

**Committee Report**

<b>Application No:</b>	<b>DC/20/00137/FUL</b>
<b>Case Officer</b>	<b>Lois Lovely</b>
<b>Date Application Valid</b>	<b>26 February 2020</b>
<b>Applicant</b>	<b>Mandale Apartments 5 Limited.</b>
<b>Site:</b>	<b>Block 2 Half Moon Lane Gateshead NE8 2AA</b>
<b>Ward:</b>	<b>Bridges</b>
<b>Proposal:</b>	<b>Variation of condition 1 (approved plans in relation to the Boiler Shop building and its car park) of planning permission 103/01 for demolition &amp; conversion of redundant &amp; existing buildings, erection of new buildings with associated access roads, parking and open space to provide accommodation for residential use (class C3), hotel use (class C1), office use (class B1), leisure use (class D2) and food and drink use (class A3) (amended 01/06/20).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

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

The application site lies within the Bridges Conservation Area and the overall Ochre Yards development. This application, to vary the approved plans, focuses on the former boiler shop, known as Block 2 that is situated on the northern boundary.

- 1.2 Ochre Yards is bounded on three sides by railway lines and on the north side, facing the Tyne, by High Level Road and Rabbit Banks Road that runs down to the river from the site entrance; it is 5 to 11 metres below site level when it passes alongside Block 2.
- 1.3 On the south side, Block 2 fronts a new access road within the new Ochre Yards development and faces two new blocks 6 and 7. On the east side a small open area of open space about 13 metres wide separates Block 2 from Block 4 that is approved as a viewing point of the river and to be landscaped. This has been completed in part and will be finished once Block 2 is completed.
- 1.4 30 metres to the west of Block 2 the Metro line emerges from a tunnel under the site and crosses the River Tyne on the Queen Elizabeth II Metro Bridge.
- 1.5 Block 2 is a Grade II listed former boiler shop at the former Gateshead (Railway) Works, which occupied the whole of the site, known as Greenesfield.

Block 2 is located on the northern edge of the site overlooking the Tyne. The existing building is a large two storey Victorian industrial building.

- 1.6 The annex building is not highlighted on the Listing map, although it is regarded as curtilage listed and therefore must be treated as part of the listed building.
- 1.7 The main (shop) floor is at site ground level and the vaulted basement, seven metres below, is at Rabbit Banks Road level. An annex building, without a basement, is attached to the east end of the main block and forms part of this application.
- 1.8 The basement floor level of Block 2 meets the road level of Rabbit Banks Road at one point, which was originally an entrance into the building. However, access onto the road is not now feasible for either pedestrians, because there is no footpath, nor vehicles, because the road is now a designated bus route and visibility lines are poor.
- 1.9 In 1997 the Greenesfield site was allocated for mixed use development, with the majority of the site allocated for residential and the remainder at the eastern end allocated for commercial uses (branded as The Point). In 2002, following extensive consultation with Gateshead Council and English Heritage (now Historic England), Bellway Homes (NE) were granted planning permission to develop over 600 apartments on the residential part of the site (ref 103/01)
- 1.10 Bellway's proposals were for nine new build apartment blocks and the conversion of two existing buildings; the locally listed former Tinsmiths Shop (Block 1) and the listed former Boiler Shop (Block 2). Block 2 was to be converted into 40 apartments.
- 1.11 The associated Listed Building consent (ref 104/01) for Block 2 has expired without being implemented. Thus, a fresh Listed Building Consent is required as well as this application to vary to the existing planning permission, to increase the number of residential units from 40 to 58. The original scheme had 24 x 1 bed apartments and 16 x 2 bed apartments (40 apartments total).
- 1.12 Construction started on Blocks 1 and 3 in 2003 and has continued steadily since this time. Work started on the final new build, Block 10, in 2016 leaving the conversion of Block 2 as the final work needed to complete the site.
- 1.13 **DESCRIPTION OF THE APPLICATION**  
This is a section 73 application that seeks to vary the plans approved under ref 103/01, in so far as they relate to Block 2.
- 1.14 A previous s73 application DC/16/00136/FUL, a previous minor material amendment was granted 12 April 2017 to enable alteration of façades, increase flat numbers from 40 to 58, and make amendments to the parking layout and bin store area of Block 2. A separate but related application for Listed Building Consent, in relation to this latest s73 application is elsewhere on this agenda.

1.15 This application proposes alterations to the facades and the internal layout the car parking layout and bin storage area of Block 2 to provide 58 units.

1.16 Whilst this application seeks to vary the plans approved under the 2001 consent, it is worth comparing this current proposal to the amendments already granted consent under the previous s73 for the Boiler Shop (DC/16/00136/FUL). The principal changes to the scheme from the approved 2016 scheme are to the end block shell.:

- Creation of a simplified annex that is more subservient to the main building in height;
- It is proposed to utilise the existing brick shell to accommodate the annex rather than it be largely demolished as the previous approval DC/16/00136/FUL would result in only the northern wall of the shell remaining;
- The existing lower level openings to the annex's north-facing elevation are proposed to have windows installed to suit the revised internal arrangement/finished floor levels. the previous approval DC/16/00136FUL proposed corten steel screens and making good;
- The roof covering to the annex is proposed to be a sarnafil ply system with standing seam detail as compared with the previous approval DC/16/00136/FUL that proposed a corten steel effect clad system;
- A slight reduction in the extent of glazing to the first floor north-facing apartments within main building is proposed, in tandem with the introduction of cladding. the previous approval DC/16/00136FUL proposed windows, bi-fold doors and infill panels;
- A reduction in the extent of rooflights to serve first floor north-facing apartments within the main building is proposed;
- Creation of double height space within the main building (ground floor to first floor), is proposed which includes the installation of staircases and link walkways;
- The north elevation opening of the main building is proposed to be clad compared with the previous approval DC/16/00136/FUL that proposed this would be blocked up with stone;
- An increase in the extent of ridge rooflights to serve the main building atrium is proposed;
- A single lift is proposed within main building compared with the two lifts proposed by the previous approval DC/16/00136/FUL;
- External cycle stores are proposed for the main building whereas they were housed internally under the previous approval DC/16/00136FUL;
- Glazed canopies are proposed to the main building whereas corten steel entrances were approved under the previous approval DC/16/00136/FUL;
- It is proposed to provide a reduced size entrance/lobby area to the main building than previously approved under DC/16/00136/FUL;

1.17 The changes between the 2016 approval and proposed accommodation schedules are set out below. The proposed units remain one and two-bed properties and the mix is broadly similar to the previous consent (approximately 33% one-bed and 66% previously, compared to 29% and 71% respectively now).

