

Committee Report

Application No:	DC/20/00876/FUL
Case Officer	Joanne Munton
Date Application Valid	28 September 2020
Applicant	Gateshead Regeneration Partnerships
Site:	Former Whitley Court, Land South of Ebchester Ave, Wrekenton, NE9 7AD
Ward:	High Fell
Proposal:	Redevelopment of the vacant former Whitley Court site involving demolition of existing garages followed by erection 44 dwellings including family homes, assisted living bungalows and apartments with communal spaces (12x 2 Bed Houses, 16 x 3 Bed Houses, 4 x 2 Bed Bungalows and 12 x 1 Bed Apartments) with additional unallocated parking area at Westwood Gardens between the existing properties (additional information received and amended 19/10/20, 21/10/20, 16/11/20, 20/11/20 23/11/20 and 27/11/20) (Description amended 24/11/20)
Recommendation:	MINDED TO GRANT
Application Type	Full Application

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

The application site is an irregular shaped parcel of land located to the north west of Springwell Road (B1296), accessed off Marsden Grove and bound by Ebchester Avenue to the north and Bridleway 016 to the east. The site has been mainly vacant since the demolition of former sheltered housing units, library, children's home and a number of flat roofed bungalows over the past 10 years.

1.2 The red line boundary of the application site includes the main area of open space with various pathways through, an area of hardstanding opposite the health centre that used for informal parking, a row of single storey garages along the eastern boundary and a piece of land between terraced properties at Westwood Gardens, which is currently hardstanding/footpaths.

1.3 The site topography is predominantly flat, however, there is a level difference of over 2m between Marsden Grove and the end of Ebchester Avenue adjacent the row of garages (at the eastern end). Overall, the site has a slight gradient sloping away from Marsden Grove in the South to Ebchester Ave to the North East and North West.

1.4 The residential properties surrounding the site are mid-20th Century style consisting of traditional suburban semi-detached or terraced, brick/render, two storey housing. Directly adjacent the site (to the south west) is Wrekenton Health Centre, which has a more modern design.

1.5 DESCRIPTION OF APPLICATION

This application proposes the demolition of existing garages on the eastern boundary followed by the construction 44 dwellings, which would be a mix of family homes, assisted living bungalows and assisted living apartments with communal spaces:

12x 2 Bed Houses
16 x 3 Bed Houses
4 x 2 Bed Bungalows
12 x 1 Bed Apartments

1.6 The application states that all dwellings would be affordable homes.

1.7 The assisted living apartments and bungalows would be in the south east part of the site, the apartments being in an L-shaped building with a central single storey entrance/internal communal area at the corner, and the bungalows facing out onto the existing street where properties at Westwood Gardens are located. The scheme includes a bespoke, dedicated communal garden located between and serving the assisted living apartments and bungalows, specifically designed for end users with autism.

1.8 The 28 two-storey houses would be provided on the north western part of the site, with properties along Ebchester Avenue to the north, land north of the bungalows and to the west with a dedicated parking court serving the dwellings in this location.

1.9 The proposed materials are as follows:

Weinerberger Tabasco Red Multi bricks at the north/north eastern parts of the site and two houses immediately north of the apartments

Weinerberger Woodland Mix bricks at the south east (bungalows and apartments) and western parts of the site, including Taylor Maxwell Gneiss stone and Marley Cedral Click Tegral C03 weather boarding at the apartments and the same weather boarding at the bungalows.

Ibstock Caledonian Buff Blend feature brickwork at feature gables

All roof tiles to be Russell Grampian (colour Anthracite)

Grey doors and windows

Black guttering

1.10 Dedicated parking for residents and visitors would be provided and the application proposes a ramp and stairs on the eastern boundary for continued pedestrian access to Springwell Road from this side of the site. The submission also proposes an unallocated parking area at Westwood Gardens between the existing neighbouring properties.

1.11 RELEVANT PLANNING HISTORY

DC/08/00048/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of aged persons unit (SE corner) - Granted 11.02.2008

DC/09/00761/DPA - DETERMINATION OF PRIOR APPROVAL: Demolition and landscaping works at 8-22 (even) Ebchester Ave and 23-31 (odd) Marsden Grove (NW part) - Granted 16.07.2009

DC/11/00430/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of family group home (W part) - Granted 27.05.2011

DC/15/00999/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of former Library building (NE corner) - Granted 06.11.2015

2.0 Consultation Responses:

Northumbria Water	Condition recommended
Nexus	No objection
Northumbria Police	No objection, condition recommended
Northern Gas Networks	No objection
Tyne And Wear Fire And Rescue Service	No objection

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. Due to the receipt of amended plans in late November, that included changes to the extent of the application site, and the description of development, additional neighbour notification letters have been sent and new press and site notices displayed. The expiry date for this latest round of publicity is 17 December 2020.

3.2 Three objections (including additional comments from objectors) have been received, raising concerns regarding the following:

- Too many houses proposed and subsequent impact on parking availability on-street and currently on site, the proposal would exacerbate existing issues with parking for the health centre and nearby schools
- Marsden Grove is a cul-de-sac due to bollards at the western end, and the Springwell Road access is the only way in for existing residents - this road is narrow and intensification of use would cause highway safety problems (in context of previous traffic accidents and pedestrian injuries)
- There are schools nearby and the development would result in a reduction of safety, particularly children
- Loss of parking space and sunlight at 9 Marsden Grove
- Addition of apartments across the road from the existing health centre would be overbearing and unsafe in terms of visibility
- Overlooking at residential properties on Marsden Grove
- Loss of open space and area for children to play and people to walk dogs etc
- Overdevelopment of the site
- Increased impact on flood risk
- Loss of view of green space
- Alternative development types and locations proposed
- Amended plans do not address highway safety concerns

3.3 Additionally, a petition with 14 signatures has been submitted in objection to the proposal, raising concerns regarding the following:

- Too many houses proposed and subsequent impact on parking availability on-street and currently on site, the proposal would exacerbate existing issues with parking for the health centre and nearby schools
- Development would result in more difficulty turning cars in the cul-de-sac at Marsden Grove
- There are schools nearby and the development would result in a reduction of safety, particularly children
- Loss of parking space for 9 Marsden Grove
- Increased traffic at Easington Avenue, especially if bollards on Marsden Grove are removed, in context of previous traffic accidents and pedestrian injuries
- Reduced on-street parking availability
- Insufficient parking provision, particularly for the apartments
- Increased congestion on Springwell Road
- Overdevelopment - the site has not previously developed as much as is proposed

