

Committee Report

Application No:	DC/20/00694/FUL
Case Officer	Andrew C Softley
Date Application Valid	19 August 2020
Applicant	Gateshead Council
Site:	Hawks Road/Albany Road Gateshead NE8 3DF
Ward:	Bridges
Proposal:	Proposed link road, cycleway and footpaths connecting Hawks Road and Albany Road including provision of signalised junctions, landscaping and drainage.
Recommendation:	GRANT
Application Type	Full Application

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

The application site is approximately 3.4 hectares in area and runs from Hawks Road in the north to Albany Road in the south. The site currently consists of a derelict, stopped up road and footways which has been cordoned off to prevent any vehicular traffic passing through. The site gradually falls from the existing Quarryfield Road roundabout in the south to the junction of Hawks Road in the North. The site is surrounded by vacant areas of shrubland and hardstanding, with the Northern Design Centre bounding the site to the west towards the northern end of the site.

1.2 By car, the application site can be accessed via Hawks Road to the north and the Quarryfield/Albany Road roundabout to the south. Hawks Road connects onto the A167 running to the west of the application site, with the A184 linking onto Albany Road to the south.

1.3 The application site forms part of a major regeneration area which is allocated for a diverse mix of cultural, commercial and leisure-led uses within CSUCP Policy QB1 (Quays and Baltic Sub- Area) and CSUCP Policy QB3 (Quays and Baltic Development Opportunity Sites). It lies within the Baltic Business Quarter site, which is identified for a strategic office quarter attracting regional and international investment. Paragraph 17.86 of the CSUCP identifies that improvements to road and parking infrastructure may be required to assist delivery of the Baltic Business Quarter, supported by the Accelerated Development Zone.

1.4 DESCRIPTION OF THE APPLICATION

This application proposes the construction of a link road, cycleway and footways connecting Hawks Road and Albany Road including provision of

signalised junctions, landscaping and drainage. The proposed link road would be inter-related to a separate proposed development for a multi-storey car park (MSCP) on land between the North Design Centre and Hawks Road (see planning application DC/20/00698/FUL). Both proposed developments would support wider regeneration proposals in the Baltic Quarter and the regeneration of Gateshead Quays (see planning application DC/20/00323/FUL).

- 1.5 The link road would be approximately 450m in length and would include a new access point approximately 50m to the south of the altered junction at Hawks Road to provide access to the accompanying MSCP development and also proposes a new stair way and access ramp at Abbots Hill to facilitate pedestrian and cycle access to and from the existing developments.
- 1.6 The new route would run from Quarryfield Road in the south to Hawks Road in the north, broadly following the line of the former Dorset Road, that served previous residential properties that have since been cleared. Dorset Road has been stopped up for a number of years and has become overgrown. The new route is required to support the continued development of the Baltic Quarter and the operation of the proposed multi storey car park and proposed Arena and Conference & Exhibition Centre at Gateshead Quays.
- 1.7 Signalised junctions will be installed at the northern and southern ends of the road (joining with Hawks Road and Quarryfield Road respectively). In the case of the southern end of the road, the signalised junction will replace an existing roundabout and at the northern end it would create a new 4 way junction with an existing potential development site that has a substandard access arrangement at present.
- 1.8 The preliminary stages of the scheme would be the enabling works in the form of utility diversions and remediation work to the ground.
- 1.9 The next phase would be earthworks (excavation of material to provide the correct profile for the road) and then the installation of drainage.
- 1.10 The final phase would be the laying down of hard landscaping and the planting of landscaping.
- 1.11 Other than the earthworks phase, the works would commence at the northern end of the site and work southwards. It is proposed that the link road would open upon final completion rather than in stages.
- 1.12 Environmental Impact Assessment (EIA)
The Council considers that the proposed MSCP and link road (when considered individually or in combination) fall within Part 10 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Part 10(b) relates to urban development projects, including car parks on urban sites of more than 1 hectare. Part 10(f) relates to the construction of roads where the area of works exceeds 1 hectare. For such developments, EIA is required where significant environmental effects are

likely, which is considered to be the case here. As such the proposed developments are considered to be Environmental Impact Assessment (EIA) development and has been submitted with an Environmental Statement (ES). The submitted ES has been structured to ensure that the effects arising from each individual scheme are understood in addition to the overall effects arising from both considered together alongside the regeneration of Gateshead Quays (see DC/20/00323/FUL).

