

Committee Report

Application No:	DC/19/00349/FUL
Case Officer	Josh Woollard
Date Application Valid	24 April 2019
Applicant	Gateshead Council
Site:	Garage Block South Of 11 South Road Chopwell
Ward:	Chopwell And Rowlands Gill
Proposal:	Creation of 2no. 3 bedroom dwellinghouses and temporary change of use for the erection of temporary site compound (description amended 17/06/19 and 14/02/20 and amended information received 17/06/19 and 18/06/19, 20/01/20, 23/01/20, 11/02/20, 14/02/20, 10/03/20)
Recommendation:	GRANT
Application Type	Full Application

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

The application site comprises two small parcels of land which, together with a third, form part of a larger area of green space. This area of green space is bound by South Road which runs west to east along the north and south boundaries of the site. The two parcels of land are split by a public footpath which runs north to south providing pedestrian access through the site. The application site was formerly occupied by two garages; however, these have now been removed. Currently, the site comprises short cut amenity grassland with several mature and semi-mature trees growing in and outwith the application site.

1.2 South Road runs east to west, along the southern boundary of the site with Chopwell Primary Healthcare Centre located beyond. Three residential properties lie just beyond the western boundary of the site. Immediately to the north lies the third parcel of land with Tees Street and terraced residential properties beyond. Finally, a group of buildings comprising mixed uses ranging from residential to retail to leisure wrap around the north-east and eastern boundaries of the site.

1.3 Land levels travelling north across the site rise gradually, some 3.8m.

1.4 DESCRIPTION OF THE APPLICATION

The application in question seeks planning permission for the creation of 2no. 3-bedroom dwellinghouses and the temporary change of use of open space for the erection of temporary site compound.

1.5 On Site 1, the two dwellings would be located. The westernmost dwelling would be 6.1m in width, 9.8m deep, with an eaves height of 5.2m and a maximum

height of 8.7m. The easternmost dwelling would be 9.1m in width, 5.5m deep, with an eaves height of 5.1m and a maximum height of 8.1m. Each dwelling would benefit from off-street dedicated parking with access onto South Road.

- 1.6 On Site 2, the temporary compound required for the construction of the dwellings, located to the east of the footpath, would house the welfare, office, storage and W.C facilities for the construction workers. In addition, materials would be stored on this site and personnel parking would be provided. The compound would be contained by Heras perimeter fencing.

2.0 Consultation Responses:

Archaeology No comments to make

3.0 Representations:

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 issued on 25.04.2019, 24.06.2019, 11.02.2020 and 17.02.2020.

Representations have been received from 7 properties which object to the proposed development. The objections are summarized as follows:

- Loss of trees
- Parking and traffic issues particularly in relation to where less mobile patients currently park
- Impact on wildlife
- Other sites in Chopwell to build houses
- Conflict with existing emergency ambulance bay
- Impact of Healthcare Centre security lights on residential amenity
- Relocating bus stop would increase risk of accidents and would be inconvenient
- No need for more two-bedroom houses in Chopwell and many empty properties in Chopwell
- Loss of open space
- Overlooking
- Out of character
- Noise and disturbance

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV49 Sites of Nature Conservation Importance

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

CFR20 Local Open Space

CFR23 Protecting and Imp Existing Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

MWR28 Provision of Facilities in new Developments

MSGP Making Spaces for Growing Places

5.0 Assessment of the Proposal:

5.1 PRINCIPLE OF THE DEVELOPMENT

Loss of Open Space

5.2 The NPPF defines Open Space as:

All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity

5.3 It is important to note that the application site, whilst referred to by objectors as public open space, is not allocated as open space within the Development Plan. The current status of MSGP is that it has been subject to examination in Autumn 2019. Emerging policies in the submission draft Making Spaces for Growing Places Local Plan Document therefore carry some weight. Draft policy MSGP10 aims to provide 123.59 hectares (gross) of housing land supply over the plan period, specified in Appendix 2. The application site (allocated site number 10.23) is proposed to be allocated for housing with a capacity of 3 dwellings.