- Loss of open space and area for children to play and people to walk dogs etc
- Overlooking at residential properties on Marsden Grove
- Increased impact on flood risk
- Loss of view of green space

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

H5 Housing Choice

H12 Housing Density

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1H Pollution

DC1M Recycling

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

MWR35 Micro-Renewables, Energy Efficiency

CS1 Spatial Strategy for Sustainable Growth

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP Making Spaces for Growing Places

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when assessing this planning application are: the principle of the proposal, open space and play provision, visual and residential amenity, highway safety and parking, ground conditions, flood risk, trees and ecology.
- 5.2 **HOUSING POLICY**
The site is proposed to be allocated for housing in emerging policy MSGP (MSGP10.56). Although this policy remains emerging and cannot be given full weight at this stage, the aspirations of the Council for this site are clear and it is considered that residential use on the site would be generally acceptable.
- 5.3 The latest results of the Housing Delivery Test (HDT) show that the only 60% of Gateshead's Local Housing Need (LHN) is being delivered in the Borough. The proposed scheme will therefore have the potential to increase delivery, which is a positive factor.
- 5.4 Emerging policy MSGP13 sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). This policy does not have full weight as the policy is undergoing examination as part 3 of the Development Plan - Making Spaces for Growing Places (MSGP) and was subject to objections from third parties. However, in any event, Policy

CS11(4) of the adopted CSUCP requires adequate space inside and outside of the home to meet the needs of residents. Submitted details show that the development would provide adequate space for residents, and therefore would comply with this policy requirement.

- 5.5 Policy CS11 of the CSUCP requires 60% of new private housing across the plan area to be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. It is understood that the housing proposed would be affordable rent and affordable shared ownership homes, so this policy requirement would not apply as the scheme would not be private. In any event, the proposal would provide 16 dwellings with 3 bedrooms, which would contribute to the provision of family housing in the borough.
- 5.6 Part 2 of the same policy encourages the provision of Lifetime Homes and Wheelchair-Accessible Homes. Saved policy H9 of the UDP requires the provision of 10% of homes to be constructed to Lifetime Homes standards. Policy H10 requires the provision of 2% of homes to be built to or be capable of adaptation to Wheelchair Housing Standards. The Design and Access Statement submitted with the application confirms that the development is designed to Lifetime Homes and (the withdrawn) Code for Sustainable Homes standard (100%), and that the four bungalows would be wheelchair accessible (9%). Therefore, these policy requirements would be satisfied.
- 5.7 Policy MSGP11 requires that on housing developments of 15 or more dwellings, 25% will be constructed to meet M4(2) of the Building Regulations. This policy has been formulated by taking into account viability across MSGP. However, as set out above MSGP is still undergoing examination and the policy was subject to third party objections so does not yet have full weight.
- 5.8 Saved policy H5 of the UDP relates to housing choice and requires developments to offer a range of house sizes and types, taking into account the requirements of different groups. In this case, the proposal would have a good mix of housing and also help to serve those with specific needs. The proposal would be in accordance with policy H5.
- 5.9 Emerging Policy MSGP12 sets out that specialist and supported accommodation and care schemes will be expected to provide on site or have good accessibility to shops, services, community facilities and open space and/or have good accessibility to public transport. In this case, the development would have open space within the site for the use of residents. In addition, the site is located adjacent to a health centre and a regular bus route on Springwell Road. The site is also a relatively short distance, without significant changes to gradient, from Wrekenton Centre, containing shops and services along a simple and overlooked route. The proposal would be in accordance with MSGP12.
- 5.10 Policy CS11 requires 15% affordable homes on all developments of 15 or more dwellings subject to development viability. All dwellings are proposed to be affordable (mix of affordable rent and shared ownership) and this would

meet and exceed the requirement in policy CS11. It is understood that this provision is 100% as it makes up for lower provision on other sites in the borough.

- 5.11 Saved UDP policy H12 requires residential development to be at a density of between 30 and 50 dwellings per hectare net. Densities above this range will be permitted in locations with good public transport accessibility. The scheme would have a density equating to 44 dwellings per hectare and so would be in accordance with policy H12, as the site has good access to public transport.
- 5.12 The proposal would provide affordable and family homes in the borough, along with specialist supported accommodation, and it is considered that the principle of residential development on site is acceptable in terms of housing policy.
- 5.13 **OPEN SPACE AND PLAY**
Whilst the site is not specifically allocated as open space in the Local Plan, it is acknowledged that particularly since demolition of various buildings on site the land has been used by the public, and loss of this space has been specifically raised in objections.
- 5.14 As above, the site is proposed to be allocated housing in emerging policy MSGP10.56. Although this policy remains emerging and cannot be given full weight at this stage, the aspirations of the Council for this site are clear, and together with the area not being identified as deficient in open space, it is considered that the redevelopment of the site is acceptable in principle.
- 5.15 Saved policies H13 and H15 of the Council's UDP require new residential development to contribute towards open space and play provision. This is based on the anticipated population of the development and is based on the standards of open space and play provision required per population under saved policies CFR20, CFR28, CFR29 and CFR30 of the UDP.
- 5.16 As the site is not within an area identified as being deficient in open space, there would be no policy requirement for the proposed development to provide any. However, small elements of open space have been identified within the proposal, and it is considered that the recreational and amenity value of these spaces should be optimized. Conditions are recommended to be imposed requiring final details of a landscaping scheme and implementation of the approved scheme.
- 5.17 Information provided with this application indicates the development would provide 28 dwellings, and 16 supported homes for those with autism. Dwellings that could be occupied by families with children have potential to increase needs for children's play space, and the council's preference is for play facilities to be provided on-site, where needed.
- 5.18 There are no toddler play areas located within the maximum distance specified by saved UDP policy CFR28. Given the scale of this scheme, on-site provision of toddler play would be appropriate, and the applicant has

indicated an informal play space in the north western corner of the site. This is considered to be appropriate and it is recommended that conditions be imposed requiring final details of the informal play space and implementation of the approved scheme.