	<b>Approved Scheme (2016)</b>	<b>Current Proposals</b>
<b>Main Building</b>		
Lower Ground Floor	9 x 1-bed (duplex) 1 x 2-bed (duplex)	2 x 1-bed (duplex) 7 x 2-bed (duplex)
Ground Floor	16 x 2-bed (duplex)	17 x 2-bed
First Floor	6 x 1-bed 10 x 2-bed (duplex)	5 x 1-bed 1 x 1-bed (duplex) 2 x 2-bed 9 x 2-bed (duplex)
Main Building Total	42no. (15 x 1-bed, 26 x 2-bed)	43no. (8no. 1-bed, 35no. 2-bed)
<b>Annex</b>		
Ground Floor	1 x 1-bed 3 x 2-bed	0 0
First Floor	1 x 1-bed 3 x 2-bed	2 x 1-bed 3 x 2-bed
Second Floor	1 x 1-bed 3 x 2-bed	2 x 1-bed 3 x 2-bed
Third Floor	1 x 1-bed 3 x 2-bed	3 x 1-bed 2 x 2-bed
Annex Total	16no. (4 x 1-bed, 12 x 2-bed)	15no. (8no. 1-bed, 7no. 2-bed)
<b>Total</b>	<b>58no. (19no. 1-bed, 38no. 2-bed)</b>	<b>58no. (15no. 1bed, 43no. 2-bed)</b>

1.18 The layout of units is dictated by the elongated, narrow nature of the building, together with the historic window openings on the northern elevation at lower ground and ground floor levels, with units arranged internally to suit and maximise the benefits from these openings to enjoy views north across the River Tyne. This theme (of maximising the benefits of views across the River) is continued at first floor level and within the annex, although the units in these areas have new windows proposed to enjoy this view. All of the above has led to a layout with units either side of a central corridor

1.19 At both ground and first floor levels the units face both north and south whilst at lower ground level there are no south-facing units due to the planned public circulation space. The proposals include duplex apartments with a bed deck above living accommodation to maximise the potential of internal space without enlarging the building unnecessarily.

1.20 The proposal is to provide an additional 18 apartments, resulting in a total of 58 apartments, by converting the existing building and the construction of a three

storey annex, to be built in the annex building envelope providing two storeys of accommodation and an undercroft parking area.

- 1.21 The original approved scheme was to simply reroof the annex continuing the ridge line of the main building. The amended scheme proposes to construct a new building within the shell to compliment and contrast with the existing building. The height of the proposed Annex is 13m. The separation distance to Tranquil House remains the same at 13m.
- 1.22 The main building has been re-designed to provide a double height space to the central entrance. There are three entrances to the main building which have new external lobbies on the south elevation. The main building would contain 42 units, and the annex 16 units (58 apartments in total).
- 1.23 The increase in apartment numbers from the original 2001 approved scheme to the current proposal has been achieved by locating apartments on both sides of the building apart from at basement level. An upper mezzanine level bedroom is set back and overlooks the main living area, similar to the conversion of Block 1.
- 1.24 The proposed upper floor proposes new window openings to be formed in the existing walls.
- 1.25 The depth of the existing building means that a substantial space is left between the north and south apartments. A top lit atrium court is proposed for this area to help to retain a sense of the scale of the original interior. The approved scheme had dual aspect apartments on the river facing elevation and to the south elevation a top lit atrium that housed a garden courtyard.
- 1.26 As with the 2016 approved scheme, the size of the existing windows determines the minimum width for the apartments to avoid walls within the window opening that would impact on the appearance of the windows/ overall building.
- 1.27 Car parking for residents is provided in two areas; 38 spaces are proposed in the secure surface car park to the front (south) of the building, 14 resident spaces are proposed in the undercroft of the annex, 8 resident spaces alongside 14 visitor parking spaces are proposed in front of the building and perpendicular to the highway.
- 1.28 **PLANNING HISTORY**  
Greenesfield was NE Railways principle works in the 19th century but following its decline in the 20th century the site was allocated for mixed use development in the UDP and in 2002 Bellway Homes (NE) were granted detailed planning permission to develop a large part of the site, renamed Ochre Yards, for over 600 apartments.
- 1.29 Planning permission ref 103/01 for Demolition and conversion of redundant and existing buildings, erection of new buildings with associated access roads, parking and open space to provide accommodation for residential use (class

C3), hotel use (class C1), office use (class B1), leisure use (class D2) and food and drink use (class A3), was granted 16/04/2002 for the development of the former Greenesfield railway works site in the form of new built blocks of apartments, with the conversion of two of the historic buildings into apartments. These proposals included the conversion of Block 2 for 40 apartments and included the opening up of the roof on the south side to provide a walled garden on part of the main floor. Listed Building Consent was also granted for the works as they related to Block 2 (ref 104/01).

- 1.30 There have been a series of planning applications for the various blocks on Ochre Yards over recent years. Most relevant, in terms of the current proposal for Block 2 are:

DC/16/00136/FUL VARIATION OF CONDITION 1 (approved plans) of 103/01 to enable alteration of facades, increase of flat numbers from 40 to 58, amendments to parking layout and bin store area (additional information received 16/02/17 and 15/03/17 and amended plans/documents received 13/02/17, 15/03/17 and 23/03/17). Granted 12 April 2017.

DC/16/00137/LBC LISTED BUILDING CONSENT: Conversion of former boiler shop to 58 apartments with associated parking and external bin stores (additional information received 15/03/16, 30/09/16, 3/10/16, 12/12/16 and 13/02/17 and amended plans received 03/10/16, 12/12/16, 16/12/16 and 13/02/17). Granted 12 April 2017.

DC/12/01197/FUL: Variation of Condition 1 of approval 103/01 to allow modification of block 8 together with minor amendments to face and footprint (amended 02/01/13).

DC/09/00753/FUL - Variation of condition 1 of permission 103/01 DM to allow additional 10 units in Block 7 by revising internal layout and external elevations - Granted 22.09.2009.

DC/08/00297/FUL - Erection of 4 - 6 storey block of flats with associated car parking (to include an additional 10 units with associated parking) - Withdrawn 4.09.2008.

- 1.31 The following documents have been submitted in support of the application:

Design and Access Statement (DAS)  
Heritage Asset Statement  
Archaeological Report  
Condition Survey  
Noise Impact Assessment  
Bat / Barn Owl Survey  
Transport Statement  
Travel Plan  
Statement of Community Involvement

## 2.0 Consultation Responses:

Northumbria Water	No Comments
Northumbria Police	No objections
Tyne And Wear Archaeology Officer	The applicant has provided a Heritage Assessment which identifies less than substantial harm from the proposed works. This conclusion is agreed with and there is no objection to the proposals subject to re imposition of Condition 27 of planning permission DC/16/00136/FUL)
Historic England	No objection to the proposals however Historic England offered design advice

### **3.0 Representations:**

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) (England) Order 2015. A site notice was posted on 27 March 2020 and a further site notice was posted on 8 June 2020 following receipt of amendments. A notice in the press was published on 8 March 2020 and again on 10 June 2020 due to the receipt of an amended scheme.