1.13 The ES includes chapters relating to:

- Transport
- Air Quality
- Ground Conditions and
- Water Environment

1.14 Gateshead Council is the applicant for this development. As required by regulation 64 of the 2017 EIA Regulations, the Council has appropriate administrative arrangements in place to ensure that there is a functional separation, between the persons bringing forward this proposal for development (the applicant) and the persons responsible for determining this proposal i.e. the Local Planning Authority.

1.15 PLANNING HISTORY

There is no planning history pertaining to this development.

2.0 Consultation Responses:

Tyne And Wear Archaeology Officer	No further archaeological investigation is required.
---	--

Coal Authority	No objection subject to conditions.
----------------	-------------------------------------

Environment Agency	No objections.
-----------------------	----------------

Marine Management Organisation	No objections.
--------------------------------------	----------------

Northern Gas Networks	No objections.
--------------------------	----------------

3.0 Representations:

- 3.1 One representation neither supporting nor objecting to the application has been received that refers to the potential options for cycle parking at the multi storey car park. Officers consider that the representation, although submitted against this application, was intended to be made in relation to the MSCP application. The comments made will be considered as part of the assessment of the MSCP application.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

QB1 Quays and Baltic Sub-Area

QB3 Quays and Baltic Dev Opportunity Sites

UC11 Gateways and Arrival Points

UC12 Urban Design

UC13 Respecting and Managing Views

UC15 Urban Green Infrastructure

UC16 Public Realm

UC17 Public Art

CS2 Spatial Strategy for Urban Core

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

ENV3 The Built Environment - Character/Design

ENV46 The Durham Biodiversity Action Plan

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

5.0 Assessment of the Proposal:

5.1 ASSESSMENT

The main planning issues to be considered are the principle of the development, transport/highway safety, drainage, air quality, design, landscaping, ecology, contaminated land and coal mining legacy.

5.2 PRINCIPLE

Paragraph 80 of the National Planning Policy Framework (NPPF) affirms that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

5.3 Accordingly, Paragraph 81 confirms that planning policies should seek to address potential barriers to investment, such as inadequate infrastructure and poor environments.

5.4 Paragraph 102 of the NPPF notes that transport issues should be considered from the earliest stages of development proposals so that the potential impact of development on transport networks can be addressed, and opportunities from proposed transport infrastructure are realised in relation to the scale, location or density of development that can be accommodated.

5.5 Paragraph 104 further states that planning policies should identify and protect sites and routes which could be critical in developing infrastructure to realise opportunities for large scale development. Policies should also provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy.

5.6 Policy CS2 'Spatial Strategy for the Urban Core' of the Core Strategy and Urban Core Plan (CSUCP) confirms that the Urban Core is the priority location for development which will maintain and enhance its vibrancy. This policy promotes sustainable modes of transport and access for all, managing traffic to minimise the impacts of development and improving the local environment.

5.7 Policy CS13 'Transport' states that the enhancement and delivery of an integrated transport network to support sustainable development and economic growth will be achieved by, promoting sustainable travel choices including the management of car parking locations, supply and pricing; and improving the operation of the transport network and its wider connections including by reducing unnecessary traffic through, within and around the Urban Core.

5.8 The application site falls within the CSUCP's defined Quays and Baltic Sub-Area. Policy QB1 'Quays and Baltic Sub Area' requires development to promote the major regeneration of the Quays and Baltic Sub-Area for a diverse mix of cultural, commercial and leisure-led uses.

