

Committee Report

Application No:	DC/19/01021/BPIP
Case Officer	Joanne Munton
Date Application Valid	25 September 2019
Applicant	Gateshead Council
Site:	St Cuthberts Clearance Area Land Between Askew Road Gateshead
Ward:	Lobley Hill And Bensham
Proposal:	Proposal to enter site onto Part 2 of the Brownfield Register and grant Permission in Principle for 140 to 190 homes (inclusive) with one or more of following uses: Hotel (C1) 1 to 1600 square metres, Assembly and Leisure (D2) 1 to 1600 square metres or Offices (B1a) 1 to 1600 square metres (description amended 17.10.2019).
Recommendation:	GRANT
Application Type	Permission in Principle

1.0 The Application:**1.1 BACKGROUND****1.2 Permission in Principle and Technical Details Consent Route**

The Permission in Principle (PIP) consent route is an alternative way of obtaining planning permission which separates the consideration of matters of principle for proposed development from the technical details of the development. The PIP route has 2 stages: the first stage, or 'permission in principle' stage, establishes whether a site is suitable in-principle for residential development, and the second 'technical details consent' (TDC) stage is when the detailed development proposals are assessed.

1.3 The combination of a PIP and a subsequent TDC means that the site has an implementable planning permission.

1.4 PIP does not consider the details of a particular scheme and simply establishes the principle of residential-led development on a site and the number of dwellings that the site can accommodate (in a similar way to an outline planning application).

1.5 The scope of PIP is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the PIP stage. Other matters should be considered at the TDC stage. Once PIP is granted these issues cannot be re-considered at TDC stage.

- 1.6 No planning conditions or planning obligations can be attached to a PIP. However, LPAs can inform applicants about what they expect to see at the TDC stage, where conditions can be imposed.
- 1.7 Additionally, it should be noted that if a PIP is granted, a TDC application could still be refused if it is unacceptable.
- 1.8 Type of PIP application
LPAs can grant PIP to a site upon receipt of a valid application (from an external applicant), or by entering a site in Part 2 of its Brownfield Land Register, which would trigger a grant of permission in principle for that land.
- 1.9 This application seeks to include the site in Part 2 of the Brownfield Land Register as land allocated for residential-led development.
- 1.10 A Brownfield Land Register is made up of two parts. Part 1 of a Brownfield Land Register is a list of sites that an LPA consider to be appropriate for residential or residential-led development.
- 1.11 If a site is included on the Brownfield Land Register, the Town and Country Planning (Permission in Principle) Order 2017 (15th April 2017) allows an "in principle" permission to be granted on sites, and would form Part 2 of the register. This means that a site would be granted PIP for residential or residential-led development subject to the number and scale of development that the Council considers to be appropriate.
- 1.12 Where PIP is granted through allocation on the Brownfield Land Register, the default duration of that permission is 5 years. Applications for TDC must be determined within the 5 year or amended period.
- 1.13 DESCRIPTION OF SITE
The site is situated on the A184 Askew Road and lies between the A189 Redheugh Bridge slip road and the East Coast railway line. The site is 150m from the banks of the River Tyne but elevated considerably higher. An access road through the site from Askew Road allows access into the Network Rail premises located north east of the site. The site itself consists of mostly overgrown grassland/scrub, hedges and trees with the access road along the south eastern boundary.
- 1.14 The site is bounded to the north west by the railway line with the riverside cycle/footpath beyond before the River Tyne. Towards the south east is Askew Road (A184), a dual-carriageway, with a concrete footbridge which ramps up from within the site. It is broadly rectangular in form with the greater dimension north east to south west. The north eastern boundary is formed by the adjacent Network Rail premises.
- 1.15 The site is currently unoccupied by any buildings or structures (other than part of the footbridge and a substation). Instead the site is mostly dense woodland, hedges and brambles. Some areas are clear where access paths through the

site still exist. A landscaped area of grassland exists towards the south east of the site before it becomes overgrown and unmaintained.

- 1.16 Access is open through the site and no security restrictions are in place. There is an existing vehicular access point from Askew Road in a left in, left out arrangement. This access also serves the Network Rail premises. Several routes exist through the site leading to and from the concrete bridge over Askew Road. A footpath access down onto the riverside is also located at the north eastern part of the site, joining the riverside cycle/footpath.
- 1.17 The site is relatively flat apart from a slight slope down towards the north west boundary. This leads to a 2-3m change between parts of the access road and Askew Road. Beyond the northern boundary of the site, land levels slope steeply down towards the River Tyne.
- 1.18 **DESCRIPTION OF APPLICATION**
This application seeks to include the site in Part 2 of the Brownfield Land Register as land allocated for housing-led development. If the land is included in Part 2 of the Register it will be granted permission in principle, which establishes the suitability in principle for the development. The Council consider that the number of dwellings which the land is capable of supporting is between 140 and 190 dwellings. The development would also include one or more of following uses: Hotel (C1 Use) of 1 to 1600 square metres, Assembly and Leisure (D2 Use) of 1 to 1600 square metres or Offices (B1a Use) of 1 to 1600 square metres.
- 1.19 This application is to be considered against location, land use and amount of development only. Neither planning conditions nor planning obligations can be attached to a PIP.
- 1.20 The application is supported by a location plan of the site, a development framework (giving detail of the proposal site, constraints and surrounding area), and indicative layouts for the site, setting out how the development could in theory be accommodated.
- 1.21 The submitted development framework indicates that a mix of housing could be provided on site, alongside complementary uses such as hotel, assembly and leisure or office(s). The framework also indicates that buildings would be predominantly 2-3 storeys high, with higher blocks in appropriate locations.
- 1.22 The framework also indicates that the existing vehicular access via Askew Road could be retained or relocated further south west to sit more centrally in the site.