- 5.19 There are no junior play facilities within the maximum distance of this site as specified by policy CFR29. However, it would not be appropriate to provide a junior play facility on a site of this size, and therefore this element would not be required.
- 5.20 There are five teenage recreational facilities within the maximum distance specified in policy CFR30, at Leamhead, Hillcrest, Blackhill Crescent, Wrekenton MUGA, and Moss Heaps. However, these do not have sufficient capacity to serve the needs of the catchment area.
- 5.21 Pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which meant that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project. The Council exceeded the 5-obligation maximum in respect of all three types of play (toddler, junior and teenage) and for open space.
- 5.22 With regards to the open space and play space contributions, the legislation has changed to mean that the pooling restriction has now been lifted and therefore, in theory, the Local Planning Authority could seek a contribution towards off site open space and/or play provision. Given that there has not been enough time since the change to the legislation for the Council to identify where an off-site contribution could be spent, the Local Planning Authority are of the opinion that it would not be reasonable in this instance to require it.
- 5.23 Therefore while it cannot be concluded that the proposal would fully comply with saved policies H15, CFR29 and CFR30 of the UDP, the Local Planning Authority consider that it is not possible to require any contribution for off-site play provision in this case based on the above assessment.
- 5.24 **HIGHWAY SAFETY AND PARKING**
The proposed development consists of 44 dwellings with vehicular access achieved via two existing routes, Ebchester Avenue and Marsden Grove.
- 5.25 Marsden Grove is an existing road of substandard width. As part of the development proposals, the carriageway would be widened to 4.8m to allow for two-way vehicle movements. For the first 12m from the junction with Springwell Road, the road is to be widened to 5.5m to allow two vehicles to comfortably pass one another when turning in-or-out of Springwell Road/Marsden Grove. This is shown on plans and considered acceptable.
- 5.26 The existing bend in the unnamed road (to the front of development plots 13 to 16) is to be widened slightly, by approximately 200mm, to ensure two cars can pass one another. On the same road, a secondary turning head is to be introduced in front of plot 20. This is to allow cars and delivery vans to turn

without the need to reverse over a significant distance to the main turning head located between plots 16 and 17. The secondary turning head is shown indicatively on plans to be provided with a 'keep clear' road marking, which is considered a necessary deterrent for vehicles parking in this area, and it is recommended that condition be imposed requiring final details of road markings and implementation of the approved scheme.

- 5.27 In terms of parking, there is an existing area of highway to the rear (north) of the medical centre that is used as an informal parking area. Council highway officers have inspected this area at multiple times during the morning, afternoon and late evening (post 8pm). During the morning and afternoon inspections, the maximum number of cars observed was five at any one time and it was noted that the medical centre car park was not full at the time of inspections.
- 5.28 Evening inspections consistently showed there to be three vehicles in this informal car park area and it is likely these are associated with existing residents. As part of the redevelopment of the area, submitted plans show five visitor/public parking spaces to the rear of the medical centre (opposite plots 34 to 36) to cater for existing parking demand, and this is considered adequate provision in this location.
- 5.29 There is a road leading to Westwood Gardens that runs south from Ebchester Avenue, then east (to the rear of 1 to 11 Westwood Gardens) before terminating at the existing block of garages (that are proposed to be demolished). It is understood that these garages are almost all empty and the few that are occupied are not used by nearby residents for the parking of cars.
- 5.30 During the aforementioned site inspections, Council officers observed up to six cars parked along this street. The peak times for parking were post 8pm, therefore it can be reasonably assumed that all of these cars are associated with the existing residents of Westwood Gardens/nearby residents.
- 5.31 Due to the road width and proposed driveways onto the existing road, current on-street parking would be displaced because cars parked opposite drives would likely block egress from the driveways. As such, submitted plans show seven visitor/public parking spaces be provided at this north eastern part of the site for use by any highway users, including existing residents of Westwood Gardens. Three such spaces are to be provided at the top of the new turning head between development plots 16 and 17 and a further row of 4 new bays is proposed to be provided in the area between no.1 and no.2 Westwood Gardens (opposite the gable end of new development plot 12). It is recommended that conditions be imposed requiring final details of the four bays at Westwood gardens (including surfacing, new pathways and retention of the existing tree) and implementation of the approved scheme. The retention of on-street public parking for existing residents in the area is welcomed.
- 5.32 It is acknowledged that school drop-off and pick-up parking occurs in the area as a result of two nearby primary schools. The development would result in

the loss of some on-street parking capacity due to the installation of new driveway accesses however, the impact would not be severe (under NPPF testing) and not a reason to prevent the development of the land. Any school parking that may be displaced by the proposed development could be accommodated in the wider area. There is also a good level of visitor/public parking being provided within the development site.

5.33 There are a total of 32 houses/bungalows in the new development. Half of these meet the Council's minimum parking standard of one private driveway per dwelling, whilst the other half match the maximum Council standard of two driveways per plot. This is considered to be appropriate.

5.34 In terms of parking for the apartments, the Council parking standard for flats/apartments is one space per dwelling. The proposed development would only provide six private parking spaces for the apartments. Whilst this does not comply with the typical Council parking standard, it is recognised that the apartments on this scheme are specialist units for those with autism and the applicant has submitted a supporting statement indicating that car ownership, and therefore parking demand, would be likely to be low amongst residents of such specialist housing schemes, based upon their experience of operating similar facilities.

5.35 Whilst the low parking ratio for the assisted living apartments is undesirable in principle, weight is given to the supporting information submitted by the applicant, and the following considerations:

- On-street parking for up to four cars should be available on the widened Marsden Grove, in between the six private driveways associated with the apartment block.

- The development is in a very sustainable location, being in close to bus stops and a short walk from Wrekenton Local Centre.

- The overall development site has a higher than usual number of visitor/public parking bays. A site with 44 houses would normally be expected to have between 11 and 15 visitor spaces, but this site would provide 18 spaces in total.

5.36 Additionally, as the parking demand/provision in this location is directly linked with the specific use of the apartments, it is recommended that a condition be imposed restricting the apartments to the following sub-category of Use Class C3:

'Use as a dwellinghouse (whether or not as a sole or main residence) by (b) not more than six residents living together as a single household where care is provided for residents'

5.37 Therefore, taking the above into account and subject to the imposition of a condition limiting the use, it is considered that the lower parking ratio for the specialist apartment block would be acceptable.