- 5.9 Within this sub-area, the application sites lies within an area allocated as the Baltic Business Quarter Site, which is identified as a 'Development Opportunity Site' under Policy QB3 'Quays and Baltic Development Opportunity Site'. This policy advises that uses will encompass office, hotels, sport and leisure, education and ancillary retail. Paragraph 17.86 of the supporting text advises that Baltic Business Quarter has the floor space capacity of 81,200 square metres of office accommodation, resulting in the potential for a strategic office quarter attracting regional and international investment. This paragraph continues by stating that improvements to road and parking infrastructure and the quality of environment may be required to assist delivery.
- 5.10 Therefore, it is considered that the principle of constructing a new link road is in accordance with the aims and objectives of both national and local planning policy.
- 5.11 **AIR QUALITY**
An Air Quality Assessment for the proposed development has been submitted and officers agree with the conclusions put forward that that the development would have a negligible impact upon air quality during both construction and operation.
- 5.12 However, to help ensure that is the case it is considered necessary for a construction management plan to be approved to ensure that the construction phase is managed to prevent undue impact upon sensitive environmental receptors in accordance with policy CS14 of the CSUCP. This can be dealt with via conditions (conditions 3 and 4).
- 5.13 **CONTAMINATED LAND/COAL MINING LEGACY**
This application is supported by a Phase 2 Investigation Report that addresses both this proposal and the proposed MSCP. In respect of this proposal for the Link Road, it is split into two main parts, the road itself and the associated green corridor. The footprint of the new road would be hard cover so chemical results within the footprint of the road were assessed against a 'commercial end use'. The green corridor would contain public open space and so the chemical results for these areas were assessed against the more stringent 'public open space' assessment criteria.
- 5.14 The chemical results have identified elevated soil contamination with respect to a 'public open' space end use and potentially combustible soils that pose a potential risk to site end users have been identified. Furthermore, elevated soil contamination that is Phytotoxic to planting has been identified and leachable soil contamination has also been identified in made ground that poses a potential risk to surface water and the water table. As such, no SuDs infiltration measures should be constructed as part of the proposed Link Road/green corridor.
- 5.15 Contamination remedial measures need to be designed in consideration of the individual components of the Link Road & green corridor scheme including areas of soft landscaping, hard landscaping, planting, earthworks design,

SuDs & drainage design, services corridors, locations of hard cover (road and footpaths), and the identified site soil contamination and soil combustion issues.

5.16 Based on the findings of the completed GI's too date, remedial measures should comprise:

- Suitable clean cover soil thickness in relevant soft landscaping areas (1.15m)
- Suitable capping to potentially combustible retained soils
- Suitable underlying capping / lining to retained contaminated soils in Drainage/ SuDs feature installation areas.
- Installation of earthwork clean service trenches / corridors to mitigate soil contamination issues (eg for drainage installations) and to mitigate combustible soils issues (eg for electric cables installations where there is a potential associated fire / smouldering risk).
- Where applicable, Installation of suitable types of water supply pipes to mitigate against site contamination issues.

5.17 The remedial recommendations relate to the fact that these green areas are public open space and in consideration of remedial measures (soil cover) that would be required In respect of the required soft landscaping and SuDS features that are yet to be designed.

5.18 Following the implementation of the identified mitigation, which can be secured by conditions, all impacts are assessed to be negligible, with no significant residual effects. Subject to the conditions it is considered that the proposed Link Road and green corridor would accord with the NPPF, policy CS14 of the CSUCP and saved policy ENV54 of the UDP (conditions 5-7).

5.19 The Coal Authority has also been consulted and has raised no objection subject to conditions requiring a suitable remediation strategy to be implemented (conditions 8 and 9).

5.20 DRAINAGE

The submitted flood risk and drainage information acknowledges a need for the link road to connect with a sustainable drainage system located within the adjacent green corridor, and states that the design can be amended at detail stage to achieve this. Therefore, notwithstanding the traditional highway drainage scheme submitted, which is considered adequate to handle the drainage requirements of the proposal, it is considered that a more sustainable solution can be achieved due to adequate land being available to establish a green corridor and the commitment of all parties to develop a SuDS solution in line with adopted policy.