2.0 Consultation Responses:

Newcastle City Council	No response received
Gateshead Access Panel	No response received

Disability Equality Service User Involvement Forum	No response received
Coal Authority	Advice provided
NHS Property Services Ltd	No response received
Highways England	Advice provided
CE Electric UK	No response received
Northern Gas Networks	Advice provided
Northumbria Police	No response received
Tyne And Wear Archaeology Officer	No objection
Tyne And Wear Fire And Rescue Service	Advice provided
Arriva Plc	No response received
The Go-Ahead Group Plc	No response received
Stagecoach NE	No response received
Network Rail	Advice provided
Nexus	No objection
Northumbria Water	No objection, advice provided

3.0 Representations:

- 3.1 Neighbour notifications were carried out in accordance with formal procedures in the Town and Country Planning (Brownfield Land Register) Regulations 2017.
- 3.2 Two representations have been received, neither objecting to or supporting the application, making comments regarding the following:
- Safe access across Askew Road needs to be provided;
 - Increased traffic and potential for congestion;
 - Buildings more than four storeys high would not be in keeping with the area;
 - Suggested wider works of removing other nearby flats/housing as a result of anti-social behaviour in the area, their internal condition and the land surrounding them, and replacement with new social housing.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

SG3 -Southern Gateway Development Sites

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1M Recycling

DC1P Contamination, derelict land, stability

H5 Housing Choice

H9 Lifetime Homes

H10 Wheelchair Housing

H15 Play Areas in Housing Developments

ENV3 The Built Environment - Character/Design

ENV9 Setting of Conservation Areas

ENV11 Listed Buildings

ENV19 Locally Listed Parks and Gardens

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV49 Sites of Nature Conservation Importance

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

UC1 Offices and Business Development

UC3 Leisure Culture and Tourism

UC4 Homes

UC13 Respecting and Managing Views

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

GPGSPD Gateshead Placemaking Guide SPG

Planning Obligations SPD

MSGP Making Spaces for Growing Places

5.0 Assessment of the Proposal:

5.1 Firstly, policy SG3 of the CSUCP allocates this site (Askew Road West) for mixed-use development and states that development will:

i. Encompass a mix of the following principal uses: Hotels (C1), Residential (C3) and Assembly and Leisure (D2),

ii. Be urban in form, including active frontages adjacent to the footpath and take account of the 'boulevard style streetscape' approach along Askew Road, and

iii. Provide a green infrastructure link including improved pedestrian crossing facilities on Askew Road, linking through to Riverside Park.

5.2 This application is to be considered against location, land use and amount of development, taking into account the relevant local and national policies and with specific reference to the requirements of policy SG3.

5.3 LOCATION

5.4 Design/Appearance

This site is close to locally listed Windmill Hills Town park to the south, Grade II listed King Edward Railway Bridge to the north and Bridges Conservation Area to the east. It also sits within the Tyne Gorge area and at TDC stage reference should be had to the Tyne Gorge Study. Additionally, the massing of buildings, their arrangement on site and finished appearance may affect the setting of the above heritage assets, so there is a clear opportunity to enhance the area, and this would be considered at TDC stage.

5.5 Precise details of appearance and layout of the proposed residential development in relation to the character of the location/area would be considered at TDC stage. In accordance with policy SC3 of the CSUCP, the development would need to deliver/contribute to a boulevard along Askew Road. The need for a set-back with trees is for the benefit of the development, but mainly for the approach to central Gateshead, and will provide a pleasant route into the town centre for the future residents/users. Sufficient space must be allowed for large trees to grow to maturity with appropriate soil provision, as well as the footway and any potential separate cycleway alongside the road itself.

5.6 Emerging policy MSGP25 refers to design quality criteria. In terms of the weight attributed to this policy, the examination hearing for MSGP took place in October 2019 and it is expected to be adopted in Spring/Summer 2020. Representations were received regarding this policy during the consultation stage and it subject to minor modifications, but also main modifications, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policy MSGP25 is limited.

5.7 Emerging Policy MSGP26 reflects the relevant heritage policies in the UDP and is intended to replace these. Representations were received regarding this policy during the consultation stage and it subject to modifications to provide clarity, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to this emerging policy is limited.

5.8 At this stage it is considered that a suitably scaled, designed, laid out and landscaped development, taking into account the references to urban form, active frontages and a 'boulevard style streetscape' in policy SG3, could be achieved at the technical details stage that would be acceptable in terms of the impact on the character and appearance of the locality, in accordance with saved policies ENV3, ENV9, ENV11 and ENV19 of the UDP, and policies SG3, UC13 and CS15 of the CSUCP.

5.9 Highway Safety (access and wider highway network)

The development framework submitted refers to the installation of a signalised junction at Askew Road, and this would be an appropriate approach.

5.10 It is considered that the road network would not be significantly impacted by the introduction of a signalised junction and the associated construction of

residential properties on the site. However, it is anticipated that junction performance would be impacted upon in certain areas and as such, the Redheugh Bridge/A184 and the Askew Road/Prince Consort Road junctions would need to be more closely assessed in a TDC application.

- 5.11 However, given the anticipated highway intervention associated with forthcoming clean air proposals covering Newcastle and Gateshead, it is currently understood that the latter of these junctions would be redesigned, so there would not be a requirement to revisit this as part of a future residential scheme on the Askew Road West site.
- 5.12 Further, in terms of residential development at the former Clasper Village site to the west of the Redheugh Bridge (outline permission granted under DC/19/00213/OUT), while junction improvements were not required as part of this scheme, there were implications on the Cuthbert Street/Askew Road West junction and consequently the operation of this junction will need to be reconsidered as part of any future TDC application.
- 5.13 On the basis of the above any future TDC application will be required to assess the impacts of the development on the following junctions:
- A184/A189
 - Cuthbert Street/Askew Road West
- 5.14 The assessment of these junctions may result in the need to provide an improvement scheme or a contribution towards a future improvements scheme within the scale of the development.
- 5.15 Additionally, to improve the accessibility of the site to make it fit for purpose for residential development (and complementary uses) and to promote sustainable travel and reduce the dependence on car trips, improvement measures and works to the highway would be required. This would include:
- Creation of an all-movements junction incorporating a Toucan crossing over Askew Road, to replace the existing concrete footbridge over Askew Road,
 - Upgrading of and works to footpaths,
 - New/improved street lighting where required,
 - Improvements to bus stop provision/arrangements,
 - Improvements to access to Windmill Hills Park to the south,
 - Improvements to crossings over the slip roads to the Redheugh Bridge,
 - Improvements to the route beneath Redheugh Bridge
- 5.16 Consideration would also need to be given to Network Rail access to the existing depot and access under the railway bridge on the northern boundary of the site.
- 5.17 Further, emerging policies MSGP16 and MSGP17 require safe access to the site, that development does not have an unacceptable impact on the safe operation of the transport network and efficient operation of the road network, priority and improvements to sustainable travel, and the submission of Transport Assessment/Statements and Travel Plans (all as appropriate).