- 5.38 Gateshead Council's design guide requires a 2m x 2m visibility splay between driveways, and a number of plots do not achieve this on the proposed layout. It is considered that this could be reasonably achieved on site, and it is recommended that conditions be imposed requiring a final layout of driveways with the full standard splay, and implementation of the approved scheme.
- 5.39 On the southern side of Ebchester Avenue (along the northern boundary of the development site) there is a narrow verge that was hardened a number of years ago. During officer inspections there was little-to-no parking along this side of the development boundary, although it was noted that parking does occur on hardened verges of the same type elsewhere on the residential estate. Due to the narrow width of the hardened verge and the absence of a full kerb face between it and the adjoining footway, the footway surface is prone to vehicle overrun/parking.
- 5.40 Whilst this is not within the red line boundary, plans indicate that to address this potential problem along the northern boundary of the site, the informal visitor/public parking laybys would be widened to 1.8m. This is considered acceptable in principle and it is recommended that conditions be imposed requiring final details of works to the highway for improvements (including the widening of this 'verge' and an 100mm kerb face (height) between it and the footway) and implementation of the approved scheme.
- 5.41 In relation to provision for pedestrians, the development site is criss-crossed by several existing adopted public footpaths. These will mostly be removed/stopped-up and so it is important that new, equally commodious routes are provided as part of the development proposal. Overall officers are satisfied that this would be achieved, providing the proposed ramp on the eastern boundary between plot 20 and the Public Right of Way (PROW) is constructed at a 1 in 20 gradient. It is recommended that a condition be imposed requiring this.
- 5.42 Additionally, as this would be a main pedestrian route to Springwell Road for existing and future residents, it is recommended that conditions be imposed requiring final details of the upgrade of the public right of way along the eastern boundary of the site (between Springwell Road and the proposed new steps to the north) and implementation of the approved scheme.
- 5.43 Given the application is for major development, policy CS13 requires that charging infrastructure for electric vehicles is provided, and conditions are recommended to be imposed requiring a scheme for this provision and implementation of the approved scheme.
- 5.44 In terms of cycle storage, the provision for the houses and bungalows (consisting of a lockable shed with internal ground-mounted Sheffield cycle hoop) is acceptable. The proposed communal cycle storage for the apartments is acceptable in principle given the proposed use, however confirmation is required regarding the final specification. Therefore, conditions are recommended to be imposed requiring final details of the communal store

for the 12 apartments, implementation of the approved scheme and implementation of the cycle storage for the houses and bungalows.

- 5.45 It is noted that details have been submitted with the planning application indicating proposed areas of highway to be adopted and works to the highway. Whilst indicative details at planning stage are helpful for understanding the developer's intentions, final design, construction and adoption would be secured through the relevant section agreements. It is recommended that an informative be added to the permission, advising that, for the avoidance of doubt, the planning permission does not grant the details submitted on these plans. It is also recommended that conditions be imposed requiring final details of all areas of public highway to be stopped up or improved, and a street lighting scheme (showing relocation of existing columns where indicated/required and a new street lighting scheme for the development, including the specifications and locations of the street lights).
- 5.46 Furthermore, it is recommended that conditions be imposed requiring submission of a demolition and construction management plan (including measures for vehicles of site operatives and visitors, a Construction Traffic Management Plan, storage of plant and materials, security hoarding and wheel washing facilities), and implementation of the approved scheme.
- 5.47 Subject to conditions, it is considered that the proposal would not have an unacceptable impact on highway safety and parking, and would comply with the aims and requirements of policy CS13 of the CSUCP.
- 5.48 **DESIGN/VISUAL AMENITY**
It is considered that the site would be laid out in an appropriate and logical way, and that each unit would have adequate space and landscaping and open space would adequately break up areas of hardstanding. The number of units proposed is in line with the densities specified in policy H12, adequate parking would be provided that would at the same time not dominate the site, and it is considered that the proposal would not represent overdevelopment of the site.
- 5.49 The south east part of the site would address the street scene well, with properties facing outwards, and would also make good use of the land in the centre with specifically designed, dedicated communal outdoor space. The single storey and heavily glazed central part of the apartments at the corner is a visual break in the higher elements of the flats and health centre opposite, so the cumulative development in this location would not appear overbearing.
- 5.50 The proposal has a modern design approach, and it is considered that the proposed materials and feature detailing would be mainly appropriate, drawing from the modern health centre and surrounding mix of house types. However, it is considered that Woodland Mix bricks proposed should be substituted for a more appropriate brick type, given the context of the health centre and other neighbouring properties. Prominent houses would include feature gable treatments to enhance surveillance levels, design quality, and

visual interest, and the stone, cladding and glazing features at the apartments would address Springwell Road and the corner well.

- 5.51 It is recommended that a condition be imposed requiring the materials proposed to be implemented on site in accordance with the relevant details, with the exception of Woodland Mix bricks, which should instead be Crofters Medley (as also put forward by the applicant). Additionally, it is recommended that conditions be imposed requiring final details of hard landscaping areas, and implementation of the approved design.
- 5.52 Subject to conditions, the proposal would comply with the aims and requirements of saved policy ENV3 of the UDP, policy CS15 of the CSUCP and the NPPF.
- 5.53 **RESIDENTIAL AMENITY**
In terms of existing residents, the proposal would provide appropriate distances between proposed and existing dwellings, and it is considered that it would not result in an unacceptable loss of privacy, loss of light, loss of outlook or overbearing impact at neighbouring residential properties.
- 5.54 In particular, regarding proposed house 44 and the relationship with flats at 19 and 21 Marsden Grove to the north, the distance between side elevations would increase from 3.6m at the south west point to over 6m at the north east point. Therefore, the fronts of the properties would be angled away from each other, and it is considered that the distances would not result in an unacceptable loss of light or outlook, or unacceptable overbearing impact. Additionally, whilst there are windows in the existing side elevation of nos.19 and 21, the only windows proposed on the side of house 44 would serve a ground floor WC and first floor bathroom, which are recommended to be required by condition to be obscurely glazed (as with similar windows on the rest of the site). As such, it is considered that the proposal would not result in an unacceptable loss of privacy at either existing or proposed dwellings in this location.
- 5.55 Additionally, regarding proposed house 41 and the relationship with 9 Marsden Grove to the south, there would be 4.5m between the side elevation of house 41 and the boundary/single storey side/rear of no.9. The elevation of the existing dwelling at no.9 is mainly blank with the exception of a small upper window set back from the boundary. As above, the side elevation of house 41 would include obscure glazing only, and it is considered that the proposal would not result in an unacceptable loss of light, outlook or privacy, or unacceptable overbearing impact at 9 Marsden Grove.
- 5.56 In terms of the proposed ramp at the eastern part of the site, the northern end of this (where users would turn the corner and access the stairs or ramped path) would be up against the boundary with the offset southern boundary at 11 Westwood Gardens. Currently there is the side wall of a garage at this boundary, which would be removed as part of the development. As such, and given the proposed use of the ramp/steps as a main route to Springwell Road, conditions are recommended to be imposed requiring the submission of final

details of boundary treatment in this location (ensuring appropriate privacy at the garden of no.11), and implementation of the approved details.