5.21 Therefore, an updated drainage assessment and scheme for a sustainable drainage system in accordance with Gateshead Council's Interim Surface Water Guidelines for New Development (2016) shall be submitted. This shall comprise surface level vegetated SuDS components situated within the proposed green corridor that shall intercept, attenuate, treat, and convey

existing surface water overland flows, plus runoff from the new highway and associated hard surfaces. As much of the highway as is feasible shall be drained into the SuDS system. The drainage assessment and design shall demonstrate that appropriate levels of treatment have been incorporated into the system in conjunction with the contamination remediation requirements set out earlier in this report. The drainage scheme shall also provide appropriate levels of amenity and biodiversity function.

5.22 Subject to conditions it is considered that the development would be in accordance with policy CS17 of the CSUCP and the NPPF (conditions 10-17).

5.23 TRANSPORT

The design is deemed to suitably cater for pedestrians and cyclists, with the latter being afforded on carriageway facilities, as well as a shared facility with pedestrians. The route generally ties in well with the wider cycle network at Quarryfield Rd and Albany Rd to the south and would also link in with Abbot's Hill through the construction of stairs and a ramp. It is considered that final details of the stairs and ramp would be required, to include the visibility splays at the bottom end of the ramp. This can be secured by conditions (conditions 18 and 19).

5.24 To the north the route meets Hawks Road and at this point the shared use path ends and cyclists will be required to re-join the carriageway. As part of the proposed delivery of the MSCP, which is being considered under planning application DC/20/00698/FUL, the existing 2m footway along Hawks Rd to the west of the link road will be widened to 3m, which affords the opportunity to consider the extension of the shared use facility.

5.25 In order to assess the impact of the development proposal an EIA has been submitted as part of the planning application, the scope of the Transport Assessment (TA) that makes up part of the EIA has been fully agreed with Council officers as part of detailed pre-app consultation and ongoing discussion.

5.26 The TA has considered relevant national and local transport and planning policy including the emerging policy contained in the local planning document making spaces for growing places (MSGP).

5.27 That TA also acknowledges clean air zone proposals in the area and how this may affect the Quays and the wider Baltic Quarter.

5.28 The TA reports that the link road will reduce congestion by creating additional capacity on the highway network. In order to determine the accuracy of this conclusion officers requested that appropriate transport modelling was undertaken.

5.29 Microsimulation modelling has been used to inform the conclusions drawn within the TA. This modelling has looked at a number of scenario tests, with and without, the link road. Additional assessment has also been undertaken to consider the link road for a future year scenario, with a larger proportion of

development in place and occupied on the wider Baltic Quarter. Furthermore, the introduction of the link road has been considered in the context of clean air proposals, which will constrain the local network in the vicinity of the Tyne Bridge.

- 5.30 On review of the modelling output included within that TA, it is predicted that the link road will have the following impact:
- 5.31 AM Peak - It has been demonstrated that future development will increase journey times in the Baltic Quarter and Quays area. This delay is reduced with the introduction of the link road, particularly when the operation of the proposed MSCP is considered.
- 5.32 PM Peak - When considering the link road during the PM network peak period, it is evident that its importance is greatest with the MSCP in operation. Under the future year scenario, with a greater proportion of development within the Baltic Quarter, the road notably reduces delay in the area by creating extra capacity and in particular having benefit to traffic leaving the proposed MSCP and wishing to avoid congestion on Hawks Rd. It should be noted that the link road does not eradicate congestion in the area and during major events at the proposed arena and with development built out on Baltic Quarter congestion and delay are predicted to remain significant.
- 5.33 Saturdays - As has been stated, one of the primary reasons for delivery of the MSCP and link road is to help facilitate the wider development in Gateshead Quays, most notably the Gateshead Quays Arena development (DC/20/00323/FUL). The nature of the Arena development means that there will be an impact on the transport network on a Saturday, particularly with the MSCP in operation. The link road is seen to have a notably positive impact on the operation of the network, which is in large identified by the reduction in latent demand (number of vehicles unable to enter the modelled network) that is achieved.
- 5.34 In summary, when considering the impact of the link road for 2023 and 2030 scenarios the following should be noted:
- the benefits are more limited without the MSCP in operation
 - the greatest benefits are seen in the pm peak.
 - the link road while having clear benefits does not alleviate the full impacts of traffic associated with the MSCP being in operation.
 - the delivery of the link road together with optimisation of traffic signals in the area will enhance the overall benefits to the network.
- 5.35 Sensitivity testing has been undertaken to predict the impact of the link road with regional clean air proposals in place, while these measures are temporary in nature (initially 2 years), the assessment has been carried out on the assumption they are in place as part of future year scenarios (2023 and 2030).