- 5.18 In terms of the weight attributed to this requirement, representations were received regarding these policies during the consultation stage, and both policies are subject to modifications to provide clarity, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policies MSGP16 and MSGP17 is limited.
- 5.19 At this PIP stage, the LPA is satisfied that the development would be sustainable in transport terms. It is considered that suitable details could be provided at TDC stage that would be acceptable in terms of access and improvements to the highway, in accordance with policy CS13 of the CSUCP.
- 5.20 Ecology
The site is located adjoining a designated Wildlife Corridor and at its closest point the site is located less than 150m south east of the River Tyne Local Wildlife Site (LWS). Types of habitats within the site include scattered trees, woodland, semi-improved grassland and introduced shrub. Habitats/features within and immediately adjacent the site are considered to have the potential to support foraging/commuting bats, breeding and foraging birds, small mammals including hedgehog and invertebrates, including priority butterfly species.
- 5.21 The proposed development is considered to have the potential to result in a range of direct and secondary impacts on biodiversity, including:
- the direct loss of habitats and species associated with the site clearance and construction phases of the development
 - the disturbance of retained habitats and species (including designated sites) through increased recreational access, noise and lighting
 - the predation of wildlife by pets
- 5.22 Future development should take into account mitigation and/or compensation measures, where required, to address loss and impacts on habitats/features and biodiversity on site, and retained habitats and features surrounding the site, including designated sites, protected and priority species and ecological connectivity.
- 5.23 Further, emerging policy MSGP33 requires that developments contribute towards the delivery of new and/or enhanced green infrastructure assets and build on the existing requirements of policies SG3 and CS18 of the CSUCP. In terms of the weight attributed to this requirement, this policy is subject to representations but not modification. Some weight can be afforded to the requirements of this emerging policy.
- 5.24 Emerging policy MSGP38 relates to biodiversity and geodiversity and is intended to replace saved policies of the UDP and build on policy CS18 of the CSUCP. This policy is subject to representations and modifications, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policy MSGP38 is limited.

- 5.25 Appropriate levels of detail relating to the impacts on ecology should be submitted for consideration at TDC stage. It is considered that schemes/details could be provided at TDC stage that would be acceptable in terms of ecological protection/mitigation, in accordance with saved policies DC1(d), ENV46, ENV47, ENV49 and ENV51 of the UDP and policies SG3 and CS18 of the CSUCP.
- 5.26 Trees
The land has regenerated over the years and is now very over grown with many self-seeded trees and some surviving trees from the demolished original scheme. It is considered that the better quality trees that will need to be considered for retention with any potential proposal would be a major constraint, but that they could be easily accommodated in future proposals or replaced with a good quality soft landscaping scheme and replacement tree planting. A TDC application will need to be supported by an Arboricultural impact Assessment Survey.
- 5.27 Emerging policy MSGP37 relates to the impact on trees and is intended to replace saved policy ENV44 of the UDP and build on policy CS18 of the CSUCP. This policy is subject to representations and modifications to the supporting text. Some weight can be afforded to the requirements of this emerging policy.
- 5.28 Appropriate levels of detail relating to the impacts on trees should be submitted for consideration at TDC stage. It is considered that schemes/details could be provided at TDC stage that would be acceptable in terms of tree protection/mitigation, in accordance with saved policies DC1(d) and ENV44 of the UDP and policies SG3 and CS18 of the CSUCP.
- 5.29 Drainage/Flood Risk
The site is confirmed to be in flood zone 1 and therefore a low flood risk area. Surface water pooling has been identified at the southern end of the traffic island on Askew Road at the 1 in 30 year and 1 in 100 year flood event. This is approximately 140 metres to the southwest of the subject site. A major contributing factor to this is the topography of the stretch of highway of Askew Road/A189 which channels surface water into this location within the road carriageway. Historic flood events have been recorded by the Lead Local Flood Authority at this location.
- 5.30 A proposal within a TDC application should be developed in accordance with the Gateshead Council 'Interim Surface Water (SuDS) Guidelines for New Development' and CS17 'Flood Risk and Water Management'. These will inform the detailed design, layout and drainage strategy for the development with emphasis on the incorporation of SuDS and maximising the multifunctional benefits that they can bring, improving water quality and ensuring that opportunities for improving flood risk management for surrounding areas are explored as part of this development process.
- 5.31 In terms of drainage, it is considered that adequate means of foul and surface water drainage could be provided for the site at the technical details stage

where the risk of surface water flooding to the surrounding area would not be increased, and the risk of pollution to the surrounding environment minimised. A Flood Risk Assessment and a Drainage Assessment should be submitted with a TDC application.

