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GATESHEAD METROPOLITAN BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 16 March 2022

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): V Anderson, D Burnett, L Caffrey,
K Ferdinand, A Geddes, L Kirton, K McCartney,
E McMaster, J Turnbull, R Waugh, J Green, J Turner,
R Beadle and J Mohammed

APOLOGIES: Councillor(s): M Hall, C Ord, R Oxberry, I Patterson,
A Wheeler, K Wood and H Weatherley

PD683 MINUTES

The minutes of the meeting held on 16 February 2022 were approved as a correct record and signed by the Chair.

PD684 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD685 PLANNING APPLICATIONS

- RESOLVED:
- i) That the full planning applications and outline applications specified in the appendix to these minutes be granted, refused or referred to the Department for Communities and Local Government or deferred as indicated subject to the conditions, if any, as specified therein and to any other appropriate conditions of a routine or standard nature.
 - ii) That the applications granted in accordance with delegated powers be noted.

PD686 PLACEMAKING SPD AND SPECIALIST AND SUPPORTED HOUSING SPD

The Committee received a report informing them about two Supplementary Planning Documents (SPD), the updated Specialist and Supporting Housing SPD, and Placemaking SPD. Reports on both SPD's have also been presented to Environment and Transport Portfolio, and reports on the Specialist and Supported

PD689 PLANNING APPEALS

The Committee were advised of new appeals received and to report the decisions of the Secretary of State received during the report period.

The Committee were advised that since the last Committee there has been one new appeal lodged..

The Committee were advised that since the last Committee there has been two new appeal decisions.

The Committee were advised that since the last Committee there has been one appeal cost decision.

RESOLVED – That the information be noted.

PD690 PLANNING OBLIGATIONS

The Committee were advised of the completion of Planning Obligations which have previously been authorised.

Since the last Committee there has been no new planning obligations.

Since the last Committee there has been no new payments in respect of planning obligations.

RESOLVED - That the information be noted.

Chair.....

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Date of Committee: 16 March 2022

Application Number and Address:

DC/20/00667/FUL
Anderson Green
Low Fell
Gateshead
NE9 5BQ

Applicant:

Adderstone Developments Limited

Proposal:

Erection of 16 x two bed apartments with ancillary parking and landscaping (amended 11.12.2020, 16.07.2021, 24.01.2022, 11.02.2022, 14.02.2022, 16.02.2022 and 24.02.2022 and additional information received 08.12.2020, 11.12.2020, 07.01.2020, 14.01.2021, 24.01.2021, 24.01.2022 and 11.02.2022)

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:

None

Any additional comments on application/decision:

The application was deferred for a site visit.

Date of Committee: 16 March 2022

Application Number and Address:

DC/21/00153/COU
Former Evans Halshaw Car Showroom
Tyne Street
Blaydon
NE21 4JB

Applicant:

C/O Agent

Proposal:

Proposed part-demolition of existing car showroom, formation of new drive through lane, amendments to car parking arrangements and provision of new hard and soft landscaping; resulting in the creation of two commercial units (Class E(a) or Class E(b) (amended 10.08.2021, 06.12.2021 and 24.01.2022)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None

Any additional comments on application/decision:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport 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 -

L020080-004B Proposed Floor Plans and Elevations

L020080-005 Proposed Bin Store

L020080-002E Proposed Site Plan

21-238-004.01 Highways Technical Note - Response to Highways Comments (21st Jan 2022)

21-238-003.02 Transport Assessment with Appendices (December 2021)

Preliminary Horizontal & Vertical Design (drawing number 21/238/TR/003 Rev A)

Swept Path Analysis of Servicing Vehicle (drawing number 21/238/ATR/004 Rev B)

Swept Path Analysis of Refuse Vehicle (drawing number 21/238/ATR/005 Rev B)

Swept Path Analysis of Fire Tender (drawing number 21/238/ATR/006 Rev A)

Swept Path Analysis of Large Car (drawing number 21/238/ATR/007 Rev A)

Swept Path Analysis of Drive Thru Route (drawing number 21/238/ATR/008)

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.

2

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

3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the units hereby approved shall only be used for uses falling within Class E(a) or Class E[b] as defined by Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

4

The development hereby approved shall not progress above damp proof course until an external materials schedule has been submitted to and approved in writing by the Local Planning Authority and (where requested) samples of the materials, colours and finishes to be used on the external surfaces have been made available for inspection on site and subsequently approved in writing by the Local Planning Authority.

5

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 4.

6

Notwithstanding the submitted plans, prior to the first use of either unit hereby permitted a final landscaping scheme and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

Report

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

7

The final landscaping scheme approved under Condition 6 shall be implemented in full in accordance with the approved timetable for implementation.

Report

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

8

The landscaping scheme approved under Condition 6 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 planting and during this period any trees which die, become diseased or are removed shall be replaced in the first subsequent planting season (October to March) with others of a similar size and species.