5.4 Notwithstanding the above, it is considered that the area could function as open space and would fall within the definition of open space as set out in Annex 2 of the NPPF and its loss has therefore been assessed below.

5.5 Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

5.6 Saved UDP policy CFR23, as supported by NPPF Paragraph 97, seeks to prevent the loss of open space in locations where there is an identified deficiency in open space provision.

5.7 Draft policy MSGP40 of MSGP sets out that development that would result in the loss of open space will only be considered acceptable if the site can be demonstrated to be surplus to requirements, or if the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

5.8 Site 1 would be developed for housing and would result in the permanent loss of an area of open space. Enabling works would be located on site 2 and therefore the loss of this area of open space would be temporary.

- 5.9 Paragraph 97(a) is directly relevant to this proposal. An assessment has been submitted which does not identify the Chopwell and Rowlands Gill ward as deficient in open space. The application site is located within 250m of a number of areas of allocated open space ranging from playing fields (circa. 210m south-west), accessible green space (circa. 160m south-east), allotments (circa. 120m east), and urban green space (circa. 150m north).
- 5.10 It is considered that, in the view of Council officers, the findings of the open space assessment are acceptable.
- 5.11 Taking the above into account, it is considered that the permanent and temporary loss of an area of unallocated open space would be acceptable and would accord with the NPPF, policy CS14 of the CSUCP, Saved policies CFR20 and CFR23, and draft policy MSGP40.

Compliance with Housing Policy

- 5.12 Policy CS11 sets out the Council's aims in relation to providing a range and choice of housing. The policy seeks 60% of new private housing to have three or more bedrooms in order to be attractive to families, it also seeks to ensure that adequate space is provided inside and out to meet the needs of residents.
- 5.13 Following receipt of amended plans, the development now proposes the construction of 2no. three-bedroom dwellinghouses. These would qualify as family housing and the proposal is considered to accord with the aims and objectives of policy CS11 of the CSUCP.
- 5.14 Taking into account the above assessments, it is therefore considered that the development of the site for housing would, in principle, accord with the above policies; albeit that detailed consideration needs to be given to potential impacts upon the local area. These are given consideration below.
- 5.15 VISUAL AMENITY
- 5.16 The immediate area comprises mixed uses but is predominantly residential in character with rows of terraced dwellings to the north and a small block of properties to the west and east. As such, residential development in this location is considered to be in-keeping.
- 5.17 In terms of design, scale and layout, the properties would be 2-storey with gable roofs which would reflect existing properties in the area. The north and south elevations of the dwellings would be prominent within the street scene and therefore, following receipt of amended plans, fenestration within these elevations has been carefully designed to reflect other properties in the area.
- 5.18 Some information has been submitted indicated that brick and concrete tiles would be used in the external finish of the dwellings. This is considered acceptable in principle but it is considered necessary to require samples to be provided prior to construction above damp-proof course (condition 4-5).

- 5.19 It is acknowledged that the temporary compound to be located on Site 2 would have a detrimental impact on visual amenity within the area. However, the impact would be temporary and it is considered that through the submission and implementation of a landscaping scheme for Site 2, there would be an overall improvement in the appearance of the site. This can be secured via condition (condition 6-8).
- 5.20 Limited information has been submitted with regard to boundary treatment to be erected and it is therefore considered necessary to require final details to be submitted (condition 9-10)
- 5.21 Subject to the above conditions, it is considered that the development would accord with the NPPF, policy CS15 of the CSUCP, and Saved policies DC1(c) and ENV3 of the UDP.
- 5.22 RESIDENTIAL AMENITY
- 5.23 Saved policy ENV3 of the UDP states that planning permission will be granted for new development where it:
- a) does not have an adverse impact on amenity or character of an area, and does not cause undue disturbance to nearby residents or conflict with other adjoining uses;
 - b) safeguards the enjoyment of light and privacy for existing residential properties;
 - c) ensures a high quality of design and amenity for existing and future residents;
- 5.24 Policy CS11 of the CSUCP states that promoting lifetime neighbourhoods with a good range and choice of accommodation, services and facilities to meet varied and changing needs, will be achieved by:
- 4) Providing adequate space inside and outside of the home to meet the needs of the residents
- 5.25 Site 1 – Housing Site
- Existing Occupants
- 5.27 The rear elevations of existing properties to the west would face towards the gable elevation of the nearest proposed dwelling. There are no habitable room windows shown in the side elevation of the nearest proposed dwelling. Gable elevations of existing properties to the north would face the rear elevations of the proposed dwellings. Separation distances would exceed the minimum recommended distance of 13m to ensure that there would be no unacceptable loss of privacy, overshadowing, or overbearing impact on nearby residential properties.