- 5.36 With the clean air measures the link road is not seen to carry the same level of benefit to the local network, consequently further work would need to be considered to manage traffic flows through Gateshead Quays if the clean air measures extend beyond the initial two years.
- 5.37 The application has been supported by a draft construction management plan (CMP) and a final document will be required prior to commencement on site. Outside the measures within the draft, details relating to contractor parking and restrictions to minimise disruption during peak periods should be included. The final CMP should demonstrate that the construction of the scheme has been suitably considered against the proposed construction management plans associated with the MSCP, the NGQ Arena and any additional development proposals that may be active during the construction, together with a detailed timetable for delivery (conditions 3 and 4).
- 5.38 A stage one road safety audit would ordinarily be required, and the associated problems identified by the audit team addressed satisfactorily prior to a positive recommendation of the planning application. In this instance, as a detailed design has already been undertaken and subsequently submitted as part of this planning application, a stage two audit has been commissioned, through an independent audit team. The audit is underway but not completed. The outcome of this audit will be presented to Planning and Development Committee as part of an update report.
- 5.39 Subject to the recommended conditions, it is considered that the proposed link road would not cause any highway safety issues and thus accords with the NPPF and policy CS13 of the CSUCP.
- 5.40 DESIGN/MATERIALS/LANDSCAPING
The principle of the design, materials and landscaping proposed is considered to be acceptable, subject the final details being approved prior to installation. This can be addressed by conditions (conditions 20-24) and subject to them, the proposal would accord with the National Planning Policy Framework as well as policies QB1, QB3, UC11, UC12, UC13, UC15, UC16, UC17 and CS15 of the CSUCP and policy ENV3 of the UDP.
- 5.41 ECOLOGY
The proposed development site and adjoining land supports a mosaic of habitats incorporating; Open Mosaic Habitat on Previously Development Land (S41 NERC ACT Habitat of Principal Importance / Durham Biodiversity Action Plan Priority Habitat); various grassland communities, ornamental tree and shrub planting, scrub, individual and groups of trees, ruderals and areas of hardstanding. Habitats within and immediately adjacent the site have been confirmed and/or have the potential to support a range of statutorily protected and priority/notable species, including: breeding and foraging birds, invertebrates including priority butterfly species (dingy skipper butterfly) and small mammals including foraging bats and hedgehog.
- 5.42 The proposed development will result in the direct and permanent loss of existing habitats and their associated fauna. The site clearance and

construction phase of the development poses a risk of harm to any species that may be present at the time of the works. The operation of the road will reduce ecological connectivity and the value and function of retained habitats through increased disturbance (e.g. light, noise and other emissions) and result in increased mortality (i.e. roadkill).