3.2 Four letters of representation have been received from residents of Ochre Yards. One resident indicates support for the proposals but does not give reasons.

3.3 The concerns raised relate to:

- insufficient car parking,
- increased noise
- loss of trees
- proposed offices, bars, leisure uses and a hotel will lead to increased numbers of people arriving and leaving including at unsociable hours
- already a significant amount of noise in the area from Airbnbs, nightlife

### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS2 Spatial Strategy for Urban Core

UC13 Respecting and Managing Views

UC14 Heritage

DC1 Landscape

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV7 Development within Conservation Areas

ENV9 Setting of Conservation Areas

ENV11 Listed Buildings

ENV12 Demolition of Listed Buildings

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV23 Building Recording

ENV4 Urban Design Principles for Central Ghd

ENV46 The Durham Biodiversity Action Plan

ENV54 Dev on Land Affected by Contamination

IPA11 Levels of car parking in new development

IPA17 Conservation Area Character Statements

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

QB1 Quays and Baltic Sub Area

## **5.0 Assessment of the Proposal:**



- 5.1 The principle of conversion of the boiler shop to residential apartments and the erection of an adjoining new build element to one side is already established by the previous listed building consents and planning permissions. The main planning issues are the impact of the amendments on heritage assets, archaeology, ecology residential amenity, affordable housing, car parking and highway safety.

#### HERITAGE

- 5.2 NPPF paragraph 189 requires the applicant to set out the significance of the heritage asset. Paragraph 193 states that, when considering the impact of a proposed development on the significance of the heritage asset great weight should be given to its conservation. Any harm or loss should require clear and convincing justification (paragraph 194). Paragraph 192 requires works to heritage assets to better reveal or enhance their significance by taking account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.3 Core strategy policy CS15 (Place Making) and Urban Core policies UC13 (views) and UC14 (heritage) are relevant. The site also falls with the Urban Core sub-area Gateshead Quays and Baltic (Policy QB1). Supporting paragraph 17.60 states that the Quays and Baltic sub-area has a strong and layered historic legacy ... characterised by the legacy of the rail development ... reinforced by the large former railway engineering sheds at Greenesfield.
- 5.4 Core strategy CS15 states, 'Development will contribute to good place-making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. ...respond positively to local distinctiveness and character...respect and enhance significant views and the setting of heritage assets...respond to local design and conservation guidance... Taking a proactive approach to sustaining the historic environment in a manner appropriate to the significance of the relevant heritage asset and requiring development to support and safeguard the historic environment... Positively responding to those heritage assets which are at risk, and not leaving heritage assets at risk, or vulnerable to risk...'
- 5.5 Saved UDP policies ENV7 (development in conservation areas), ENV9 (setting of conservation areas including views into/out of), and ENV11 (listed buildings), are reflected in CSUCP Policy CS15.
- 5.6 Part of the evidence base for the CS (policy UC13 regarding strategic views) was The Tyne Gorge Study, produced in 2003. This recognises the significance of the River Tyne, the development of the banks of the Tyne, and the views within that context.

- The former Boiler Shop is identified as key landmark within the Tyne Gorge and its immediate setting. As a result of its position on the lip of the Gorge and its connection to the important railway history of Gateshead it is highly visible from both the railway and the Metro bridges.
- The Boiler Shop and annex are dominant in the surprise view of the Gorge which opens up as you approach the High Level Bridge from the north
- Section 4D is primarily concerned with the Greenesfield Railway works - the former Boiler Shop is an important good quality early railway building, which assumes an even greater significance in the context of the previous removal of much of the railway architecture of northern Gateshead.

## 5.7 HERITAGE ASSETS

The application relates to a Grade II Listed building within the Bridges Conservation Area. These are both designated heritage assets. A separate application for Listed Building Consent has been received and is elsewhere on this agenda.

- 5.8 The site's industrial history began in the 1830s with the opening of a station and engine shed on the former Greene's Field Meadows. In the 1850s the North Eastern Railway built its HQ and locomotive works here and by the end of the century it was the largest employer in the town with 16,000 men employed.
- 5.9 The Boiler Shop was an extension of the Engine Shed, Smiths Shop and Tank Shop, all designed by Thomas Prosser and all since demolished. Hence the southern façade wall of the Block 2 is actually the northern facade wall of the original Tank Shop.
- 5.10 The main shop floor measures about 80 metres long plus 25 metres in the annex and by up to 22.5 metres wide and was for the construction of locomotive boilers. In the basement 6.5 metre wide brick vaults and 1.5 metre arched piers were required to support the huge loads of the boiler shop floor. The basement was used as a smith's shop and old images show a line of nine chimneys at roof level on the north wall serving the smiths' hearths. The chimneys have since been removed but the internal flues remain, located between windows on the inside face of the external wall.
- 5.11 The northern and western sides of Block 2 are certainly the most architecturally and historically important. The huge window openings reflect the industrial past and are appropriate to the scale of the cliff-side setting, as is the slight batter to the walls. The west gable, facing directly up river, towers above Rabbit Banks Road.
- 5.12 The former Boiler Shop is grade II listed and included on the Council's Register of Buildings at Risk. It has been subject to acts of vandalism and arson. The Buildings at Risk survey (2007) concluded that the building is in a poor condition requiring attention to the roof covering, rainwater goods, repointing, repairs to windows, re-glazing and repairs to doors.
- 5.13 Conversion of the building will ensure that the condition of the building remains good in the long term. Therefore, the public benefits of this proposal are clear.

- 5.14 The former Boiler Shop has strong evidential value and contributes significantly to the ability to understand and interpret the history of the Greenesfield site. It is a record of that past activity and its significance is recognised in the character appraisal for the conservation area. This evidential value underpins its historical significance as an illustrative example of the past use of the Greenesfield site, of that period of industrial development and innovation, and of the legacy it has left Gateshead.
- 5.15 Aesthetically, the building reflects the prevalent industrial design of the mid-late 1800s, and is a representation of the how the wider Greenesfield site appeared at its peak in 1880-90 and therefore has greater value as a result.
- 5.16 Communal value may be derived in this instance from the strong links to railway development, the influence of which is seen across the Bridges Conservation Area and through Newcastle. The use of the site was significant in the development of rail, and its early use. The value of this site in that period of history should not be forgotten and can still be interpreted through the character of the place.
- 5.17 The heritage statement/DAS shows clearly that the annex is contemporary with the Boiler Shop. The annex is considered to be a curtilage listed building as the Courts have held that for a structure or building within the curtilage of a listed building to be part of a listed building it must be ancillary to the principal building, that is it must have served the purposes of the principal building at the date of listing, or at a recent time before the date of listing, in a necessary or reasonably useful way and must not be historically an independent building. The annex is regarded as being part of the listed building and not listed in its own right. Its significance is therefore determined by its contribution to the significance of the listed building.
- 5.18 The building is located in Bridges Conservation area and overlooks the Locally Listed Gateshead Sculpture Park (a non designated heritage asset). Its prominent position within the Tyne Gorge puts the building's setting within the context of the River Tyne and the bridges which cross it including the grade I High Level Bridge and grade II King Edward Bridge.
- 5.19 The conservation area character appraisal (2013) identifies this site as being within the Greenesfield zone, an area which despite the demolitions has retained historic integrity and sense of place. Those buildings which do remain are crucial to the area's significance. Despite the isolation of this site, this zone links closely with the rest of the conservation area through the historical aspects of the sites and their former uses, all of which add to the understanding of the area.
- 5.20 The townscape is highly valued in terms of its location and importance in Gateshead's history and the remaining buildings add to its significance. The area is of high visual interest due to the visually dramatic railway works buildings which are prominent when approaching Newcastle on the metro or train, and the views of the bridges themselves.