- 5.57 Regarding the proposed unallocated parking area between properties at Westwood Gardens, this would introduce vehicles further into a landscaping/pedestrian area. However, bays (and therefore cars and drivers) would not extend so far east that they would be opposite the facing elevations of the nearest dwellings. The existing paths between the proposed bays and garden boundaries on each side would remain, and it would be likely that users of the parking bays would be residents of Westwood Gardens themselves (although not necessarily those at nos.1 and 2). It is considered that the proposed introduction of an unallocated parking area in this location would not result in an unacceptable impact on residential amenity at these neighbouring properties.
- 5.58 Additionally, given the location of the proposed development site near to a number of existing residential properties, it is recommended that a condition be imposed specifying/restricting hours of construction on site to minimise disturbance to neighbours. It is also recommended that the conditions be imposed requiring that the demolition and construction management plan (referenced earlier in the report) includes how dust, noise and vibration, deliveries and hours of operation will be managed on site, and implementation of the approved scheme.
- 5.59 In terms of potential future occupiers, it is considered that the proposal would provide adequate internal and external space, and, as above, it is recommended that a condition be imposed requiring windows serving WCs, bathrooms and en-suites to be obscurely glazed.
- 5.60 Details submitted with the application indicate that there would be a change in levels across the site, whereby properties at the north and eastern parts of the site would be at a lower level. Site sections have been submitted, along with a levels plan, which show that the main change in levels at dwellings would be at the boundaries between the rear gardens at houses 33 to 40 and 13 to 16. At the highest, there would be a 1.725m retaining wall with a 1.8m high fence (totalling 3.5m high) at the rear of houses 15 and 16. Given that that gardens at 13 and 16 would be 9.4m long, those at 14 and 15 would be 11m long, and that much of the land immediately adjacent the retaining boundary treatment would be walkways providing access to the rears of 14 and 15, it is considered that changes in levels in this location would not result in an unacceptable impact on residential amenity at these properties. The change in levels at the south eastern part of the site would be encompassed within the communal garden design, and this arrangement is considered appropriate in terms of amenity. Similarly, it is considered that lesser changes in levels at other parts of the site would not have an unacceptable impact on residential amenity for occupiers.
- 5.61 Furthermore, the application is supported by a Noise Impact Assessment in relation to internal and external noise levels to determine whether mitigation is required from noise from the nearby roads. Private gardens would meet the

guidance noise levels, but a number of noise sensitive rooms towards the southern and northern perimeters of the site would not achieve internal guidance levels with windows open. Officers agree with the recommendations of the report that particular glazing and acoustic vents should be used in the locations identified, and a condition is recommended requiring implementation of the measures in the report.

5.62 Therefore, subject to conditions, the proposal would comply with the aims and requirements of saved policy DC2 of the UDP and policy CS14 of the CSUCP.

5.63 FLOOD RISK/DRAINAGE

Paragraph 165 of the NPPF states that:

'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

(a) take account of advice from the lead local flood authority;

(b) have appropriate proposed minimum operational standards;

(c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and

(d) where possible, provide multifunctional benefits.'

5.64 The application is supported by a Flood Risk Assessment (FRA) and a Drainage Strategy. This proposes SuDS in the form of surface water attenuation attenuated via cellular storage below porous and permeable paved private drives and rain gardens and discharge into the sewer. A new adoptable foul sewerage system is proposed to be installed for the development to connect into.

5.65 Northumbrian Water, in relation to connection to their system, have recommended that condition be imposed requiring compliance with the submitted details and specifying connection points and maximum discharge rates.

5.66 In terms of on site, the Lead Local Flood Authority (LLFA) have commented that the overall approach is considered to be acceptable, however, there are some outstanding matters and it is recommended that conditions are imposed requiring the submission of an updated FRA and Drainage Strategy to include the following points, and implementation of the approved details:

- Evidence that the flows resulting from rainfall in excess of a 1 in 100 year rainfall event would be managed in exceedance routes that minimise the risks to people and property

- Adequate flood resilience at properties to mitigate exceedance flood events

- Confirmation on a drainage plan that downpipes would discharge directly into the rain gardens at ground level

- A scheme to manage/address risk of overland runoff accumulating to the eastern gable of plot 20
- An updated impermeable areas drawing showing all impermeable areas that cannot drain to landscaping (eg. pathways between drives) and should be included in the areas contributing to the drainage system
- Consistency between the drainage plan and drainage calculations
- Clarity on the modelling and intended ground levels relating to the permeable paved area for parking to plots 35-41
- Confirmation that a geotextile would be provided between raingarden topsoil and the top of the crated tank to prevent fines draining into the tank
- Confirmation that the porous bitmac base would be punctured in accordance with Ciria SuDS manual standards (ie. 75mm dia core on an orthogonal grid of 750mm)
- Clarity regarding the proposed permeable membrane to base and sides and whether the intention is to allow partial infiltration to the ground
- Adequate thicknesses of sub-bases
- Measures for adequate sediment removal in the geocellular system
- Final details of drainage measures in the highway

5.67 Subject to conditions, the proposal would comply with the aims and requirements of policy CS17 of the CSUCP and the NPPF.

5.68 GROUND CONDITIONS

The property has been assessed and inspected as part of the Council's Contaminated Land Strategy and has been assessed as being situated on potentially contaminated land based on previous historic uses.

5.69 Reports have been submitted of combining Preliminary Risk Assessment report and site investigation report with a Phase II Detailed Risk Assessment relating to the potential land contamination and land gas risk.

5.70 Officers agree with the recommendations of the report and it is recommended that conditions be imposed requiring the submission of final gas monitoring results and a 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), the implementation of the approved remediation measures and the submission of a verification report(s) demonstrating their effectiveness.

5.71 Further, in relation to potential asbestos in the garages proposed for demolition, a separate risk assessment report has been submitted, and officers agree with the recommended measures. As such, it is recommended that conditions be imposed requiring the submission of a site-specific asbestos removal method statement prior to demolition or any other works that might disturb the asbestos materials identified, and implementation of the approved details.