- 5.43 In its current form and in the absence of an appropriate ecological mitigation and compensation scheme; the proposed development will result in residual loss of biodiversity; and as such is not in accordance with national and local planning policies.
- 5.44 Therefore, should planning permission be granted, it is recommended that a construction ecological management plan should be conditioned to address the predicted impacts of the development on biodiversity and that vegetation clearance works are also conditioned to only be undertaken outside the bird nesting season.
- 5.45 As a result, it is considered subject to conditions, the proposed development would not conflict with the aims and objectives of the NPPF, policies CS18 of the CSUCP and policies ENV46 and ENV51 of the UDP (conditions 25-27).
- 5.46 **EMPLOYMENT OPPORTUNITIES**
A major priority for the Council is the creation of employment and training opportunities, especially apprenticeships for local people and as such the Council seeks to bring forward opportunities in construction, landscaping and ancillary trades.
- 5.47 The apprenticeships could be through the Council's supply chain, contractors, delivery partners or ancillary activities across the length of the build. Any such opportunities would be made available to target groups within the Borough and beyond.
- 5.48 In line with the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016, apprenticeships can be secured through a planning condition (conditions 28 and 29).

- 5.49 **COMMUNITY INFRASTRUCTURE LEVY**
Gateshead Council is a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development.

6.0 CONCLUSION

- 6.1 The Environmental Information contained with the Environmental Statement submitted with the application has been examined and the significant effects of the proposed development on the environment taken into consideration by the Council in coming to its decision.
- 6.2 The Council is satisfied that the reasoned conclusion to grant planning permission subject to conditions is up to date and addressed the significant

effects of the proposed development on the environment that are likely to arise as a result of the proposed development.

6.3 Therefore taking into account all the relevant material planning considerations, including the environmental information contained with the Environmental Statement and the comments made by consultees, it is considered that the proposal is acceptable and accords with the aims and objectives of Regulation 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and both national and local planning policies.

6.4 It is therefore recommended that planning permission be granted subject to the recommended planning conditions.

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 -
TS-0430-0100, TS-0430-0101, TS-0430-0102, TS-0430-0103.

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

No development shall take place until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. 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
- 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 construction works.

In addition, all works and ancillary operations in connection with the remediation of the site and the construction of the new development, including the use of any equipment or deliveries to the site shall be carried out only between 0700 hours and 1900 hours unless otherwise approved in writing by the Local Planning Authority.

Furthermore, the final Construction Management Plan shall demonstrate that the construction of the scheme has been suitably considered against the proposed construction management plans associated with the MSCP, the NGQ Arena and any additional development proposals that may be active during the construction, together with a detailed timetable for delivery.

Reason

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development in accordance with policy CS14 of the Core Strategy and Urban Core Plan and policy ENV61 of the Unitary Development Plan.

Reason for prior to commencement condition

The construction control plan must demonstrate that sensitive environmental features 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.

4

The development shall be carried out in accordance with the Construction Management Plan approved under condition 3 at all times during construction.

Reason

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development in accordance with policy CS14 of the Core Strategy and Urban Core Plan and policy ENV61 of the Unitary Development Plan.

5

Prior to commencement of the development hereby approved (except for vegetation clearance works and erection of site security hoardings) a detailed remediation scheme to bring the proposed green corridor land up to a condition suitable for the intended use as a public open space shall 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 and phasing of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason

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

Reason for prior to commencement condition

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

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

6

The remediation scheme must be carried out in accordance with the details approved under condition 5. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of 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 in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan.

7

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policies DC1 and ENV54 of the Unitary Development Plan.

8

Construction of the link road shall not commence until remediation works to address land instability arising from shallow coal mining legacy have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

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

9

Prior to first use of the development hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the completion of the required remedial works carried out to address the risks posed by past shallow coal mining activity.

Reason

To ensure that risks from coal mining to the future users of the land and neighbouring land are minimised, together with those to controlled

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

10

Prior to commencement of the development hereby approved (except for vegetation clearance works and erection of site security hoardings) a drainage construction method statement (DCMS) shall be submitted to and approved in writing by the Local Planning Authority. The content of the DCMS shall be in accordance with Appendix B6 of the CIRIA SuDS Manual, and Gateshead Interim SuDS Guidelines (Version 2 - March 2016) or as updated at the time of development commencing, for best practice.