- 5.32 Further, emerging policies MSGP30 and MSGP31 relate to Flood Risk Management and improving water quality and river environments, and build on the existing requirements of policy CS17 of the CSUCP.
- 5.33 Representations were received regarding these policies during the consultation stage, and they are subject to modifications to provide clarity and reference to sustainable and appropriate river crossings, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policies MSGP30 and MSGP131 is limited.
- 5.34 The LPA is satisfied that a suitable scheme in terms of flood risk and drainage could be achieved at TDC stage, in accordance with policy CS17 of the CSUCP.
- 5.35 Ground Conditions
The site is within a Coal Authority defined high risk area and a risk assessment would need to be carried out relating to land stability. This would be required at TDC stage. It is considered that the development could be carried out safely without unacceptable risks to land stability, in accordance with saved policy DC1(p) of the UDP and policy CS14 of the CSUCP.
- 5.36 Additionally, the site has been assessed as part of the Council's Contaminated Land strategy and assigned a Priority 3 classification (Site considered suitable for present use and environmental settings, contaminants maybe present but unlikely to have unacceptable impact on key targets. Action unlikely to be required whilst the site remains in present use, or otherwise remains undisturbed). There is a potential for contamination to exist in any made ground present, in imported material used for historic development platforms or in remnant site demolition arisings, or fly tipping (eg asbestos). As a minimum, a Preliminary Risk Assessment/Phase 1 Land Contamination Assessment should be submitted with a TDC application, in accordance with saved policies DC1(p) and ENV54 of the UDP and policy CS15 of the CSUCP.
- 5.37 Further, emerging policy MSGP22 reflects the above adopted policies and is intended to replace those in the UDP. In terms of the weight attributed to this requirement, representations were received supporting this policy during the consultation stage, and it is not subject to modification. Some weight can be afforded to the requirements of this emerging policy.
- 5.38 It is considered that the risks from land contamination to future users of the land and neighbouring properties would be appropriately controlled, and that the development could be carried out safely without unacceptable risks to workers, neighbours, and other receptors, in accordance with saved policies DC1(p) and ENV54 of the UDP and policy CS15 of the CSUCP.

5.39 Amenity

The site is close to a major railway junction and operational railway depot (both of which are in operation on a 24/7 basis), as well as busy roads. Sufficient measures will need to be put in place to ensure acceptable living conditions for future residents (such as noise attenuation measures) given the 24/7 nature of adjacent railway operations. A Noise and Vibration Assessment should be submitted with a TDC application taking into account the proximity to rail and road activity.

5.40 Given the location of the site, an Air Quality Assessment should also be submitted with a TDC application.

5.41 Emerging policy MSGP19 reflects the requirement in adopted policies DC2 of the UDP and CS14 of the CSUCP. In terms of the weight attributed to this policy, representations were received regarding this policy during the consultation stage and it subject to minor modifications, but also main modifications, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policy MSGP19 is limited.

5.42 It is considered that details could be provided at TDC stage that would be acceptable in terms of noise, vibration and air quality, in accordance with saved policy DC2 of the UDP and policy CS14 of the CSUCP.

5.43 Utilities

Northern Gas Networks have confirmed no objection to granting Permission in Principle, but have advised that there may be apparatus in the area that may be at risk during construction works. The developer should contact Northern Gas Networks directly to discuss their requirements in detail, which may affect layout/location of built development.

5.44 It is also recommended that early consultation is made with Northumbrian Water to agree any connection points to the public sewer network. They have advised that public sewers cross the edges of the site and would need to be either accommodated within a site layout or diverted to ensure that development does not adversely impact upon the sewers.

5.45 Furthermore, policy CS16 of the CSUCP requires development to be sustainable, able to function effectively in a changing climate and address impacts on climate change by optimising the use of local renewable or low carbon energy in accordance with the following hierarchy:

- i. Connection to an existing, or make provision for future connection, to a committed wider decentralised energy scheme within a specified timeframe,
- ii. Development of a decentralised energy scheme for the whole or significant portion of a development from the outset, including joint schemes with significant adjacent external energy loads,
- iii. Incorporation of other renewable energy solutions,
- iv. Incorporation of other low carbon energy solutions in accordance with current government guidelines.

- 5.46 Gateshead District Energy Scheme is an operating, decentralised energy scheme, providing lower carbon heat from gas-fired combined heat and power plants, located at the nearby Gateshead Energy Centre. The site is very close to a future District Heating supply, and connection to this should be included as part of any scheme coming forward on the site, where feasible. Where connection is not possible, a TDC application should demonstrate compliance with the hierarchy in policy CS16 of the CSUCP.
- 5.47 At this PIP stage, the LPA is satisfied that in terms of its location the site would be appropriate for residential development.
- 5.48 LAND USE
- 5.49 Specific uses
The site is within the CSUCP identified Urban Core and policies UC1, UC3 and UC4 promote office, leisure, tourism and residential uses in the Urban Core. Specifically, policy SG3 of the UDP states that the Askew Road West site (the subject of this application) should encompass a mix of principal uses of Hotels (C1), Residential (C3) and Assembly and Leisure (D2). The proposal complies with this policy as the principal use would be residential, with potentially other complementary uses also on site.
- 5.50 In terms of the proposed principal use of housing, policy CS10 of the CSUCP states that 11,000 new homes (excluding purpose built student accommodation) will be built in Gateshead over the period April 2010 to March 2030.
- 5.51 Additionally, policy UC4 of the CSUCP states that a range of size, types and tenure of housing will be promoted to diversify the housing offer through development of approximately 3750 new homes in the Urban Core.
- 5.52 Saved policy H5 of the UDP requires a range of housing choice and policy CS11(1) of the CSUCP requires that 60% of new private housing across the plan area being suitable for and attractive to families (having three or more bedrooms). The policy requirement is a plan wide target and the submitted indicative layout provides reasonable evidence that the proposal would contribute to this objective. It is considered that an appropriate scheme to contribute to this target could be achieved at TDC stage, in accordance with the relevant parts of these policies.
- 5.53 Similarly, policy CS11(3) states that housing choice should also include suitable accommodation for the elderly population and those with special needs including bungalows, sheltered accommodation and extra care accommodation. An application for TDC should address this requirement.
- 5.54 Policy CS11(4) of the CSUCP requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents.". The arrangement/layout of the site is not known at this stage, however it is considered that a scheme providing adequate internal and external space could be achieved at TDC stage, in accordance with this policy.