5.72 Additionally, the site is not within a Coal Authority defined high risk area, and as such, a Coal Mining Risk Assessment has not been submitted with the application and conditions are not recommended in relation to land stability.

- 5.73 Subject to conditions, the proposal would comply with the aims and requirements of saved policies DC1 and ENV54 of the UDP and policy CS14 of the CSUCP.
- 5.74 **ECOLOGY**
The site is within a wildlife corridor, and generally, it is considered that the site is of low ecological value. The application is supported by a Preliminary Ecological Appraisal, which includes recommendations for avoidance, mitigation and enhancement measures.
- 5.75 Officers agree with the recommendations of the report, and it is recommended that a condition be imposed requiring compliance with and implementation of the proposed measures, in accordance with saved policies DC1, ENV46, ENV47 and ENV51 of the UDP and policy CS18 of the CSUCP.
- 5.76 **TREES AND LANDSCAPING**
The submitted arboricultural report refers to four trees in total, two are Poplars T1 and T2 these are off site and in poor condition. T9 and T10 are shown as moderate value trees a Cherry and a Whitebeam. Both are small trees in reasonable condition and retainable. However, as they are growing so close to the proposed development to require 3m of the canopy to be removed so that they don't interfere with the fabric, it is considered more beneficial to remove these and plant replacements in a more appropriate location. The removal of these trees is indicated on the proposed layout plan.
- 5.77 A planting strategy has been submitted with the application, and whilst this includes species recommended in the ecology report and trees at extra heavy standards, it does not reflect the final amended layout. As such, it is recommended that conditions be imposed requiring submission of final details of precise location of trees and landscaping, implementation of the approved scheme, and maintenance/management of landscaping into the future.
- 5.78 In terms of amended plans showing four unallocated parking bays proposed at Westwood Gardens, it is noted that there is an existing tree on site (further east of the proposed parking area). It is recommended that conditions be imposed requiring a tree protection method statement (including tree protection plan) and implementation of the approved details.
- 5.79 Subject to conditions, the proposal would comply with the aims and requirements of saved policy ENV44 of the UDP and policy CS18 of the CSUCP.
- 5.80 **SUSTAINABILITY**
The site is not near a decentralised energy scheme or any planned scheme, and the next option would be to install renewable energy solutions. In addition, in accordance with policy CS16 of the CSUCP, all development is required to use a good standard of building fabric, passive design and landscaping measures to minimise demand and achieve a good level of

sustainability, as required by national standards and also reduce its whole life CO2 emissions.

5.81 Overall, the development would include the following wider measures:

- A Sustainable Procurement Policy emphasising the legal and sustainable sourcing of building materials.
- Fabric First approach to energy and CO2 reduction.
- Efficient and rigorous waste management plans across all developments.
- Best practice policies with respect to site pollution implemented as standard.
- A drainage scheme to reduce the volume and rate of surface water discharge to green field rates.
- Measures incorporated into the design to achieve a water consumption lower than 105 litres per person per day.

5.82 Specifically, units would include the following elements

- Energy efficiency device
- External drying facilities
- Low energy external lighting
- Reduced Indoor water use and an external water butt
- Internal storage device of recyclable waste
- A low nitrogen oxides emissions boiler
- External private space to each plot
- A Home User Guide
- Cycle storage.
- Home office facilities.
- External water butts.
- Internal & external waste and compost bins.
- Reduced sound transfer at Party walls.
- High levels of natural daylight.
- Enhanced Landscaping & Ecology

5.83 It is considered that this approach is acceptable given the scale of the development. The implementation of a drainage strategy, provision of cycle storage, enhanced landscaping and enhanced ecology are addressed in conditions as recommended earlier in the report. The proposal would comply with the aims and requirements of saved policy MWR35 of the UDP, policies CS1 and CS16 of the CSUCP and the NPPF.

5.84 OTHER MATTERS

Loss of views of green space from neighbouring properties is not a material planning consideration

5.85 Additionally, the availability and/or appropriateness of alternative sites or alternative development types are not material planning considerations; the proposal in this application is assessed on its own merits.

5.86 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This proposal has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is housing related. The site is located within residential Charging Zone C with a levy of £0 per square metre.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is considered that the proposed is acceptable in principle and, subject to relevant conditions, in terms of visual and residential amenity, highway safety and parking, ground conditions, flood risk, trees and ecology and the provision of affordable housing would comply with the aims and objectives of the NPPF, and the relevant policies of the UDP and the CSUCP.

6.2 Therefore, it is recommended that planning permission be granted, subject to the below conditions.

7.0 Recommendation:

Minded to GRANT planning permission, subject to planning conditions and subject to further representations and consultations that may be received before the current publicity/notification period ends (17 December), and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

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

Location Plan QD1356-300-01 Rev A (received 23.11.2020)

Proposed Site Layout Plan QD1356-311-01 Rev E (received 23.11.2020)

Assisted Living Apartments Ground Floor plan QD1361-317-01

Assisted Living Apartments First & Roof Floor plan QD1361-317-02 Rev A

Assisted Living Apartments Elevations QD1361-317-03 Rev B (received 20.11.2020)

Assisted Living Bungalows QD1361-317-04 Rev A (received 16.11.2020)

AF2 - 2 Bedroom House Type QD1356-317-05 Rev A (received 20.11.2020)

AF3 - 3 Bedroom House Type QD1361-317-06 Rev B (received 20.11.2020)

Parking Strategy QD1356-335-01 Rev C (received 23.11.2020)

Enclosures Layout QD1356-332-01 Rev B (received 23.11.2020)

Materials Layout QD1356-333-01 Rev A (received 23.11.2020)

External Levels QD1356-04-01 Rev E (received 23.11.2020)

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

The dwellings hereby approved shall not be occupied until final details of the appearance of the following features have been submitted to and approved in writing by the Local Planning Authority:

(a) Boundary treatments on site (including at the northern end of the proposed ramp, on the boundary with 11 Westwood Gardens)

(b) The appearance of hard landscaping on site

Reason

To safeguard the visual amenities of the area, and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing street scene or residential amenity in accordance with saved policies DC2 and ENV3 of the Unitary Development Plan, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and the NPPF.

4

The boundary treatment and hard landscaping details approved under condition 3 shall be implemented in accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.

