- Hydrobrake Design Drawing – Dwg No.
SHE-0231-3040-1500-3040 – 18/12/2018
- Plot 5 – Dwg No. SK016 Rev 4
- 1/2/30/100yr calcs – 05/08/19
- 100yr+ calcs – 05/08/19
- Drainage Calculations – MDX file – 05/08/19
- RWO response 270619 LLFA comments – 190719
- RWO response to LLFA commen – Ref: 17/12/18 V1

- Valley Dene/Mill Rd Mitigation Measures – Dwg No. 18015/P/004 Rev F
- Moorland View/Mill Rd Mitigation Measures – Dwg No. 18015/P/003 Rev L
- Off-Site Highway Mitigation Measures – Dwg No. 18015/P/008 Rev E

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

No development shall commence on site (except for the installation of tree protection measures, site investigations and remediation works) until an infrastructure delivery plan and a development phasing plan which include details of what elements of the development are included in each phase and the order of the phases has been submitted to and approved in writing by the Local Planning Authority.

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 GV4 of the Council's 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 infrastructure 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.

4

The development shall be carried out in accordance with the infrastructure phasing and development phasing plans approved under condition 3, unless otherwise approved in writing by the Local Planning Authority.

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 GV4 of the Council's Core Strategy and Urban Core Plan.

5

All retained trees and hedges that are to be retained on each phase of the development shall be protected in accordance with the approved Arboricultural Impact Assessment (Arboriculture Impact Assessment - Ref: BioC19-004 V1.1 - 03/09 2019) prior to the commencement of development for that phase.

Thereafter, the tree protection shall be 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.

6

Notwithstanding the approved plans and documents, prior to the commencement of any works pertaining to the proposed drainage basin a detailed design for the drainage basin shall be submitted to and subsequently approved in writing by the LPA. The detailed design shall include: amended inlet/outlet features; a safety bench; landscape treatment to screen and secure inlet and outlets; a SuDS Health and Safety Assessment (HSA (with incorporation of any safety features identified by a thorough health and safety assessment)), detailed consideration of maintenance access, and a detailed specification for planting and seeding within the basin shall be provided.

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.

7

The drainage basin shall be implemented in accordance with the detailed design approved under Condition 6 and in accordance with the

timescales set out within the infrastructure delivery plan and a development phasing plan approved under Condition 3.

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.

8

Notwithstanding the approved plans and documents, prior to the first occupation of any dwellinghouse hereby approved a drainage management and maintenance document shall be submitted to and subsequently approved in writing by the LPA. The development a drainage management and maintenance document and method of delivery shall specify maintenance requirements for the drainage basin, inlets, outlets, flow controls, and any other non-adopted drainage features.

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.

9

The approved drainage scheme shall be managed and maintained in accordance with the drainage management and maintenance document approved at condition 8.

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.

10

No development shall take place (including any groundworks or site clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following;

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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.

11

The development shall be undertaken in full accordance with the CEMP (Biodiversity) approved under condition 10.

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.

12

No development shall take place until an ecological and landscape design strategy (ELDS) addressing mitigation, compensation, enhancement and restoration has been submitted to and approved in writing by the local planning authority.

The ELDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.

- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) An updated fully detailed landscaping scheme.
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- h) Persons responsible for implementing the works.
- i) Details of initial aftercare and long-term maintenance.
- j) Details for monitoring and remedial measures.
- k) Details for disposal of any wastes arising from works.

The ELDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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.

13

The development shall be undertaken and maintained in full accordance with the ELDS approved under condition 12.

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.

14

A landscape and ecological management plan (LEMP) for all landscaping features and landscaping shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of any dwellinghouse hereby approved.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.

- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species 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.

15

All retained landscape features shall be managed in full accordance with the LEMP approved under condition 14.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species 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.

16

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.

17

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy at condition 16.

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

The development hereby approved shall be completed in full accordance with the approved materials plan (Materials Plan - Dwg No. GH83:L:09 Rev G).

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.

19

All hard landscaping shall be completed in full accordance with the following approved plans;

- Materials Plan - Dwg No. GH83:L:09 Rev G
- Tarmac Drive detail - Dwg No. PD910

The hard landscaping shall be provided in accordance with the timescales set out within the infrastructure delivery plan and a development phasing plan approved under Condition 3 and retained 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.

20

All boundary treatments on the site shall be installed in accordance with the following approved plans;

- Boundary Treatment Plan – Dwg No. GH83:L:04 Rev I
- 1800mm Timber Fence drawing – Dwg No. SD100 Rev F
- Post and Wire Fence drawing – Dwg No. SD103 Rev C

The boundary treatments shall be provided in accordance with the timescales set out within the infrastructure delivery plan and a development phasing plan approved under Condition 3 and retained in accordance with the approved details thereafter.

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.

21

An electrical spur to be used for electric vehicle charging points shall be provided for each individual dwellinghouse prior to the first occupation of each individual dwellinghouse.