- 5.28 The Primary Healthcare Centre to the south is set approximately 16m from the boundary of the application site. Windows within the north elevation of the Healthcare centre are tall and thin and therefore views into and out of these windows are limited. Further, given the orientation of the building, the amount of light entering these windows is also considered to be limited. Therefore, it is not considered that the proposal would have an unacceptable impact on the amenity of the Healthcare Centre.

Future Occupants

- 5.29 It is considered that adequate internal and external amenity space is provided for the occupants of the proposed dwellings, whilst, as outlined above, a significant amount of open space is also located within 250m of the site.
- 5.30 One objection received raises concerns regarding the impact of the Healthcare Centre's security light on the amenity of the future occupants of the dwellings. The light would be located approximately 12m from the south-facing elevation of the easternmost dwelling. There are two lampposts located just outwith the application site to the south. Lampposts, in particular, in close proximity to dwellinghouses are a common arrangement within residential areas. As such, it is not considered that, given the distance between the dwellinghouse and the security light, it would give rise to an unacceptable impact on the amenity of the future occupants.
- 5.31 Tees Street to the north is located on a higher land level than the application site. Separation distances between the north-facing elevations of the dwellinghouses and the footway along Tees Street would be in excess of 21m which is considered acceptable to ensure no unacceptable loss of privacy or overlooking into the habitable room windows of the dwellings.

Site 2 – Temporary Compound

- 5.32 The temporary site compound would sit adjacent to the gable elevation of 10-11 South Road. The compound would be set on a lower land level than these residential properties. In addition, the only windows within the gable elevation are at first-floor level, significantly higher than Site 2. As such, it is not considered that the compound would result in an unacceptable impact on light, privacy, overbearing impact or overshadowing.
- 5.33 With regards to noise and disturbance from vehicles and construction works, building work would take place on Site 1 away from this residential property. It is considered necessary however to restrict the hours of operation (condition 11) to safeguard the residential amenity of nearby residents by minimising the impacts of the construction phase and with these restrictions in place, it is considered that the development would accord with the NPPF, policy CS14 of the CSUCP, and Saved policies DC2 and ENV61 of the UDP.
- 5.34 HIGHWAY SAFETY

- 5.35 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

Trip Generation

- 5.36 It is not anticipated that the proposed development of two dwellinghouses and a temporary site compound would generate a significant number of additional trips along South Road and therefore the network would have sufficient capacity to deal with the development.

Access

- 5.37 Access to the dwellinghouses would be provided off South Road. The dwellinghouses would be set 2.4m off the front boundary of the site which is considered to provide acceptable levels of visibility. Final boundary treatment details are required by condition to ensure there would be no obstructions within the splay.
- 5.38 Following receipt of amended plans, the vehicular access points are located within the middle of the application site to ensure no conflict with the existing bus stop and emergency ambulance bay in front of the Primary Healthcare centre.

Parking Provision

- 5.39 Two off-street parking spaces would be provided for each dwelling. The proposal therefore provides an acceptable level of dedicated off-street resident and visitor parking.
- 5.40 The width of the highway along South Road is 5.7m. To ensure there is no conflict with vehicles manoeuvring into and out of the parking spaces and the emergency ambulance bay, the width of these spaces has been increased to 3m. This is considered acceptable.
- 5.41 Objectors have raised concerns with regard to loss of parking at the Healthcare Centre. Dedicated parking for the Centre is provided within a car park to the south of the Centre. This would be unaffected by the proposal. The only designated parking area to the front of the Centre along South Road is the emergency ambulance bay and the impact on this has been assessed previously.
- 5.42 Details of secure and weatherproof cycle parking have been submitted and this is considered to be acceptable and can be secured via condition (condition 13).
- 5.43 Further to the above, the site is considered to be located in a sustainable location with good public transport links (bus stop immediately adjacent to the site) and close to shops and services.