- 5.21 Finding a new use for this building is fundamental to its future; however, conversion of working buildings into domestic accommodation, although a common solution, can be difficult to achieve without eroding their character. This is because their design so often reflects their function and this legibility is integral to understanding their significance.
- 5.22 The degree of harm and whether this is outweighed by the benefit of bringing the building back into use is dependent on the details of the scheme.
- 5.23 The acceptability of the conversion of the main building to residential use has been established and will mean the building remaining in good condition is guaranteed thus the public benefits are clear. The key consideration of this application is whether the alterations are harmful to the significance of the building. Whilst these are to be comprehensively dealt with by way of the assessment of the accompanying Listed Building Application, they are also described below.
- 5.24 Refurbishment of the building is proposed to include the repair of existing masonry walls and the replacement of windows where necessary. On the north façade of the main block new windows are fitted in the existing openings. On the south face, where considerable crude alteration work has occurred, it is proposed to remove the brick piers/ chimneys and reinstate the original door and window openings; this includes extending window openings to ground level to match the door openings and form a consistent 'arcade'.
- 5.25 The most significant insertion is the introduction of high level windows to the two principal facades to light the new upper level apartments of the main block to avoid further 'hole-in-the-wall' openings which could clash with and detract from the existing distinctive window openings. Instead, a continuous horizontal band of glazing is proposed at ridge level on the south elevation and glazing at eaves level on the North elevation, with deep and regularly spaced mullions, to act as a kind of closed cornice or frieze that will contrast with the solidity of the stone walling below and the large 'holes' of the existing windows; this is particularly evident on the north façade.
- 5.26 The three main entrances are emphasised with a burnished brass or similar finish canopy projection above the doors. In addition, the doors and glazing are set well back in reveal and lightly framed to give the impression of a clear opening. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.27 A new vehicular access is proposed in the annex to the residents undercroft car parking area.
- 5.28 The downpipes on the north façade, which are set in reveal, are a significant element of the elevation and will be refurbished or replaced as required. The new downpipes to the south façade will be similarly strategically placed.

- 5.29 There is a need to provide dwellings whose thermal and technical performance meet current building regulations and properties that are capable of obtaining a warranty. Therefore, it is proposed the existing solid stone wall to the south elevation is to be visually retained within the apartments that will offset other thermal efficiencies elsewhere within the building.
- 5.30 Within the basement dwellings, it is proposed that the brick arches and features within the larger open plan areas of the apartments be exposed and where brickwork has deteriorated beyond reuse, it is proposed to insulate and overclad as previously approved. Communal areas within the basement are to retain the exposed brickwork arches and walls.
- 5.31 Other Communal areas and entrance areas are proposed to retain exposed brick and stone and new stairwells are to be of exposed brickwork to contrast with the new simple white contemporary walls to the apartments facing the communal circulation spaces.
- 5.32 Following a full window condition survey, the Applicant proposes to prepare proposals for the repair, modification or renewal of the windows, should existing windows need replacing then a timber frame slim line double glazing system would be proposed. As evidence is required to demonstrate that the existing windows are beyond repair a condition is recommended to be attached to the current application for listed building consent (DC/20/00139/LBC) to secure the condition survey.
- 5.33 The scheme proposes to remove the brick chimneys on the south elevation. However, it should be noted that the previously approved (2016) scheme also proposed removal of the chimneys following a condition survey that demonstrated the chimneys are structurally unstable and should be removed.
- 5.34 This has enabled the entrance features to be clearly identified and exposes more layers of original stonework in keeping with the original character and design of the building. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.35 The scheme proposes to clean, repair and repoint the elevations. There is no detail provided. A condition survey, repair specification and method statement to support repairs is required. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.36 Flush low profile dark grey aluminium ridge lights over the atrium are proposed to sit flush in the roof so as not to detract from, and are sympathetic to, the fundamental character, the special interest or the significance, of the building based in the industrial legacy this building dates from, and represents. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.37 As described the most significant intervention proposed to the main building is the windows to the upper floors of the north and south walls, giving the appearance of a frieze separate and above the wall leaving the existing

arrangement of the wall and windows unaffected. This is particularly so on the north elevation where the building can be seen from a distance and the existing form will be unchanged.

- 5.38 The new build annex is a contemporary intervention to be constructed within the existing listed walls with a flat roof behind a parapet. The existing window openings to the north elevation are utilised, the lower windows being to the undercroft are proposed to be left open to allow natural ventilation. Timber framed windows are proposed in the existing openings. Expanded mesh Juliet balconies are proposed to a number of the upper two floors of the flats and a terrace is proposed running the length of the annex's northern elevation.
- 5.39 It is proposed to use a burnished brass rain screen cladding system to reflect the industrial heritage of the building. Windows and balcony doors are proposed to be grey powder coated aluminium frames with deep reveals 100 – 150mm that are considered to be in keeping with the other modern materials. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.40 A small area of the existing buttress listed wall on the east elevation is to be made good. A condition to secure these details is to be attached to the listed building consent (DC/20/00139/LBC).
- 5.41 The statutory requirement to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (s.16, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account in consideration of the proposal. This special statutory status means that any harm to the asset should be given considerable importance and weight when balanced against any other material considerations.
- 5.42 This desirability to preserve is also embedded in the NPPF, which states that enough information be required to assess the significance of a heritage asset and the impact of the proposal on it when determining an application so that any conflict between the proposal and the asset's conservation can be avoided or minimised. This application provides enough information to fully assess the impact of the proposal on the significance of the building and the Conservation Area.
- 5.43 The NPPF goes on to state that great weight should be given to an asset's conservation and clear and convincing justification for any harm.
- 5.44 Having stood vacant for many years, and having already been on the Buildings at Risk Register for 10 years, the need to find a new use for the building and stem its further deterioration is clear and, as with the previous application, its conversion to residential is accepted in principle. Government policy acknowledges the desirability of sustaining historic buildings by finding viable uses for them, but that use needs to be consistent with their conservation.
- 5.45 It is accepted that, due to the conflict between the inherent characteristics of an industrial building and the needs of modern residential housing, some less than

substantial harm is likely if residential conversion is to take place. The proposed Annex is not considered to result in substantial harm, in terms of paragraph 196 of the NPPF and saved UDP policy ENV12 as it would not impact on the significance of the listed building.