- 5.55 Further, emerging policy MSGP13 requires that New homes should be built in accordance with the Nationally Described Space Standards (NDSS), or equivalent successor standards, as a minimum. Supporting text clarifies that the standards will be introduced one year after the adoption of the Plan to allow for a period of transition.
- 5.56 In terms of the weight attributed to this requirement, representations were received regarding this policy during the consultation stage, and the supporting text for the policy is proposed to be added to provide clarification that the requirement will not be applied retrospectively to those applications for reserved matters where the outline permission was determined or is subject to a resolution to grant permission (including subject to planning obligations) before the end of the transition period. Some weight can be afforded to the requirements of this emerging policy and relevance would depend on when a TDC application was submitted.
- 5.57 At this PIP stage, it is considered that a suitable scheme could be achieved at TDC stage that would provide an appropriate range and type of uses, in accordance with saved policy H5 of the UDP, policies SG3, UC1, UC3, UC4 , CS10 and CS11 of the CSUCP.
- 5.58 Highway Safety (parking and uses)
Parking provision should be delivered on site in accordance with the Council's parking guidance/standards for the different uses proposed, taking into consideration the location of the site in the Urban Core. Additionally, there would be requirements for cycle parking provision, electric vehicle charging and staff car parking provision, where required.
- 5.59 Additionally, the residential development should be designed to 20mph Zone standards.
- 5.60 Further, emerging policies MSGP16 and MSGP17 require new development to provide the level of parking necessary to secure its safe and effective operation, priority and improvements to sustainable travel, and the submission of Transport Assessment/Statements and Travel Plans (all as appropriate).
- 5.61 In terms of the weight attributed to this requirement, representations were received regarding these policies during the consultation stage, and both policies are subject to modifications to provide clarity, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policies MSGP16 and MSGP17 is limited.
- 5.62 It is considered that a scheme with an appropriate level of parking provision for the principal and complementary uses could be achieved at TDC stage that would be acceptable in terms of highway safety, in accordance with policy CS13 of the CSUCP.
- 5.63 Waste Management

At this stage it is considered that an appropriate arrangement could be achieved from a waste servicing perspective the uses. Final details of layout plans would need to be submitted with a TDC application to fully consider waste collections. It is considered that a scheme could be achieved on site that would allow for appropriate waste management, in accordance with saved policy DC1 of the UDP.

- 5.64 Further, emerging policy MSGP50 relates to the provision of waste management on site and is intended to replace saved policy DC1(p) of the UDP. In terms of the weight attributed to this requirement, this policy is subject to modifications to provide clarity, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policy MSGP50 is limited.
- 5.65 At this PIP stage, the LPA is satisfied that in terms of land use the site would be appropriate for residential development with hotel, assembly and leisure or office uses.
- 5.66 AMOUNT OF DEVELOPMENT
The application proposes residential development of between 140 and 190 dwellings with complementary uses between 1 and 1600 sqm. It is considered that this would be appropriate and that a suitable scale and layout could be achieved at the TDC stage that would be acceptable in terms of the density of development and its impact on the character and appearance of the area, in accordance with saved policies ENV3, ENV9, ENV11 and ENV19 of the UDP, and policies SG3, UC13 and CS15 of the CSUCP.
- 5.67 Housing Requirements
CSUCP Policy CS11(5) requires that 15% affordable homes should be provided on all developments of 15 or more dwellings subject to development viability. An application for TDC should address this requirement.
- 5.68 Saved policy H9 of the UDP requires that for developments of 25 dwellings or more, a minimum of 10% of dwellings, across all types, are constructed to 'Lifetime Homes' standards providing accessible, adaptable and flexible homes which are capable of meeting changing household needs. An application for TDC should address this requirement.
- 5.69 Saved policy H10 of the UDP requires that for developments of 25 dwellings or more, a minimum of 2% of dwellings to be built, or be capable of adaptation without structural alteration, to Wheelchair Housing Standards. An application for TDC should address this requirement.
- 5.70 Further, emerging policy MSGP11 requires that on housing developments of 15 or more dwellings 25% of dwelling will be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards.
- 5.71 In terms of the weight attributed to this requirement, representations were received regarding this policy during the consultation stage, and the supporting

text for the policy is proposed to be added to provide clarification that where step-free access is not feasible for site specific reasons, such as on steeply sloping land or stair accessed apartments, off-site contributions towards meeting boroughwide needs will be required. Therefore, some weight can be afforded to the requirements of this emerging policy.

5.72 At this PIP stage, it is considered that a suitable scheme could be achieved at TDC stage that would provide an appropriate range and type of housing to meet the needs of future residents, in accordance with saved policies H9 and H10 of the UDP, policy CS11 of the CSUCP and emerging policy MSGP11 of the MSGP.

5.73 Open Space and Play Provision

The proposed development would increase the population in the area and open space may need to be provided on site in accordance with saved policies CFR20 and CFR21 of the UDP. Details of this would need to be submitted at TDC stage where required.

5.74 In terms of play facilities, there are no toddler play facilities located within the maximum distance of this site as specified by saved UDP policy CFR28. This is a large site and toddler play facilities should be provided on-site (with at least one being equipped), in accordance with the requirements of saved policies CFR28 and H15 of the UDP.

5.75 There are three junior play facilities located within the maximum distance of this development site, as specified within policy CFR29. However, policy CFR29 requires that play sites should be accessible without the need to cross busy roads or barriers, and this site is enclosed by significant barriers to pedestrian access (most significantly the A184 dual carriageway to the south/east) that would prevent younger people from safely accessing play facilities, or require a substantially longer walk to do so. Informal guidance (SPG4) indicates that junior play facilities can appropriately be provided on residential schemes of 110 dwellings or more, and new junior play provision should therefore be accommodated on this site in accordance with saved policy H15 of the UDP.