The development hereby permitted shall also be constructed entirely of the materials detailed on plan QD1356-330-01 Rev A (received 23.11.2020), with the exception of the use of Weinerberger Woodland Mix bricks, which shall instead be Weinerberger Crofters Medley in all areas where Woodland Mix is referenced on the above plan.

All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the dwellings hereby approved and retained as such for the lifetime of the development.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing street scene, and to ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance saved policies DC2 and ENV3 of the Unitary Development Plan, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and the NPPF.

5

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 1800 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 saved policies DC1, DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF.

6

The apartments hereby approved shall be used as Use Class C3(b) ('Use as a dwellinghouse (whether or not as a sole or main residence) by not more than six residents living together as a single household where care is provided for residents') and for no other purpose (including any other purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose (including any other use permitted by Schedule 2,

Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason

To ensure ongoing adequate parking provision for the apartments, in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

7

No dwelling hereby approved shall be occupied until final details of the informal play area, including timescales for its laying out, and long term maintenance have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate and appropriate play provision in accordance with saved policies H15 and CFR28 of the Unitary Development Plan and the NPPF.

8

The informal play area approved under condition 7 shall be implemented in accordance with the approved details and maintained as such for the lifetime of the development.

Reason

To ensure adequate and appropriate play provision in accordance with saved policies H15 and CFR28 of the CSUCP and the NPPF

9

No demolition or any other development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) A Demolition and Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during demolition and construction;
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during demolition and construction

(g) Measures to control noise and vibration during demolition and construction

(h) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason

To safeguard the amenities of nearby sensitive receptors and to safeguard highway safety and in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan, policies CS13 and CS14 of the Core Strategy and Urban Core Plan and the NPPF.

Pre-commencement reason

To ensure that demolition and construction details can be approved prior to on-site works thereby avoiding any abortive work and preventing harm to nearby sensitive receptors due to uncontrolled demolition and/or construction and harm to highway safety which could otherwise occur.

10

The Demolition and Construction Management Plan approved under condition 9 shall be adhered to throughout the demolition and construction period of the development.

Reason

To safeguard the amenities of nearby sensitive receptors and to safeguard highway safety and in accordance with policies CS13 and CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

11

No development or other operations shall commence on site in connection with the development hereby approved, (including soil moving or any operations involving the use of motorised vehicles or construction machinery) until a Tree Protection Scheme and Arboricultural Method Statement (particularly in relation to the tree east of the proposed unallocated parking bays at Westwood Gardens) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

Reason for pre-commencement condition

To ensure that trees are appropriately protected at all times during works and construction.

12

The details approved under condition 11 shall be implemented at all times during construction and there shall be no access, storage, ground disturbance or contamination within the protected areas without the prior written approval of the Local Planning Authority.

Reason

To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

13

No dwelling hereby approved shall be occupied until a fully updated landscaping and replacement tree scheme, including native plant species, sizes, planting densities, precise locations and timescale for planting have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development would provide appropriate landscaping on site in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

14

The scheme approved under condition 13 shall be implemented in full accordance with the approved details and 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 planting which dies, become diseased or is removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species.

Reason

To ensure that the planting scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

15

No demolition or any other development shall take place until an Asbestos Removal Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure asbestos is dealt with appropriately and safely on site, in accordance with, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

Reason for prior to commencement condition

To ensure that all works can be carried out safely and appropriately at all times from the beginning of works in relation to asbestos.

16

The Asbestos Removal Method Statement approved under condition 15 shall be adhered to at all times during the demolition works.

Reason

To ensure asbestos is dealt with appropriately and safely on site, in accordance with, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

17

Following demolition, no further development hereby approved shall commence until a report of final gas monitoring results and a remediation scheme (including timescales) pursuant to the submitted Phase II Risk Assessment and above gas monitoring have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

18

The remediation measures approved under Condition 17 shall be implemented in accordance with the timescales approved and in full accordance with the approved details.

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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure appropriate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

19

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

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

Reason

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

20

The amended remediation and monitoring measures approved under condition 19 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

Reason

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

21

Where remediation is required (under conditions 17-20), following completion of the approved remediation and monitoring measures, no dwelling hereby approved shall be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

workers, neighbours and other offsite receptors, and to ensure there is adequate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

22

The development hereby approved shall be implemented in accordance with the noise mitigation measures as detailed in the submitted Noise Assessment (specifically Table 8 and Figures 4 and 5) by NJD Environmental Associates dated June 2020 (project no. NJD19-0117-001R Rev 1). No dwelling shall be occupied until the respective measures relating to that unit have been fully implemented and post-construction noise testing has demonstrated that the relevant internal noise levels have been achieved. Thereafter, the measures shall be maintained in accordance with the approved details for the lifetime of the development.

Any dwelling not passing the post-construction noise test shall not be occupied until the internal noise levels, at that property, have been re-tested and have been shown to have achieved the relevant internal noise levels.

Reason

To safeguard the amenities of future occupiers in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and the NPPF.

23

The development shall be carried out in full accordance with the measures in section 6 of the submitted Preliminary Ecological Appraisal dated December 2019 (Galliford_WhitleyCt_PEA1.1), and no dwelling hereby approved shall be occupied until a plan indicating the locations of the integral potential bat roost features within at least four of the new dwellings, locations of bird nesting boxes for an appropriate suite of species on at least four new dwellings, and timescales for implementation of these features and the hedgehog highways, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To protect and enhance the conservation status of protected/priority species within the development site in accordance with saved policies DC1, ENV46 and ENV47 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

24

The details approved under condition 23 and the provision for hedgehog highways shown on plan QD1356-330-01 Rev A (received 23.11.2020) shall be implemented in full accordance with the approved

details and timescales and retained and maintained as such for the lifetime of the development.