- 5.46 Where the development proposed would lead to less than substantial harm, as in this case, this harm then needs to be weighed against the public benefits of the proposal (paragraph 196). Finding an optimum viable use for the building, that is included on the Council's Buildings at Risk register, as is proposed, is a clear and compelling public benefit that would outweigh the less than significant harm arising from the development and consequently can be considered to be acceptable. The development would also make a contribution to the provision of housing in the Borough and this also weighs positively in the balancing assessment undertaken. Similarly, the development is considered to preserve or enhance the conservation area's special architectural or historic character or appearance.
- 5.47 The proposals are considered to be acceptable in accordance with both national and local policy, with any adverse effects being outweighed by public benefits. These (public benefits) include, but are not limited to:
- The repair and restoration of a listed building which has been redundant for many years and falling into a state of disrepair;
  - Providing the optimum viable use for a long-term vacant listed building where several previous attempts have not come to fruition;
  - Improvements to the visual amenity of the local residential area
  - The preservation and enhancement of the character and appearance of the Bridges Conservation Area; and
  - Provision of one and two-bedroom apartments in an area where there is market demand.

Given the above and subject to the recommended conditions, both on this application and those expected to be imposed on the associated Listed Building Consent, it is considered that the proposal meets the requirements of paragraphs 128, 129, 131, 132 and 134 of the NPPF, CSUCP policies CS14 and CS15 and saved UDP policies ENV7, ENV11 and ENV12 .

#### 5.48 ARCHAEOLOGY

The proposed undercroft parking area and annex tower would be built at existing or slightly above existing ground level and so it is unlikely to have archaeological implications. Whilst it may be unlikely, it is still possible and any proposals should be raised with the Tyne and Wear County Archaeologist, who may suggest a watching brief and a condition is recommended to secure this (CONDITION 30).

- 5.49 Archaeological Building Recording would be required prior to commencement of development. A condition to secure these details is to be attached to the

listed building consent (DC/20/00139/LBC) in order to comply with Saved UDP policies ENV21 and ENV22 and CSUCP policy CS15. Given the above, subject to the recommended conditions, the proposals are considered to be acceptable and in accordance with saved UDP Policies ENV7, ENV8, ENV9, ENV11 and ENV12, as well as NPPF paragraph 199.

#### 5.50 ECOLOGY

A Bat Survey Report has been submitted in support of the application. A total of three lone male/non-breeding female day roosts were recorded within the building, all common pipistrelle, which is a widespread and commonly occurring bat species. In addition to this, a low level of foraging and commuting activity was associated with the eastern and western extent of the building. Common pipistrelle was the only species recorded during the surveys, with a maximum of two bats recorded at any one time, and overall bat activity 20 at the site was considered to be low. A number of recommendations were set out in the Bat Survey Report.

5.51 The survey reports have been assessed by the Council's Ecology Officer as being acceptable. The works need to be undertaken in accordance with a Method Statement to avoid damage to a roost. A Bat Mitigation Strategy and Method Statement has been submitted, however it is not wholly acceptable, as some information is missing from the document. Conditions are therefore recommended to secure a revised Mitigation Strategy and Method Statement and that the development is then carried out in accordance with the approved Mitigation Strategy and Method Statement (CONDITIONS 17 and 18).

5.52 It is recommended that conditions be imposed to secure details of external lighting to include lighting contour plan(s) and the number, specification and precise location (including height) of proposed external lighting to be provided on site to maintain the value and function of the site for roosting, foraging and commuting bats (CONDITIONS 35 and 36) in accordance with the NPPF and policies CS18, DC1(d) & ENV46.

5.53 Subject to these conditions it is considered that the development is in accordance with CSUCP policy CS18, and saved UDP policies DC1 and ENV46 and NPPF paragraphs 170 and 175 (criterion d) can be achieved.

#### 5.54 RESIDENTIAL AMENITY

The existing Block 2 building was always going to be developed for flats as part of the original planning permission. The difference between the 2016 approved scheme and the scheme as proposed needs to be considered in terms of whether there is any additional harm or impact on residential amenity.

5.55 It is considered the residential amenity of the existing residents will be no worse than the 2016 approved scheme in terms of loss of light and daylight, and is actually likely to be better for those living south of the proposed annex building by virtue of the decrease in height. In addition, the introduction of new residents into a currently derelict building will not only create an improvement to the external appearance of the site, to the visual benefit of existing apartments that



face the site, but also result in benefits for the local area and residents' safety in terms of increased natural surveillance.

- 5.56 The existing outlook of residents of Tranquil House to the east of Block 2 is onto a landscaped area beyond which is Block 2 at a distance of 13m.
- 5.57 The approved scheme if implemented would have created a gable end at a height of 19m at a distance of 13m from the west elevation of Tranquil House.
- 5.58 The proposed scheme will create the appearance of a flat roof at a height of 13m at a distance of 13m from Tranquil House.
- 5.59 The outlook from the western elevation flats of Tranquil House would be of the proposed windows on the eastern elevation of the proposed flats in the Annex. They are bedroom windows, arranged so that they reduce any opportunity of overlooking of Tranquil House, although a separation distance of 13m in this tight urban grain would be acceptable in any event and was accepted in principle through the previous 2016 approval.
- 5.60 A condition is proposed to restrict the hours of construction to protect residential amenities (CONDITION 22).
- 5.61 All of the proposed units will meet and in many cases will exceed the minimum internal room sized set out in the Nationally Described Space Standards and are considered to be adequate.
- 5.62 The original 2001 planning application was supported by a Noise Impact Assessment (NIA) and high performance acoustic and thermal timber windows were approved. A NIA has been submitted in support of this application. This assessed noise levels affecting the proposed development from the nearby rail networks, road traffic and other sources over a 24-hour period, and the façade noise impact calculated. The assessment concluded that if windows are required to be open for long periods of time, the resulting internal ambient noise levels in rooms on the northern façade have the potential to cause significant adverse effects. Therefore, the façade sound insulation design is considered with windows closed to reduce the calculated noise impact to below the lowest adverse effect level, and alternative provision is proposed for background ventilation and control of overheating. The assessment sets out a suggested glazing performance and potential ventilation strategy for each area of the building. Subject to the implementation of the strategy occupants will be protected against exposure to unacceptable levels of external noise (CONDITIONS 15 and 16).
- 5.63 Given the above, subject to the recommended conditions, it is considered that the harm to the residential amenities of existing residents is no worse than either of the previously approved schemes and the external noise for occupiers of this development, can be mitigated through use of appropriate glazing. The development is therefore in accordance with Saved UDP policy DC2 and Policy CS14 of the CSUCP.