5.76 There is one teenage play facility at Windmill Hills, located within the maximum distance of this site as set out by policy CFR30. It is considered that the scale of the facility is not able to meet the demands of its catchment population. Like the Council's policy approach to junior play provision, policy CFR30 also requires that teenage play sites should not require movement across busy roads or other major barriers. However, whilst the footbridge across Askew Road is proposed to be removed, as above, this would need to be replaced with a signalised junction, allowing continued pedestrian access across the A184 to open space and play facilities at Windmill Hills, and it would be reasonable to expect that teenagers could safely cross this road. As such, requirements for provision and maintenance of teenage recreation facilities could be satisfied by a financial contribution towards off-site provision, in accordance with policy H15, if no provision was to be made available on site.

- 5.77 Further, emerging policy MSGP41 requires that major development provides open space and sports facilities, where required, and play facilities
- 5.78 In terms of the weight attributed to this requirement, representations were received regarding this policy during the consultation stage, and it is subject to modifications, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policy MSGP41 is limited.
- 5.79 Details of play provision/contributions should be submitted with a TDC application. At this PIP stage, the LPA are satisfied that appropriate schemes for play facilities could be provided, in accordance with saved policies H15, CFR28, CFR29 and CFR30 of the UDP.
- 5.80 Amenity
In terms of the amount of development proposed, it is considered that a suitable scheme could be achieved at TDC stage that would allow for appropriate levels of privacy, outlook and light at dwellings, and acceptable levels of amenity for staff (both on and off site), hotel guests, and/or other users of the commercial uses in accordance with saved policy DC2 of the UDP and policy CS14 of the CSUCP.
- 5.81 Highway Safety (Trip Rates)
It is considered that the numerical range of residential units with complementary commercial development would be acceptable for this site, subject to investment in sustainable access arrangements (as detailed above) and final floor areas/split of uses.
- 5.82 Trip rates will need to be confirmed in a Transport Assessment submitted with a TDC application. However, the amount and mix of development proposed at TDC stage will need to ensure that the overall number of trips generated during any single hour by the site as a whole should not exceed the numbers that would be expected for 190 dwellings. This would demonstrate that the proposed commercial floor area(s) and number of dwellings would not have an unacceptable impact on the wider highway network. A Travel Plan would also need to be submitted with a TDC application, with measures to promote sustainable travel for both residential and non-residential uses.
- 5.83 Further, emerging policies MSGP16 and MSGP17 require safe access to the site, that development does not have an unacceptable impact on the safe operation of the transport network and efficient operation of the road network, priority and improvements to sustainable travel, and the submission of Transport Assessment/Statements and Travel Plans (all as appropriate).
- 5.84 In terms of the weight attributed to this requirement, representations were received regarding these policies during the consultation stage, and both policies are subject to modifications to provide clarity, which are yet to be consulted on. Therefore, the LPA considers that the weight that could be afforded to emerging policies MSGP16 and MSGP17 is limited.

- 5.85 However, it is considered that a scheme with a suitable amount of principal and complementary uses could be achieved at TDC stage that would be acceptable in terms of highway safety, in accordance with policy CS13 of the CSUCP.
- 5.86 Sustainable Drainage
The planning obligations SPD requires that residential development of 10 dwellings or more and non-residential development of 1000sqm floor area or 1ha site area or more will need to provide Sustainable Drainage Systems (SuDS) on site. The submitted Development Framework refers to the inclusion of SuDS and the LPA are satisfied that a suitable scheme for SuDS could be achieved at TDC stage, in accordance with policy CS17 of the CSUCP.
- 5.87 Targeted Recruitment and Training
Policy CS5 of the CSUCP states that in terms of economic growth in the North East, Gateshead will continue to develop a diverse economy with accessible employment and deliver significant increases in the number of businesses and jobs by attracting and supporting a skilled labour force and improving skills and access for local people to job opportunities including through targeted recruitment and training.
- 5.88 The Planning Obligations SPD requires that major residential development of over 100 dwellings need to provide targeted recruitment and training. A Training and Employment Management Plan should be submitted with a TDC application.
- 5.89 Further, emerging policy MSGP6 requires that targeted recruitment and training will be required to be delivered on all major developments, where appropriate, during the construction and occupation of development.
- 5.90 In terms of the weight attributed to this requirement, representations were received regarding this policy during the consultation stage, and it is subject to modification of the text to clarify that the requirement would apply for housing developments of 30 units or more. Given that this policy builds on policy CS5 of the CSUCP and the Planning Obligations SPD the LPA considers that weight that can be afforded to policy MSGP6. In any event, the proposal for dwellings alone at this site exceeds the higher threshold for the requirement as defined in the existing adopted Obligations SPD.
- 5.91 At this PIP stage it is considered that a suitable provision for targeted recruitment and training could be achieved, in accordance with policy CS5 of the CSUCP.
- 5.92 At this PIP stage, the LPA is satisfied that in terms of the amount of development proposed, the site would be appropriate for residential development with hotel, assembly and leisure or office uses.
- 5.93 COMMUNITY INFRASTRUCTURE LEVY
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 development is CIL chargeable

development. The development is located within Residential Charging Zone C with a levy of £0 per square metre and Commercial Charging Zone 3 with a levy of £0 per square metre.

5.93 OTHER MATTERS

The condition of housing elsewhere and anti-social behaviour associated with that housing, that was raised in one of the representations received, is not a matter that can be taken into account in this application.

6.0 CONCLUSION

6.1 It is considered that a suitable detailed scheme of development could be achieved at the subsequent TDC stage which would be acceptable in terms of its impact on the character and appearance of the area, the residential amenities of existing neighbours and future occupants, access requirements, highway safety and parking, flood risk, heritage assets, utilities, waste management and the environment of the surrounding area.