Reason

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

22

Each dwellinghouse hereby approved shall be provided with secure and weatherproof cycle storage in either of the following two forms;

- A secure and lockable garage; or
- A secure and lockable cycle shed as shown on approved plan Cycle Shed detail - Dwg No. SD705.

The cycle storage shall be provided for each individual dwellinghouse prior to first occupation, the cycle storage shall be retained as installed.

Reason

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

23

Prior to the occupation of any dwellinghouse hereby permitted final details of the offsite highway mitigation measures at Valley Dene/Mill Road and Moorland View/Mill Road based on the following plans shall be submitted to and subsequently approved in writing by the Local Planning Authority;

- Valley Dene/Mill Rd Mitigation Measures - Dwg No. 18015/P/004 Rev F
- Moorland View/Mill Rd Mitigation Measures - Dwg No. 18015/P/003 Rev L
- Off-Site Highway Mitigation Measures - Dwg No. 18015/P/008 Rev E

Reason

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

24

The offsite highway works shall be provided in accordance with the details approved under Condition 23 within the timescales set out within the infrastructure delivery plan and a development phasing plan approved under Condition 3 and retained in accordance with the approved details thereafter.

Reason

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

25

No dwelling hereby approved shall be occupied until a final Travel Plan based upon the recommendations of approved Travel Plan (AH/18015/TP/4 – Rev 4 – August 2019) has been submitted to and approved in writing by the Local Planning Authority.

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.

26

The Travel Plan approved under condition 25 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.

27

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.

28

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 27.

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.

29

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.

30

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

Reason

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

Reason for Pre-commencement Condition

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

31

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 30 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.

32

No development shall commence (except for the installation of tree protection measures and site investigation) until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

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

Reason for Pre-commencement Condition

This pre-commencement condition is required due to the presence of archaeological remains below the site and to satisfy the Local Planning Authority that the development can be carried out without disturbing or damaging the remains. 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, remediation and recording works once development has started.

33

The development shall be carried out in accordance with the programme of archaeological fieldwork approved under condition 32.

Reason

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

33

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

Reason

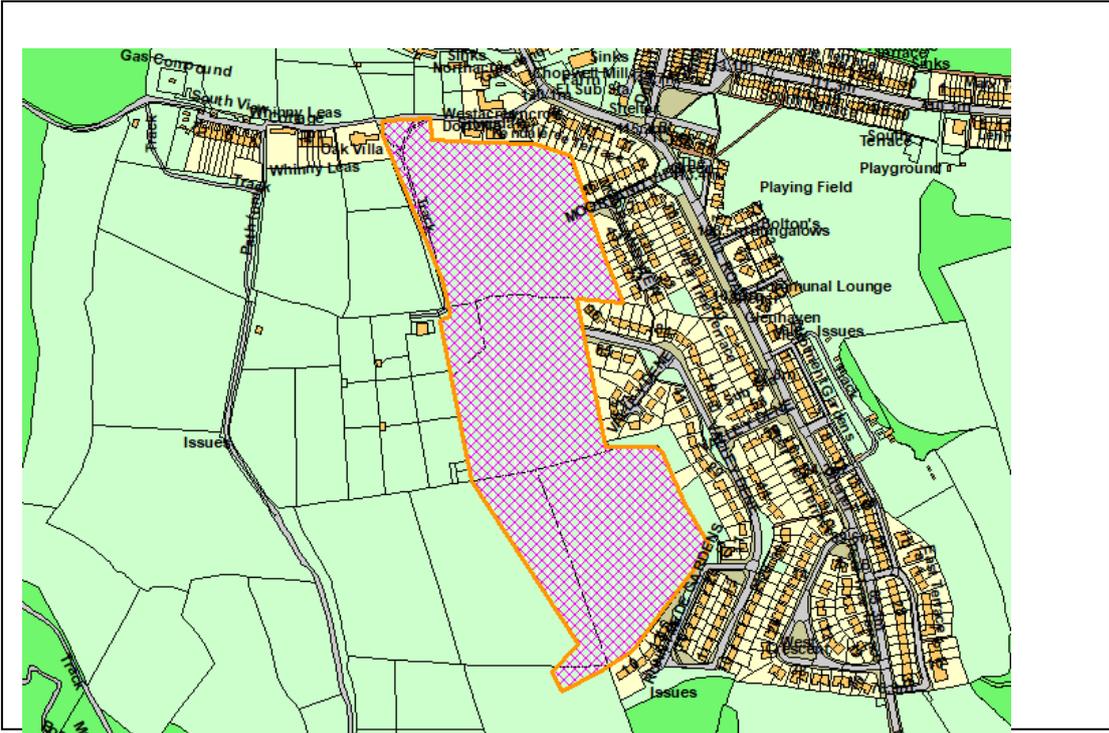
The investigation is required to ensure that any archaeological remains on the site can be recorded, in accordance with the NPPF, Core Strategy Policy CS15 and saved Unitary Development Plan Policies ENV21 and ENV22.

34

No more than 100 dwellinghouses hereby permitted shall be occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason

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



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