5.64 HIGHWAYS

The visitor parking originally proposed around Block 2 (in the 2001 permission) was intended to serve a wider group of residential flats which have now been occupied for some time.

- 5.65 The current proposal is that each of the 58 flats will have one private parking space with a further 14 spaces for visitors, which meets the Council's minimum standard of 1 space per 4 units for visitors. An objector has referred to the space in front of the proposed development that is used as car parking by current residents and visitors that is often full to capacity during weekdays and weekends and noted that these are not additional spaces as they are already in use and the additional homes proposed will put a strain on the available space for car parking.
- 5.66 It is considered that the 14 visitor spaces must be offered for adoption as public highway under a section 38 agreement so that the visitor parking can serve the wider development of Ochre Yards. A suitable pre commencement planning condition is required to secure this through a car park management plan (CONDITIONS 11 and 12).
- 5.67 The swept-path analysis submitted by the developer demonstrates that the largest car park (consisting of 38 spaces) is of a suitable layout for use by a large car and is therefore considered to be acceptable.
- 5.68 Final details of the cycle storage is required to provide each dwelling with a weatherproof and secure storage unit, in addition to short-stay racks/facilities that are proposed adjacent to the entrances. The long-term cycle parking storage should, ideally be in the form of individual lockers as these offer the most secure option to meet the demands of residential long-term parking.
- 5.69 The provision should meet the minimum cycle parking guidelines in the approved document Gateshead Cycling Strategy (March 2015) for flats (new build and conversions) and a condition is recommended to secure the details (CONDITION 33 and 34).
- 5.70 Electric vehicle charging points must be provided for all private residential parking bays and the details can be secured by condition (CONDITIONS 11 and 12).
- 5.71 A car parking management plan is required to maximise the use of the available car parking and this can be secured by condition (CONDITIONS 11 and 12).
- 5.72 A Travel Plan has been submitted as part of this application, although as drafted it is not wholly acceptable.
- 5.73 A revised Travel Plan can be secured by condition and should include a resident's welcome pack, funding of pre-loaded POP travel cards for all new residents, and the provision of cycle infrastructure measures to encourage the use of more sustainable travel (CONDITIONS 13 and 14).

- 5.74 As submitted the layout of the surface car park does not include any soft landscaping. There are some existing trees in the proposed car park area and whilst it is not possible to retain the existing trees it is considered that a soft landscaping scheme to include replacement trees in the car park area should be secured by condition (CONDITIONS 7 - 10) to create a visually attractive functional space whilst not impacting upon the swept path analysis.
- 5.75 The bin store located in the surface car park is located such that the doors do not open out across the public highway and so the arrangement is acceptable.
- 5.76 Details of the appearance of the bin store can be secured by condition (CONDITIONS 37 and 38).
- 5.77 Given the above, the proposals subject to the recommended conditions, are considered to be acceptable and in accordance with policy CS13 of the CSUCP.
- 5.78 **STATEMENT OF COMMUNITY INVOLVEMENT**  
Prior to submission of this application, a community consultation exercise was commissioned by the applicant to establish the views of nearby residents.
- 5.79 Gateshead Council's SCI provides guidance to developers on consulting the local community before a significant planning application is submitted and thus highlighting the subsequent benefits of early engagement with local residents.
- 5.80 In terms of the weight to be given to proposals that have evolved following community consultation, paragraphs 39, 40 and 128 of the revised NPPF state:
39. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.
40. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.
128. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 5.81 In accordance with the guidance, and Part 6 Chapter 4 of the Localism Act 2011 (which came into force from the 1st April 2012), the SCI sets out the steps undertaken as follows:
- 100 leaflets were distributed across the local area;

- 67 leaflets were delivered to residents letterboxes and where this was not possible due to restricted access small batches of leaflets were posted through the access points to the blocks of flats;
- Site notices erected around the locality of the site and on the communal notice boards if access was possible

5.82 Details of how respondents could make their views known were contained in the information leaflet, which included an electronic comment form on a dedicated website page, post, email to a dedicated consultation email address or Twitter or LinkedIn.

5.83 The aim of the consultation exercise was to engage with the local community at an early stage in the planning and development process in order to address any issues at that stage. Two responses were received both of which neither supported nor objected to the proposal, but merely wanted clarification on particular aspects in relation to the proposed development.

5.84 Given the above it is considered that the SCI has been undertaken in accordance with the NPPF.

#### 5.85 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 as it is for residential related development. The development is located within Charging Zone C with a levy of £0 per square metre for this type of development.

#### 5.87 CONDITIONS

This application seeks to vary condition 1 of planning permission 103/01, and so it would result in a new grant of planning permission for the whole development, therefore the existing conditions attached to planning permission 103/01 need to be considered to determine whether they are still necessary and/or need to be reworded. Some of the previous conditions have been discharged already and as they have already been implemented it will not be necessary to reattach these. Other conditions will need to remain as worded and reattached to the new grant of planning permission.

#### 5.88 OTHER MATTERS

In addition to the planning considerations referred to above, objectors have referred to the proposal including a hotel use (class C1), office use (class B1), leisure use (class D2) and food and drink use (class A3) and that will completely change the character of the area that would no longer be a peaceful and safe residential area, but instead a busy area with increased numbers of people arriving and leaving including at unsociable hours.

5.89 The proposal does not include a hotel, office or leisure or food and drink uses but as this is a S73 application to vary condition 1 the description is that of the 2001 permission.

## 6.0 CONCLUSION

- 6.1 Taking all of the above into consideration, the proposal is not considered to be harmful to the significance of the heritage asset. The less than substantial harm caused to designated heritage assets would be clearly and convincingly justified and outweighed by the significant public benefit of securing an optimum viable use for this Grade II listed Building at Risk. Subject to conditions there would be no significant harm to ecology, archaeology, residential amenity or highway safety in accordance with the NPPF, Saved UDP policies DC1, DC2, ENV3, ENV7, ENV9, ENV11, ENV12, ENV21, ENV22, ENV23, ENV46, ENV54, policies UC13, UC14, CS10, CS11, CS13, CS14, CS15, CS18 of the CSUPC and the NPPF.