- 5.44 Overall, the proposal is not considered to raise any highway safety concerns and thus accords with the NPPF and policy CS13 of the CSUCP.
- 5.45 REFUSE
- 5.46 Having assessed this application from a waste servicing perspective, there are no issues with it. Each plot has a designated bin store with easy access to be able to get the bins out for emptying
- 5.47 Therefore, it is considered that the proposal accords with the NPPF and saved policy MWR28 of the UDP.
- 5.48 TREES
- 5.49 There are a total of 15 trees located in and immediately outwith the application site.
- 5.50 Four trees, T1-T4, are located within Site 2 and would need to be removed to make way for the temporary site compound. Trees T1-T3 are considered to be of low value and their removal is not considered to have an unacceptable impact on the amenity of the area. Tree T4 is of moderate value but is not considered to make a substantial contribution to the amenity of the area.
- 5.51 Three trees, T13-T15, are located within Site 1 just to the south of a cluster of trees T6-T12. Whilst trees T13-T15 would need to be removed to make way for the housing development, it is considered that, whilst they have a positive contribution to the amenity of the area as part of the wider cluster, their removal would not have an unacceptable detrimental impact on the amenity of the area provided appropriate protection is in place to ensure the retention of trees T6-T12 and this can be secured via condition (condition 14-17).
- 5.52 Tree, T5, sits just outside the north boundary of Site 1. This is a high value, category A Sycamore tree which contributes positively to the amenity of the area. Given its proximity to the proposed retaining wall along the northern boundary of the site, it is likely that this tree would require removal.
- 5.53 Given the number of trees to be removed, it is considered that appropriate compensation should be provided within the application site. Conditions 6-8 require the submission of a scheme for landscaping and ecology enhancement on Site 2 following clearance of the temporary site compound. This will include a scheme for replacement tree planting.
- 5.54 On balance, it is considered that the proposed development is acceptable provided that appropriate protection is in place to ensure the retention of trees immediately outwith the site and with the submission, implementation and maintenance of a scheme for landscaping and ecology enhancement, including replacement tree planting, on Site 2.

- 5.55 Subject to conditions, the development is considered to accord with the aims and objectives of the NPPF, saved policies ENV44 of the Council's UDP and policy CS18 of the Council's Core Strategy and Urban Core Plan.
- 5.56 ECOLOGY
- 5.57 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 5.58 The proposed development site is located approx. 650m south west of Chopwell East Fields Local Wildlife Site (LWS), 450m north west of Chopwell Wood LWS and approx. 800m north east of Milkwellburn Wood LWS. There are no Sites of Special Scientific Interest (SSSIs) within 2km of the proposed development site.
- 5.59 Habitats/features within and immediately adjacent the proposed development site provide limited opportunities for a small range of statutorily protected and/or priority species, including: low numbers of widespread and commonly occurring nesting and foraging birds, low numbers of foraging and commuting bats and foraging hedgehog (*Erinaceus europaeus*).
- 5.60 Habitats/features within and/or situated within close proximity to the proposed development site are not considered suitable for the following statutorily protected and/or priority species: otter, water vole, badger, amphibians, reptiles and/or priority invertebrates (e.g. butterfly sp.). Owing to its very small size and lack of connectivity to larger more continuous areas of suitable habitat, the site is considered to pose a negligible risk for red squirrel.
- 5.61 The proposed development is therefore not predicted to have any significant adverse impact on any designated sites and/or ecological connectivity.
- 5.62 In accordance with the principles of the NPPF, a number of enhancement measures are recommended including in-built bat and bird boxes within the fabric of the dwellinghouses (conditions 18-19) and the submission, implementation and management of a landscaping and ecology enhancement scheme for Site 2 which shall include details of a replacement tree-planting scheme, on-site habitat creation, restoration and enhancement measures (conditions 6-8).
- 5.63 Further, vegetation clearance should not take place during the bird breeding season wherever possible and thus a condition to that effect is recommended (condition 20).
- 5.64 Subject to a number of ecology related planning conditions (conditions 6-8 and 18-19) covering ecological mitigation and enhancement measures, the proposal is considered to be acceptable from an ecological point of view, in