9

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of the amended site access, ramp, retaining walls

(including a timetable for implementation) have been submitted to and approved in writing by the Local Planning Authority.

10

The site access, ramp and retaining walls details approved under Condition 9 shall be completed in full accordance with the approved details and timetable for implementation.

11

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of the proposed pedestrian access and internal crossing point (including a timetable for implementation) have been submitted to and approved in writing by the Local Planning Authority.

12

The proposed pedestrian access and internal crossing point details approved under Condition 9 shall be completed in full accordance with the approved details and timetable for implementation.

13

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until a servicing plan for both proposed unit units has been submitted to and approved in writing by the Local Planning Authority. This shall clearly set out but not be limited to:

Delivery times

Routing within the site

Maximum size of vehicle

Signage

Number and location of private and public bins

Frequency of litter collections (both of public bins and commercial storage)

Enforcement monitoring and control

14

The development shall be serviced in full accordance with the servicing plan approved under Condition 13 for the lifetime of the development.

15

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details, including number, location and form, of long and short-stay cycle parking provision and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

16

The long and short-term cycle parking provision approved under Condition 15 shall be completed in full accordance with the approved details and timetable for implementation.

17

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details, including number, location and form, of motorcycle parking spaces, associated anchor point and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

18

The motorcycle parking approved under Condition 17 shall be completed in full accordance with the approved details and timetable for implementation.

19

Notwithstanding the approved plans, prior to any works associated with the carpark taking place, final details of electric vehicle charging spaces/points, (including number, location, form and passive infrastructure) has been submitted to and approved in writing by the Local Planning Authority.

20

The electric vehicle charging spaces/points approved under Condition 19 shall be completed in full accordance with the approved details and timetable for implementation.

21

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of internal traffic calming measures (including a timetable for implementation) have been submitted to and approved in writing by the Local Planning Authority.

22

The proposed internal traffic calming measures approved under Condition 21 shall be completed in full accordance with the approved details and timetable for implementation.

23

No later than six months prior to the occupation of the bulky goods unit hereby permitted a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.

Clearly defined objectives, targets and indicators.

Details of proposed measures.

Detailed timetable for implementing measures.

Proposals for maintaining momentum and publicising success.

A 5 year review programme of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Commitment to use the councils preferred survey/monitoring database (currently Jambusters).

Evidence of the implementation of the approved Travel Plan over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

24

The Travel Plan approved under Condition 23 shall be wholly implemented in accordance with the approved details.

25

No development (including demolition) shall commence until a Demolition and Construction Management Plan (DCMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCMP shall include:

- a. a dust management plan
- b. a noise management plan
- c. contractor parking

All external works and ancillary operations in connection with the demolition and/or 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, unless otherwise approved in writing by the Local Planning Authority.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises nuisance to surrounding residents and businesses. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of demolition and construction works and the manner in which they are undertaken could affect adjacent occupiers.

26

The development shall be implemented in accordance with the Demolition and Construction Management Plan measures approved at condition 25.

27

Prior to the commencement of the demolition hereby approved, a Preliminary Risk Assessment and a Phase II Detailed Risk Assessment must be submitted to and approved in writing, by the Local Planning Authority. Following demolition, and prior to the commencement of any underground works associated with the development, an intrusive site investigation shall be undertaken, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, soil sampling, chemical laboratory testing, to assess potential contamination issues.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to the environment, future users of the site and construction workers. Reference should be made to CLR 11 - Model Procedures for the Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

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

28

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

29

The details of remediation measures approved under condition 28 shall be implemented in full prior to commencement of the development hereby permitted (excluding demolition) and maintained for the life of the development.

30

Following completion of the remediation measures approved under condition 28 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

31

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

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.

Date of Committee: 16 March 2022

Application Number and Address:

DC/21/01245/COU
3 – 4 The Square
Whickham
NE16 4JB

Applicant:

Mr Mahfuz Ali

Proposal:

Change of use from public highway area and construction of glazed extension to south elevation of restaurant (amended plan 27.01.2022)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None

Any additional comments on application/decision:

That permission be REFUSED for the following reason(s):

1

By virtue of its form, scale and location and materials the proposed extension would appear as incongruous, obtrusive and poorly designed addition within its setting relative to its surroundings and would be out of keeping with the character, appearance and established arrangement and building line of The Square. The development would therefore have a detrimental impact upon the general character and appearance of the wider streetscene, contrary to the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.

2

The proposed development would result in less than substantial harm to the Whickham Conservation Area which would not be outweighed by public benefits, contrary to the aims and objectives of the NPPF and policies CS15 and MSGP25 of the Local Plan for Gateshead.