Reason for condition

To ensure the works do not increase risk of flooding or pollution of watercourses in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

Reason for prior to commencement condition

To ensure that it has been demonstrated that the drainage scheme will prevent the risk of flooding prior to 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.

11

The drainage and construction method statement details approved under condition 10 shall be wholly implemented prior to first operation of the development hereby permitted in accordance with the approved details and retained for the full duration of the development.

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

12

Construction of the new link road shall not commence until an updated drainage assessment and scheme for a sustainable drainage system in accordance with Gateshead Council's Interim Surface Water Guidelines for New Development (2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise surface level vegetated SuDS components situated within the proposed green corridor that shall intercept, attenuate, treat, and convey existing surface water overland flows, plus runoff from the new

highway and associated hard surfaces. The drainage assessment and design shall demonstrate what levels of surface water treatment have been incorporated into the system and shall also demonstrate what levels of amenity and biodiversity function are proposed.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

13

The SuDS scheme shall be implemented in accordance with the details approved under condition 12 prior to the development hereby approved being operational and shall be retained as such thereafter.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

14

Construction of the new link road shall not commence until the final discharge rate and volume from any sustainable drainage scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

The SuDS scheme shall be implemented in accordance with the discharge rates approved under condition 14 prior to the development hereby approved being operational and shall be retained as such thereafter.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

16

Prior to first use of the development hereby approved a SuDS and drainage maintenance plan, including maintenance details of all hard and soft SuDS features, shall be submitted to and approved in writing

by the Local Planning Authority. The plan shall also set out details of the arrangements for the ongoing maintenance of the drainage system over the lifetime of the development, and set out clearly where responsibility lies for the maintenance of all drainage features.

Reason

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

17

The SuDS and drainage maintenance plan approved under condition 16 shall be implemented prior the first use of the development and maintained as such for the life of the development.

Reason

To ensure appropriate drainage and the exploration as to sustainable drainage systems so as to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

18

The stairs and ramp to and from Abbots Hill shall not be constructed until final details of the stairs and ramp, that shall include the appropriate visibility splays at the bottom end of the ramp and handrails, where required, have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

19

The details approved under condition 18 shall be implemented prior the first use of the development and retained as such for the life of the development.

Reason

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

20

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

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

21

The materials used shall be in accordance with the details approved under condition 20 unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policy ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

22

Prior to first use of the development hereby approved a fully detailed scheme for the landscaping of the development shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard and soft landscaping, proposed trees and shrubs, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

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

23

The landscaping scheme approved under condition 22 shall be completed in full accordance with the approved timescales unless otherwise approved in writing by the Local Planning Authority. The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

To ensure that the approved landscaping scheme is completed within a reasonable time scale in the interests of the visual amenity of the area and in accordance with the NPPF, Policy DC1 and ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

24

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

Reason

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

25

Prior to commencement of the development hereby approved, including any vegetation/site clearance works, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority that addresses the following details:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

Reason

To avoid/mitigate the impacts of the site clearance/setup and operational phase(s) of the development on biodiversity, including designated sites, priority habitats, protected and priority species and ecological connectivity in accordance with the NPPF, policies CS18 of the Core Strategy and Urban Core Plan and saved policies, DC1(d), ENV44, ENV46, ENV47, ENV49 & ENV51 of the Unitary Development Plan.

Reason for prior to commencement condition

To ensure it has been demonstrated that the impacts of the development upon biodiversity have been avoided/mitigated prior to 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.

26

Thereafter the development shall be undertaken in accordance with the details approved under condition 25 at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason

To avoid/mitigate the impacts of the site clearance/setup and operational phase(s) of the development on biodiversity, including designated sites, priority habitats, protected and priority species and ecological connectivity in accordance with the NPPF, policies CS18 of the Core Strategy and Urban Core Plan and saved policies, DC1(d), ENV44, ENV46, ENV47, ENV49 & ENV51 of the Unitary Development Plan.