accordance with the aims and objectives of the NPPF, saved policies DC1(d), ENV46, ENV47 and ENV49 of the Council's UDP and policy CS18 of the Council's CSUCP.

5.65 GROUND CONDITIONS

5.66 The site has been assessed and inspected as part of the Council's Contaminated Land Strategy and is situated on potentially contaminated land based on its previous historic use. The site has previously contained a building in the south west corner with the site possibly being used for allotment gardens prior to the site being more recently used for the location of domestic garage buildings.

5.67 Considering the site's future sensitive land use and the potential for land contamination, a condition for a PRA and a intrusive site investigation with a Phase II Detailed Risk Assessment, and where required remediation, Monitoring and Verification Reports should be undertaken. This can be required by condition (conditions 21-26).

5.68 Subject to the conditions referenced above the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policies ENV54 and DC1(p) of the UDP.

5.69 OPEN SPACE/PLAY PROVISION

5.70 Saved policies H13 and H15 of the Council's UDP require new residential development to contribute towards open space and play provision. This is based on the anticipated population of the development and is based on the standards of open space and play provision required per population under saved policies CFR20, CFR28, CFR29 and CFR30 of the UDP.

5.71 Pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which meant that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project. The Council exceeded the 5-obligation maximum in respect of all three types of play (toddler, junior and teenage) and for open space.

5.72 With regards to the open space and play space contributions, the legislation has changed to mean that the pooling restriction has now been lifted and therefore, in theory, the Local Planning Authority could seek a contribution towards off site open space and/or play provision. Given that there has not been enough time since the change to the legislation for the Council to identify where an off-site contribution could be spent, the Local Planning Authority are of the opinion that it would not be reasonable in this instance to require it.

5.73 Therefore while it cannot be concluded that the appeal proposal would comply with saved policies H13, H15, CFR20, CFR28, CFR29 and CFR30 of the UDP, the Local Planning Authority consider that it is not possible to require any contribution for either off site open space or play provision in this case based on the above assessment.

5.74 COMMUNITY INFRASTRUCTURE LEVY

- 5.75 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 as it is for qualifying housing related. The site is within Residential CIL Zone C, which has a charge of £0 per sqm.

5.76 OTHER MATTERS

- 5.77 Other matters raised within representations received relate to the oversupply of two-bedrooms dwellings, the number of vacant properties, and other developable areas in Chopwell.
- 5.78 These matters are not considered to be material to the determination of this planning application and no weight has been afforded to them accordingly. In addition, amendments to the application have resulted in three and not two bed homes being applied for.

6.0 CONCLUSION

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

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

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

AL(90)003 Feb 2020 Site Boundary

AL(00)001 G Proposed Site Plan

AL(90)004 Enabling Works

AL(00) 004 J Section A-A

34454-GC-T10V5XX-DR-A-0001 T10 V5 Proposed Plans and Elevations

3-Bed, 5-Person 93m2 GIFA M4(2)

ARB/AE/2053/TiP

ARB/AE/2053/TpP

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

Within one month of the practical completion of the dwellings for which permission is hereby granted, the site compound shall be cleared of all buildings, plant, machinery and all other structures and materials connected with the temporary use.

Reason

To ensure the buildings, plant, machinery and all other structures and materials connected with the temporary use are removed as soon as practical in the interests of the amenities of the area to accord with the NPPF, policy CS15 of the CSUCP and saved policies DC1 and ENV3 of the UDP.