6.2 On consideration of the above, the inclusion of the site in Part 2 of the Brownfield Land Register as land allocated for residential-led development would be acceptable and it is recommended that Permission in Principle be granted.

6.3 It is also recommended that an informative be attached to the permission advising the developer on matters that would be addressed in the TDC application.

7.0 **Recommendation:**

That Permission in Principle be GRANTED and the following informative be attached to the permission to advise the developer on matters that would be addressed in the TDC application:

'MATTERS FOR TECHNICAL DETAILS CONSENT APPLICATION

Please be advised that the following matters would be addressed in the TDC application (please note this is not necessarily an exhaustive list but guidance on the details considered at TDC stage):

Housing Requirements

New residential development should provide "adequate space inside and outside of the home to meet the needs of residents." with regard to the March 2015 DCLG published nationally described space standards for new housing.

Policy CS11(5) requires that 15% affordable homes should be provided on all developments of 15 or more dwellings subject to development viability. An Affordable Housing Statement should be submitted with a TDC application.

Saved policy H9 of the UDP requires that for developments of 25 dwellings or more, a minimum of 10% of dwellings, across all types, are constructed to

'Lifetime Homes' standards providing accessible, adaptable and flexible homes which are capable of meeting changing household needs.

Saved policy H10 of the UDP requires that for developments of 25 dwellings or more, a minimum of 2% of dwellings to be built, or be capable of adaptation without structural alteration, to Wheelchair Housing Standards.

An application for TDC should address these requirements in addition to providing a range of housing choices.

Please also note that emerging policy MSGP11 requires that on housing developments of 15 or more dwellings 25% of dwelling will be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards.

Open Space and Play Provision

A TDC application will need to account for the provision of open space (where required), toddler and junior play facilities on site and a contribution towards teenage play facilities off site, if this cannot be accommodated on site.

Appearance

The massing of buildings, their arrangement on site and finished appearance of the development should be designed with reference to, and with a view to enhance, locally listed Windmill Hills Town park to the south, Grade II listed King Edward Railway Bridge to the north, Bridges Conservation Area to the east and the Tyne Gorge Area/Study.

In accordance with policy SC3 of the CSUCP, the development would need to deliver/contribute to urban form, active frontages adjacent footpaths and a boulevard along Askew Road. In terms of the latter, sufficient space must be allowed for large trees to grow to maturity with appropriate soil provision, as well as the footway and any potential separate cycleway alongside the road itself. A Design and Access Statement, Heritage Statement and full landscaping details should be submitted with a TDC application.

Additionally, the design should take into account advice from Network Rail below:

Provision of a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal.

Buildings should be situated at least 2 metres from Network Rail's boundary to allow construction and future maintenance to be carried out from within the development site.

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary and Network Rail should be

consulted on a landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it and no hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that Network Rail would find acceptable and not acceptable adjacent the railway boundary are provided below:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

Highway Safety and Parking

A TDC application will be required to assess the impacts of the development on the following junctions:

- A184/A189
- Cuthbert Street/Askew Road West

The assessment of these junctions may result in the need to provide an improvement scheme or a contribution towards a future improvements scheme within the scale of the development.

To improve the accessibility of the site to make it fit for purpose for residential development (and complementary uses) and to promote sustainable travel and reduce the dependence on car trips, the following measures would be required:

- Creation of an all movements junction to allow vehicles to turn right in and out of the development site and the adjacent Network Rail site. It is considered that the most appropriate location would be the eastern boundary of the development site linking into the existing Network Rail Access Road. The junction should incorporate Toucan crossing over Askew Road and over the new site access, ideally staggered to minimise the impact upon traffic flows. Footways into the development site and Network Rail site would also need to be provided.
- Removal of the existing concrete footbridge over Askew Road and associated steps and ramps and works to landscape the embankment and remove footways leading to the bridge on the southern side of Askew Road.

- Upgrading the existing shared use path and creation of a new section of shared use footway alongside Askew Road an adoptable standard and installation of street lighting where required.
- Removal of the existing access road, bus stop layby, adopted access road, disused footways and any associated street lighting, signage etc. and any required diversion of utilities.
- Alteration of existing paths/create new shared use path into Windmill Hills Park to the south, connecting to the new Toucan crossing, taking into consideration the need for a separate route to comply with Equalities Act requirements.
- Improvements to crossings over the slip roads to the Redheugh Bridge to provide improved routes to and from bus stops. This could potentially be through the realignment of kerb lines into areas of hatching to reduce the crossing distance.
- Installation of a new bus shelter at the stop on the northbound slip road to the Redheugh Bridge and a bus stop on the southbound slip road from the Redheugh Bridge. The latter could potentially be through the installation of a bus stop cage on the inside lane on the approach to the roundabout, and the TDC application should explore the potential for installing a shelter.
- Removal of the existing bus stop layby which is disused and considered unsafe to bring back into operation, with associated works to realign the footway and pedestrian guardrail.
- Widening of the existing footpath at the north eastern part of the site (running under the King Edward Railway Bridge) to 3m, resurface and install street lighting and earthworks where required.
- Improvements to the route beneath Redheugh Bridge such as improved lighting, vegetation removal, and footway widening.

Trip rates will need to be confirmed in a Transport Assessment submitted with a TDC application. However, the amount and mix of development proposed at TDC stage will need to ensure that the overall number of trips generated during any single hour by the site as a whole should not exceed the numbers that would be expected for 190 dwellings. This would demonstrate that the proposed commercial floor area(s) and number of dwellings would not have an unacceptable impact on the wider highway network. A Travel Plan would also need to be submitted with a TDC application, with measures to promote sustainable travel for both residential and non-residential uses.

Parking provision should be delivered on site in accordance with the Council's parking guidance/standards for the different uses proposed, taking into consideration the location of the site in the Urban Core. Additionally, there would be requirements for cycle parking provision, electric vehicle charging and staff car parking provision, where required.