## 7.0 Recommendation:

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

1

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

019 Location Plan  
021 Proposed Site Layout Plan C  
028 Proposed Lower Ground Floor Plan B  
029 Proposed Lower Ground Floor Mezzanine  
030 Proposed Ground Floor Plan B  
031 Proposed Ground Floor Mezzanine A  
032 Proposed First Floor Plan B  
033 Proposed First Floor Mezzanine A  
034 Proposed Roof Plan A  
035 Proposed Section at 1-1 A  
036 Proposed Section at 2-2 A  
037 Proposed Elevations Sheet 1 of 3 B  
038 Proposed Elevations Sheet 2 of 3 B  
039 Proposed Elevations Sheet 3 of 3 B  
040 Proposed Window Styles 1 of 2  
041 Proposed Window Styles 2 of 2

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

No development approved by this planning permission shall be commenced until an intrusive site investigation is undertaken, and a Phase II Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, insitu testing, soil sampling and chemical laboratory testing of samples to assess potential contamination issues, particularly relating to proposed new planting areas, and to inform foundation design.

The site investigation and Phase 2 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 the environment, 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, where applicable, recommendations with regard to an appropriate remediation scheme, which will ensure safe redevelopment.

Ground gas monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with, where relevant, recommendations for ground gas mitigation measures.

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, policies CS14 and CS21 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for prior to commencement condition

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

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

3

Prior to commencement of the development hereby permitted, where required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason for condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policies CS14 and CS21 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

Reason for prior to commencement condition

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

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

4

The details of remediation measures approved under condition 3 shall be implemented prior to commencement of the development hereby permitted and maintained for the life of the development.

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

#### Reason for condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policies CS14 and CS21 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

#### Reason for prior to commencement condition

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

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

5

Following completion of the remediation measures approved under condition 4 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

#### Reason

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

6

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



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

Reason

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

7

The development hereby permitted shall not be first occupied until a fully detailed scheme for the landscaping of Block 2 has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason

to compensate for the loss of existing habitats and features within the proposed development site and provide replacement opportunities for biodiversity and ecological connectivity in accordance with the NPPF and policies ENV46 and ENV47.

8

The landscaping scheme as approved under condition 7 shall be completed in full accordance with the approved plans during the first planting season (October to March) following commencement of the development unless otherwise approved in writing by the Local Planning Authority.

The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

to compensate for the loss of existing habitats and features within the proposed development site and provide replacement opportunities for biodiversity and ecological connectivity in accordance with the NPPF and policies ENV46 and ENV47.

9

Prior to first occupation of the development hereby permitted a scheme for the maintenance of the landscaping scheme approved under condition 7 shall be submitted; the scheme to be in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for the consideration and written approval of the Local Planning Authority.

Reason

To ensure that the landscape of the development becomes well established and is satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan and CSUCP policy CS15

10

The landscape maintenance plan approved under condition 9 shall be implemented for a minimum period of 5 years in accordance with the approved details.

Reason

To ensure that the landscape of the development becomes well established and is satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan and CSUCP policy CS15

11

Prior to first occupation of the development hereby permitted a Car Parking Management Scheme to include measures to maximise the use of the available car parking for Block 2, including the visitor parking spaces, and Electric Vehicle charging points, shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of highway safety and in order to comply with policy CS13 of the CSUCP.

12

The Car Parking Management Scheme approved under condition 11 shall be implemented in full accordance with the timeframe set out in the scheme in perpetuity

Reason

In the interests of highway safety and in order to comply with policy CS13 of the CSUCP.

13

No building(s) hereby approved shall be occupied until the submission of a Travel Plan in respect of occupier(s) (and successive occupier(s)) of

any building(s) has been submitted to and approved in writing by the Local Planning Authority.

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

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with Council Policy CS13;
- 3) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 4) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

In order to accord with CSUCP policy CS13.

14

Evidence of the implementation of the Travel Plan over a minimum period of 12 months approved under condition 13 shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

In order to accord with CSUCP policy CS13.

15

Prior to first occupation of the relevant flat(s) details of sound attenuating glazing in accordance with the Noise Impact recommendations shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To protect residents against exposure to external noise from road and rail traffic and to ensure the dwellings are adequately soundproofed in the interests of residential amenity and in accordance with Saved UDP policy DC2 and CSUCP policy CS14.

16

The sound attenuation scheme approved under condition 15 shall be implemented in full accordance with the approved details and retained thereafter for the life of the development.

Reason

To protect residents against exposure to external noise from road and rail traffic and to ensure the dwellings are adequately soundproofed in

the interests of residential amenity and in accordance with Saved UDP policy DC2 and CSUCP policy CS14.

17

Notwithstanding the information submitted and prior to the commencement of works on site, including site clearance and/or demolition (including in part) and/or modification of the existing building(s); a method statement providing details of the measures to be implemented during the construction and operational phases of the development in relation to bats shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include the following details:

- o Working methodologies
- o Timetable of works
- o Mitigation measures
- o Ecological supervision
- o Pre-commencement surveys
- o Sensitive working practices
- o Provision of replacement bat roost features

Reason for condition

To avoid/minimise harm to bats and their roosts and to maintain the value and function of habitats and features to be retained and/or created on site for bats in accordance with the NPPF and policies CS18, DC1(d) & ENV46.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in advance of the commencement of the development hereby permitted.

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.

18

The Bat Method Statement approved under condition 17 shall be implemented in full prior to first occupation of the development hereby permitted and retained for the life of the development.

Reason

To avoid/minimise harm to bats and their roosts and to maintain the value and function of habitats and features to be retained and/or created on site for bats in accordance with the NPPF and policies CS18, DC1(d) & ENV46.

19

No development shall take place, including any works of demolition or remediation, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the and construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for the recycling/disposing of waste arising from demolition and construction works.

Reason for condition

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

Reason for prior to commencement condition

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

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

20

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

21

No equipment or machinery shall be installed on or attached to the exterior of the premises without the prior written approval of the Local Planning Authority

Reason

To ensure that no undue disturbance is caused to the residential amenities of the occupiers of nearby properties and to accord with Saved UDP policy DC2 and CSUCP policy CS14.

22

No mechanical ventilation and extraction scheme in relation to commercial kitchen(s) shall be installed until a scheme of odour suppression and noise levels, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed flue, all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters, fans and flues and the manufacturers recommendations concerning frequency and type of maintenance and noise levels.

Reason

In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the NPPF, policy CS14 of the CSUCP and saved policies DC1(h) and DC2 of the UDP.

23

The equipment approved under condition 22 shall be installed in accordance with the approved details prior to the preparation of hot food in connection with the use hereby approved commencing and shall thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions. A written record of any maintenance shall be retained on site and be made available for inspection by the Local Planning Authority.