Reason

To protect and enhance the conservation status of protected/priority species within the development site in accordance with saved policies DC1, ENV46 and ENV47 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

25

No new hard surfacing shall be installed on site until a revised Flood Risk Assessment and Drainage Strategy (including Drainage Layout Plan) incorporating the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) Evidence that the flows resulting from rainfall in excess of a 1 in 100 year rainfall event would be managed in exceedance routes that minimise the risks to people and property
- (b) Adequate flood resilience at properties to mitigate exceedance flood events
- (c) Confirmation on a drainage plan that downpipes would discharge directly into the rain gardens at ground level
- (d) A scheme to manage/address risk of overland runoff accumulating to the eastern gable of plot 20
- (e) An updated impermeable areas drawing showing all impermeable areas that cannot drain to landscaping (eg. pathways between drives) and should be included in the areas contributing to the drainage system
- (f) Consistency between the drainage plan and drainage calculations
- (g) Clarity on the modelling and intended ground levels relating to the permeable paved area for parking to plots 35-41
- (h) Confirmation that a geotextile would be provided between raingarden topsoil and the top of the crated tank to prevent fines draining into the tank
- (i) Confirmation that the porous bitmac base would be punctured in accordance with Ciria SuDS manual standards (ie. 75mm dia core on an orthogonal grid of 750mm)
- (j) Clarity regarding the proposed permeable membrane to base and sides and whether the intention is to allow partial infiltration to the ground

(k) Adequate thicknesses of sub-bases

(l) Measures for adequate sediment removal in the geocellular system

(m) Final details of drainage measures in the highway

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

26

The development hereby approved shall be implemented in accordance with the details approved under condition 25 at all times and retained and maintained as such for the lifetime of the development.

The drainage scheme shall also ensure that foul flows discharge to the foul sewer at manholes 6202 and 5204 and ensure that surface water discharges to the surface water sewer at manholes 6201 and 5203. The surface water discharge rate shall not exceed the available capacity of 20l/sec that has been identified in this sewer.

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

27

No dwellings hereby approved shall be occupied until a scheme relating to electric vehicle charging infrastructure has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate provision for electric vehicles in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

28

The scheme approved under condition 27 shall be implemented in accordance with the approved details before the respective dwelling is occupied and the electric vehicle infrastructure shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate provision for electric vehicles in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

29

No apartments hereby approved shall be occupied until final details of secure and weatherproof cycle storage for the apartments have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate cycle storage provision in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

30

The details approved under condition 29 for the apartments and the details on plan QD1356-SHED-01 for the houses and bungalows shall be implemented in accordance with the approved details before the respective dwelling is occupied and retained and maintained as such for the lifetime of the development.

Reason

To ensure adequate cycle storage provision in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

31

No dwellings hereby approved shall be occupied until the following details and timescales for their implementation, have been submitted to and approved in writing by the Local Planning Authority:

a) A detailed highways design, including upgrade work deemed necessary on the existing carriageways of Ebchester Avenue and Marsden Grove, the widening of those roads at the junction with Springwell Road and at the south eastern part of Ebchester Avenue (at Westwood Gardens), necessary road markings, final details of the unallocated parking area at Westwood Gardens (including surfacing, new pathways and retention of the existing tree), 1.8m wide unallocated parking laybys on the northern boundary at Ebchester Avenue and an 100mm kerb face between it and the footway, and appropriate chamfering of the two westernmost laybys at house 1.

b) Details of all areas of public highway to be stopped-up, improved and adopted

c) Details of the upgrading of the public right of way along the eastern boundary of the site, to ensure that a bituminous path to adoptable standards is provided between the footway of Springwell Road and the proposed ramp, and then continuing along the public right of way until the point where the new steps would intersect it

(d) A street lighting scheme to adoptable standards (showing relocation of the existing lighting columns and a new street lighting scheme for the development, including the specifications and locations of the street lights, and lighting along the upgraded public right of way)

(e) Confirmation that the ramp on the eastern boundary would have a maximum gradient of 1 in 20

(f) Final layout of all driveways with the full standard visibility splay of 2m x 2m

Reason

To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

32

The details approved under condition 31 shall be implemented in accordance with the approved details and timescales and retained and maintained as such thereafter.

Reason

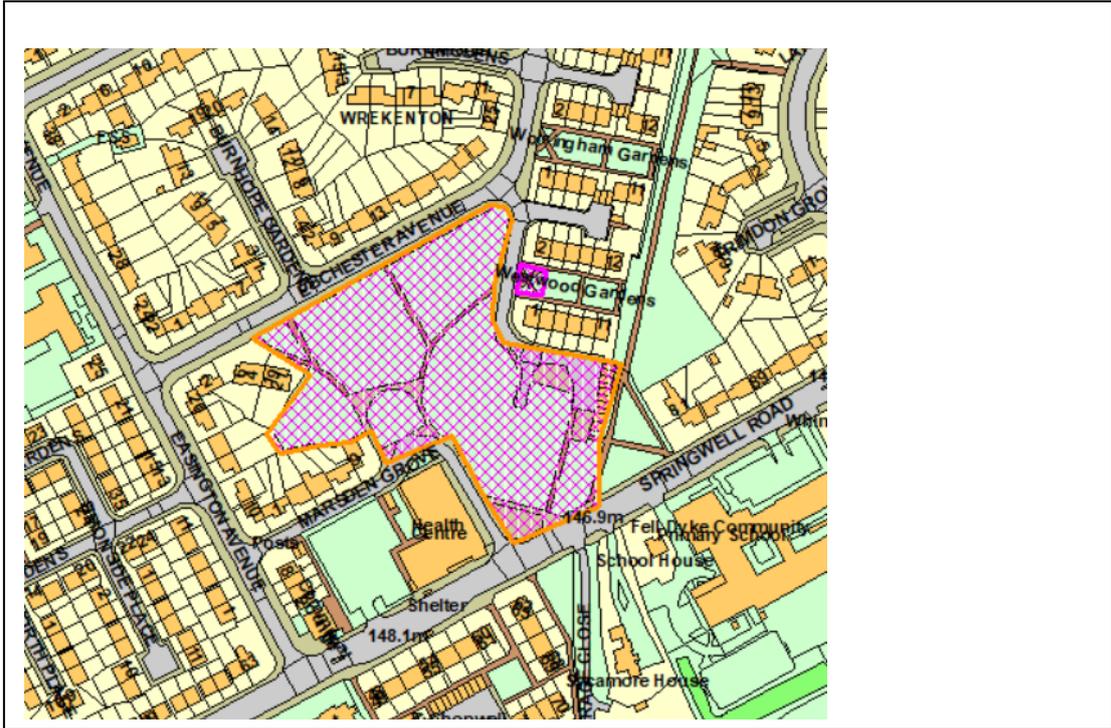
To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

33

The dwellings hereby approved shall not be occupied until details of a scheme demonstrating a minimum of 15% affordable homes would be provided on site has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the proposal would provide appropriate range and choice of housing in accordance with policy CS11 of the Core Strategy and Urban Core Plan and the NPPF.



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