27

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

Reason

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

28

Construction of the link road hereby approved shall not commence until an Employment and Training Plan outlining the potential creation of employment and training opportunities, especially apprenticeships for local people during the construction phases of the link road is submitted to and approved in writing by the Local Planning Authority.

Reason

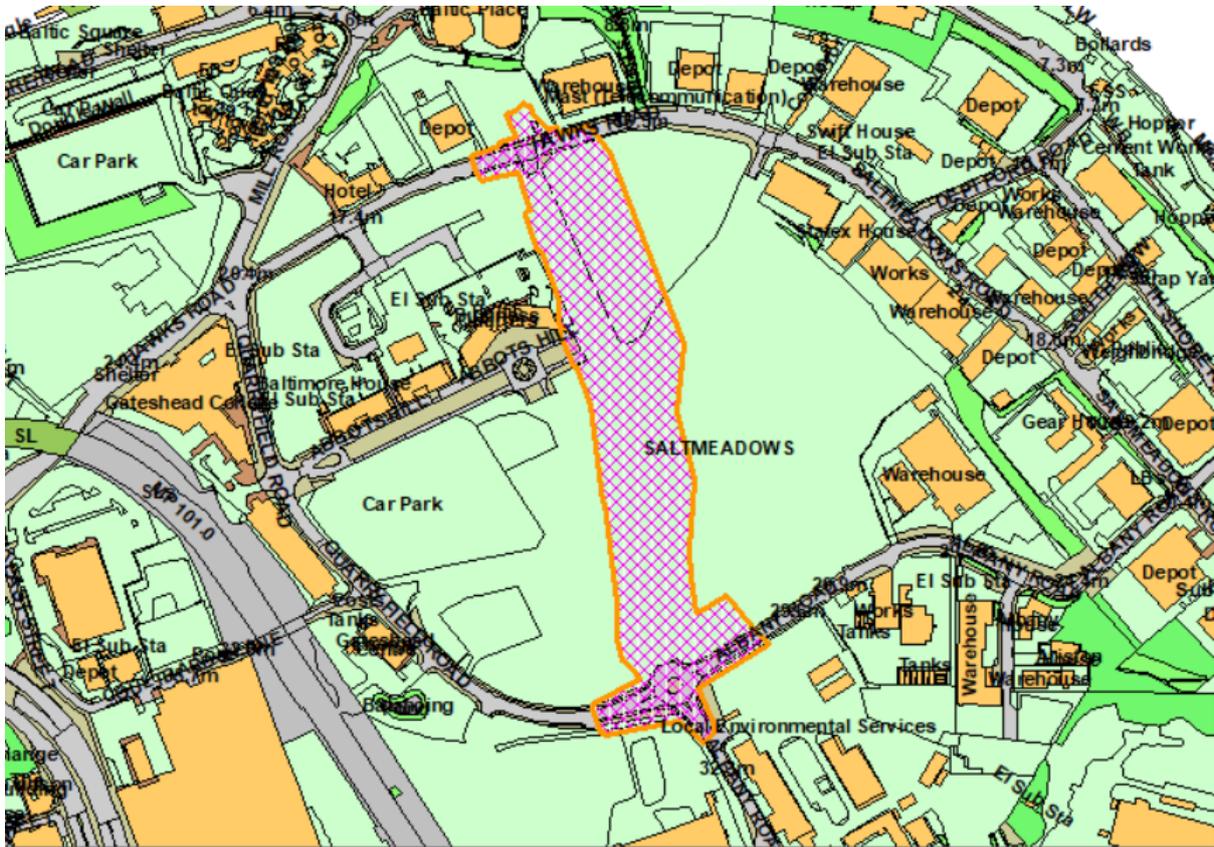
In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.

29

The Employment and Training Plan shall be implemented in accordance with the details and timetable, submitted and approved under condition 28.

Reason:

In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X