Reason

In order to avoid odour nuisance to the occupiers of adjacent properties and unacceptable visual impact in accordance with the NPPF, Saved UDP policies DC2 and ENV61, Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

24

Prior to commencement of works to the buttress wall of the development hereby permitted, details of the repairs to the buttress wall to the east elevation shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In order to minimise the impact of the proposal on the historic fabric of the building and 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 Saved Policy ENV11 of the Unitary Development Plan and CSUCP policy CS15.

25

The details of the buttress wall to the east elevation approved under condition 24 shall be implemented in full accordance with the approved details prior to first occupation of the development hereby permitted.

Reason

In order to minimise the impact of the proposal on the historic fabric of the building and 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 Saved Policy ENV11 of the Unitary Development Plan and CSUCP policy CS15.

26

Deliveries to the commercial buildings shall not take place before 8am or after 6pm unless otherwise approved in writing by the Local Planning Authority

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable delivery hours and in order to accord with Saved UDP policies DC2 and ENV61 and CSUCP policy CS14.

27

The opening hours of the bar(s) shall be restricted to between 8.30am to 11.30pm only or as may otherwise approved in writing with the Local Planning Authority

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable trading hours and in order to accord with Saved UDP policies DC2 and ENV61 and CSUCP policy CS14.

28

No development shall take place until the developer has appointed an archaeologist to undertake a programme of observations of demolition and construction work to record items of interest and finds in accordance with a specification provided by the County Archaeologist. The watching brief report shall be submitted for written approval by the Local Planning Authority within one month of the completion of the excavation work, unless alternative arrangements have been submitted to and given prior written approval by the Local Planning Authority.

Reason for condition

The site is located within an area identified as being of potential archaeological importance. The observation is required to ensure that any archaeological remains on the site can be recorded and, if necessary, emergency salvage undertaken in accordance with Saved

Policies ENV21 and ENV22 of the Gateshead Unitary Development Plan and CSUCP Policy CS15.

Reason for pre commencement condition

To ensure that the significance of the building is preserved and that the foundation repairs can be designed in a manner that does not compromise the structural integrity of the listed building.

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.

29

Prior to first occupation of the development hereby permitted, full details of the location of grouped visitor parking bays and the surface treatment materials for these bays shall be submitted for the consideration and written approval of the Local Planning Authority

Reason

In the interests of a satisfactory highway layout and in accordance with CSUCP policy CS13.

30

The visitor parking bay details approved under condition 29 shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby permitted.

Reason

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

31

Prior to first occupation of the development hereby permitted, details to include the style and layout of 58 secure cycle parking spaces shall be provided for the consideration and written approval of the Local Planning Authority.

Reason

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

32

The cycle parking details approved under condition 31 shall be installed in full accordance with the approved details prior to the first occupation of the development hereby permitted

Reason

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



33

Notwithstanding the submitted information and prior to first occupation of the site, full details of external lighting to be provided as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- o Lighting contour plan(s)
- o Number, specification and precise location (including height) of proposed external lighting to be provided on site

Reason

To maintain the value and function of the site for roosting, foraging and commuting bats in accordance with the NPPF and policies CS18, DC1(d) & ENV46.

34

The external lighting shall be installed and maintained wholly in accordance with the approved details under condition 33 and retained thereafter for the life of the development.

Reason

To maintain the value and function of the site for roosting, foraging and commuting bats in accordance with the NPPF and policies CS18, DC1(d) & ENV46.

35

Prior to first occupation of the development hereby permitted details of the bin store shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of the visual amenity of the area in accordance with CSUCP policy CS15 and Saved UDP policy ENV3.

36

The Bin Store details approved under condition 35 shall be implemented wholly in accordance with the approved details prior to first occupation of the development hereby permitted.

Reason

In the interests of the visual amenity of the area in accordance with CSUCP policy CS15 and Saved UDP policy ENV3.

37

Prior to the first occupation of Block 2, final details of the measures necessary, include waiting restrictions, in order to manage car parking on the public highway within the whole site shall be submitted for the written approval of the Local Planning Authority.

Reason

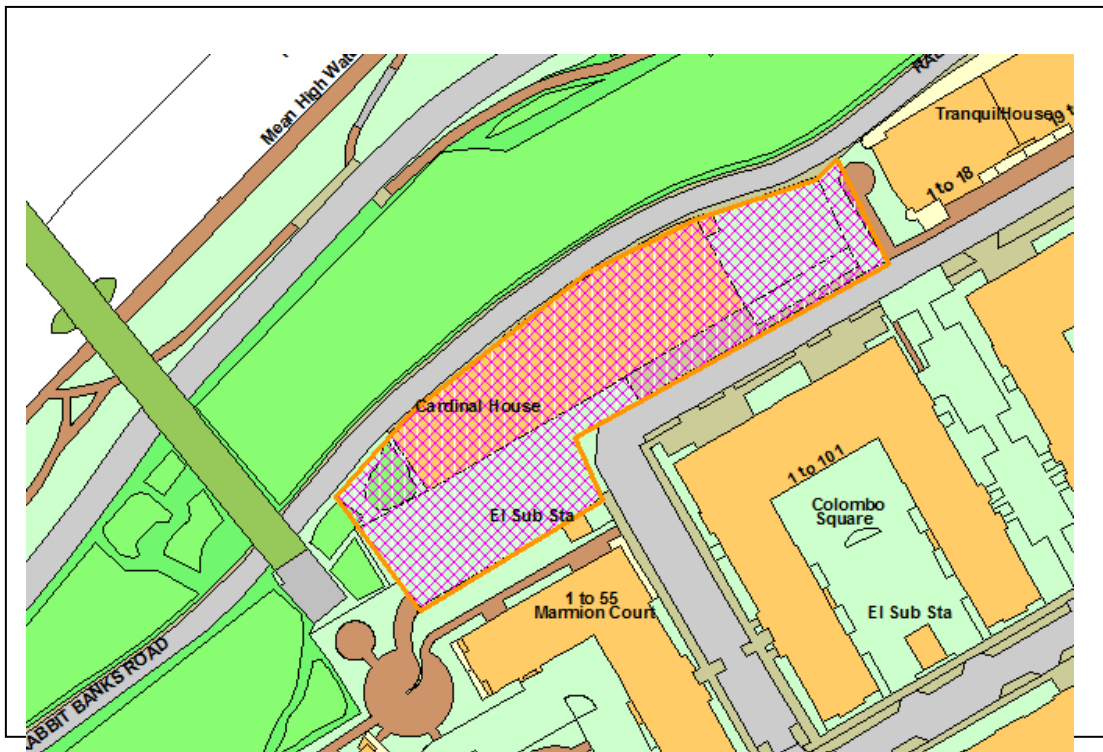
In the interests of highway safety, in accordance with the NPPF and Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

38

The details of the measures to manage car parking on the public highway approved under condition 37 shall be implemented prior to the first occupation of Block 2 and maintained for the life of the development.

Reason

To ensure highway safety is protected in accordance with the NPPF and Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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