4

No development shall commence above damp-proof course level on the dwellings hereby approved until samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 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.

5

The dwellings shall be constructed in full accordance with the details approved under condition 4.

Reason

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

6

Prior to occupation of either dwelling, a fully detailed scheme for landscaping and ecology enhancement shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include details of ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

The ecology enhancement scheme shall include details of a replacement tree-planting scheme, on-site habitat creation, restoration and enhancement measures.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and to ensure adverse impacts on biodiversity are adequately mitigated/compensated in accordance with the NPPF and in accordance with Policies DC1(d) and (e) , ENV44, ENV46 and ENV47 of the Unitary Development Plan and policies CS14 and CS18 of the Core Strategy and Urban Core Plan.

7

The landscaping and ecology enhancement scheme approved under condition 6 shall be completed in full accordance with the approved details during the first planting season (October to March) following clearance of all buildings, plant, machinery and all other structures and materials connected with the site compound, unless otherwise approved in writing by the Local Planning Authority. The date of Practical Completion of the landscaping and ecology enhancement scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

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

8

The approved landscaping and ecology enhancement scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years

commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

Reason

To ensure that the landscape and ecology provision at the site is well established and is satisfactorily maintained in accordance with the NPPF, saved policies ENV3, ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS15 and CS18 of the Core Strategy and Urban Core Plan.

9

Prior to occupation of either dwelling, a fully detailed scheme for the boundary treatment (including the retaining wall structure) of and within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

10

Prior to occupation of either dwelling, the respective boundary treatment details for that dwelling, approved under condition 9, shall be implemented wholly in accordance with the approved details and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

11

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

Reason

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

12

All access gates into the development hereby approved shall open inwards only.

Reason

In the interests of highway safety and to ensure no obstruction to the highway, having regard to the requirements of policy CS13 of the Core Strategy and Urban Core Plan.

13

Prior to occupation of the dwellings hereby approved, the secure and weatherproof cycle parking facilities (shown on approved plan 'AL(00)001 F' and the submitted image 'Secure Bike Store_Trimetals') shall be implemented in full accordance with the submitted details. The cycle parking shall be retained thereafter.

Reason

To ensure adequate cycle storage provision for each dwelling, in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

14

No development or any other operations shall commence until a scheme for the protection of the retained trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used.

Reason

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

Reason for prior to commencement condition

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

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

15

Before any materials are brought onto site or any development is commenced, the tree protection measures approved under condition 14 shall be implemented on site. The fencing must remain in place for the duration of the development and shall not be moved or removed until all equipment; machinery and surplus materials have been removed from the site, unless otherwise and firstly approved in writing by the Local Planning Authority. No materials, plant or equipment or temporary buildings or structures shall be stored or located within the fenced areas.

Reason

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

Reason for prior to commencement condition

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

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

16

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

Reason

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

Reason for prior to commencement condition

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

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

17

The details approved under condition 16 shall be implemented and adhered to at all times during construction of the development hereby approved.

Reason

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

18

No development hereby approved shall commence until details of the bat and bird boxes to be incorporated in the dwellings (including the number, specification and precise locations) have been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to compensate for the bat habitats that will be lost in accordance with the NPPF, saved policies DC1(d), ENV46 and ENV47 of the Unitary Development Plan and Policy CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

19

The bat and bird boxes approved under condition 18 shall be installed prior to occupation of the development hereby approved and retained as such in accordance with the approved details thereafter.

Reason:

In order to compensate for the present potential roost sites in accordance with Policy DC1 and ENV47 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

20

No vegetation/site clearance works, including the removal of trees T1-T5 and T13-T15 as shown on plan reference ARB/AE/2053/TiP, shall be undertaken during the bird breeding season (i.e. March to August inclusive). Where this is not possible a breeding bird checking survey will be undertaken by a suitably qualified ecologist immediately prior (i.e. no more than 48hrs) to the commencement of works on site. Where active nests are confirmed these must be retained undisturbed until the young have fledged and the nest(s) is no longer in use.