The residential development should also be designed to 20mph Zone standards.

Additionally, access to the Network Rail depot is required on a 24/7 basis and must remain clear and unobstructed at all times during and after any works. Alterations to the existing access must be agreed with Network Rail in advance of any work commencing on site. Additionally, consideration should be given to the access under the railway bridge on the northern boundary of the site. Any proposals should not impact on the operational safety of the structure and would require agreement with Network Rail beforehand. Access to the structure would still be required by Network Rail for inspection and maintenance purposes.

Amenity

A Noise and Vibration Assessment and an Air Quality Assessment should be submitted with a TDC application taking into account the proximity to rail and road activity.

Additionally, Ventilation/extraction details for complementary commercial use(s) should be submitted with a TDC application

Ground conditions

The site is within a Coal Authority defined high risk area and a coal mining risk assessment would need to be carried out relating to land stability and submitted with the TDC application.

The potential for contaminated land and its treatment would need to be considered. A Preliminary Risk Assessment should be submitted with a TDC application.

Trees

A TDC application will need to be supported by an Arboricultural Impact Assessment Survey.

Ecology

Future development should take into account mitigation and/or compensation measures, where required, to address loss and impacts on habitats/features and biodiversity on site, and retained habitats and features surrounding the site, including designated sites, protected and priority species and ecological connectivity.

Waste Management

Final details of layout and uses would need to be submitted with a TDC application to fully consider waste collections/management requirements.

Drainage/Flood Risk

Given the size of the site, both a Flood Risk Assessment and a Drainage Assessment (for foul and surface water, prioritising Sustainable Drainage Systems) should be submitted with a TDC application. Given the size of the

development/site, SuDS should also be provided on site and a SuDS Management Plan should be submitted with a TDC application.

Additionally, in terms of the proximity to Network Rail land/features, all surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points would need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
2. All surface water run-off and sewage effluent should be handled in accordance with Lead Local Flood Authority and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.
4. Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

Utilities

Gateshead District Energy Scheme is an operating, decentralised energy scheme, providing lower carbon heat from gas-fired combined heat and power plants, located at the nearby Gateshead Energy Centre. The site is very close to a future District Heating supply, and connection to this should be included as part of any scheme coming forward on the site, where feasible. Where connection is not possible, a TDC application should demonstrate compliance with the hierarchy in policy CS16 of the CSUCP.

Targeted Recruitment and Training

A TDC application should include a Training and Employment Management Plan for both the construction and end user phases of the development. Where a developer has an existing training and recruitment programme, this could be used. Where the developer is unable to deliver on site training or employment an equivalent financial contribution will be required.

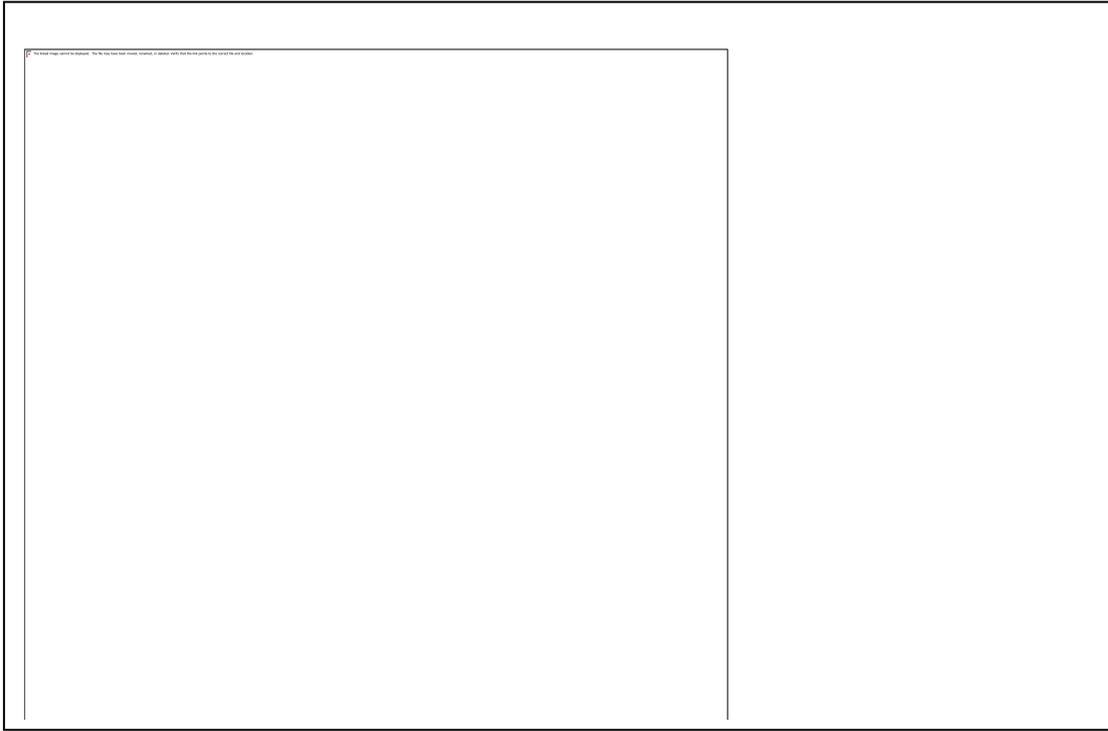
Additional Documents to be submitted with a TDC application:

Planning Statement
Statement of Community Involvement
Planning obligations draft head of terms

Other Points to Note:

Northern Gas Networks have confirmed no objection to granting Permission in Principle but have advised that there may be apparatus in the area that may be at risk during construction works. The developer should contact Northern Gas Networks directly to discuss their requirements in detail, which may affect layout/location of built development.

It is also recommended that early consultation is made with Northumbrian Water to agree any connection points to the public sewer network. They have advised that public sewers cross the edges of the site and would need to be either accommodated within a site layout or diverted to ensure that development does not adversely impact upon the sewers.'



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