Reason

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

21

No development hereby approved shall commence (except for tree protection measures and vegetation clearance works) until a Preliminary Risk Assessment and, where required, a report of findings arising from Phase II intrusive site investigations and a Phase II Detailed Risk Assessment have been submitted to and approved in writing by the Local Planning Authority. The site investigation will consist of a series of boreholes and trial pits, in situ testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase II Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

The Risk Assessment should confirm possible pollutant linkages and should provide recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

Reason

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

Reason for pre-commencement

To ensure adequate safety on-site during development works in terms of risks from contamination in accordance with the NPPF.

22

Prior to the commencement of development hereby approved, where remediation is identified under condition 21, a detailed 'Remediation Strategy' to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment shall be submitted to and approved in writing by the Local Planning Authority.

The 'Remediation Strategy' (including timescales for implementation) shall detail objectives, methodology and procedures of the proposed remediation works.

Reason for condition

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

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

Reason for prior to commencement condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

23

The remediation works detailed in the 'Remediation Strategy' approved under Condition 22, shall be wholly undertaken within the timescales set out within the approved strategy.

Reason for condition

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

24

Any undesirable material observed during excavation of the existing ground shall be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the exposed material shall be chemically tested.

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

Reason

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

25

The amended remediation and monitoring measures approved under condition 24 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

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

Reason

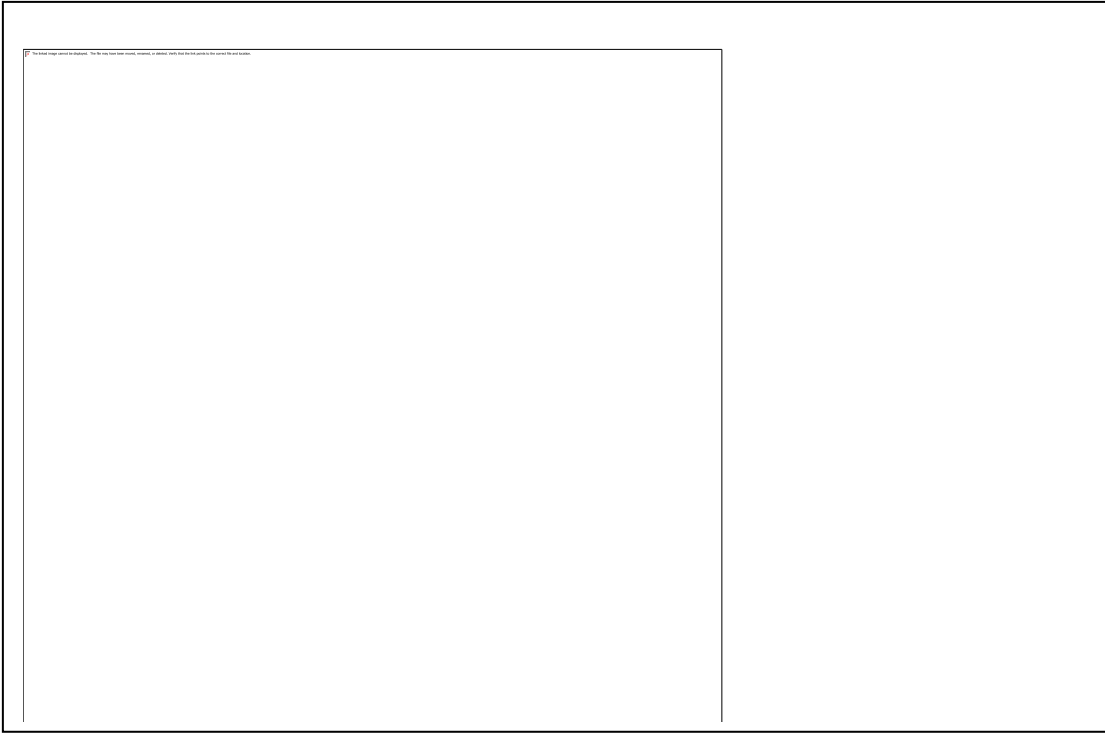
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and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

26

Where remediation is required, following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

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



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