3

The proposed development would be detrimental to pedestrian movements and safety as it would impede the footway and remove an important part of the pedestrian circulatory space and cause pedestrian movements through The Square to be directed via of footway of substandard width. The development therefore fails to accord with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

4

The application site falls within the Coal Authority defined Development High Risk Area and insufficient information in the form of a Coal Mining Risk Assessment has been submitted in order to fully assess the risks posed by probable unrecorded underground coal mine workings at shallow depth. The development therefore fails to comply with the requirements of the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

Date of Committee: 16 March 2022

Application Number and Address:

DC/21/01364/COU
16 Church Road
Gateshead
NE9 5RD

Applicant:

Gateshead Council

Proposal:

Change of use from dwellinghouse (use class C3) to residential children's home (use class C2) and erection of fence along west boundary of site (additional plans received 21.01.2021)

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

None

Any additional comments on application/decision:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport 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 -

Site Location Plan (Scale 1:1250)

AL(20)101 Proposed Ground Floor Plan

AL(20)102 Proposed First Floor Plan

AL(20)103 Proposed Roof Plan

AL(20)104 Proposed Elevations

AL(90)101 Revision A Proposed Site Plan

AC(90)001

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.

2

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

3

The timber fence hereby permitted shall be constructed entirely in accordance with plan

number AC(90)001.

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

4

Prior to the first use of the premises, secure and weatherproof cycle storage with the capacity to store four bicycles, shall be provided on site and thereafter permanently retained.

Date of Committee: 16 March 2022

Application Number and Address:

DC/21/01436/FUL
Site bounded by Mill Road, Hawks Road and South Shore Road

Applicant:

C/O Agent

Proposal:

Variation of conditions 1 (approved plans); 43 (hotel materials); 44 (artwork opportunities); 48 (external lighting); 52 (wind mitigation); 56 (off site biodiversity); 65 (noise mitigation); and 67 (waiting restrictions) of planning permission DC/20/00323/FUL for erection of indoor events arena (use class D2), conference and exhibition centre including meeting rooms and associated facilities (use classes D1 and D2), dual branded hotel with roof top bar (use class C1), provision of retail and leisure floorspace (use classes A1, A3 and A4) and outside performance square with landscaping, public realm and infrastructure works as well as associated engineering operations, security measures and signalised crossing (additional information and amended plans received 15/09/20 and amended 12/10/20).

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update - full wording of proposed conditions 1-64 referenced in the main agenda report and suggested additional conditions.

Main agenda condition wording

The full wording of the proposed conditions 1-64 is as follows:

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

HoK plans -

GQ-HOK-ZZ-ZZZZ-DR-A-9101-P1

Existing Site Plan GQ-HOK-ZZ-ZZZZ-DR-A-9102-P1

Existing Site Elevations GQ-HOK-ZZ-ZZZZ-DR-A-9103-P1

Proposed Site Plan GQ-HOK-ZZ-ZZZZ-DR-A-9104-P1

GA Plan – LVL. Zz08 – Co-Ex Entrance GQ-HOK-ZZ-ZZ08-DR-A-9201-P1

GA Plan – LVL. ZZ13 – Conference Rooms GQ-HOK-ZZ-ZZ13-DR-A-9202-P1

Ga Plan – LVL. ZZ15 – Co-EX Service Corridor GQ-HOK-ZZ-ZZ15-DR-A-9203-P1

GA Plan – LVL. ZZ18 – Co-Ex Concourse / Hotel

Entrance

GQ-HOK-ZZ-ZZ18-DR-A-9204-P1

GA Plan – LVL. ZZ22 – Arena Event Floor GQ-HOK-ZZ-ZZ22-DR-A-9205-P1

GA Plan – LVL. ZZ26 – Arena Entrance & VIP GQ-HOK-ZZ-ZZ26-DR-A-9206-P1

GA Plan – LVL. ZZ30 – Hotel GQ-HOK-ZZ-ZZ30-DR-A-9207-P1
 GA Plan – LVL. ZZ35 – Arena Main Concourse GQ-HOK-ZZ-ZZ35-DR-A-9208-P1
 GA Plan – LVL. ZZ37 – Hotel GQ-HOK-ZZ-ZZ37-DR-A-9209-P1
 GA Plan – LVL. ZZ40 – Hotel GQ-HOK-ZZ-ZZ40-DR-A-9210-P1
 GA Plan – LVL. ZZ43 – Hotel GQ-HOK-ZZ-ZZ43-DR-A-9211-P1
 GA Plan – LVL. ZZ46 – Arena Plant GQ-HOK-ZZ-ZZ46-DR-A-9212-P1
 GA Plan – LVL. ZZ47 – Hotel GQ-HOK-ZZ-ZZ47-DR-A-9213-P1
 GA Plan – LVL. ZZ50 – Hotel Roof GQ-HOK-ZZ-ZZ50-DR-A-9214-P1
 GA Plan – LVL. ZZ55 – Arena Roof GQ-HOK-ZZ-ZZ55-DR-A-9215-P1
 GA Plan – LVL. ZZ57 – Hotel Core Roof GQ-HOK-ZZ-ZZ57-DR-A-9216-P1
 GA Plan – LVL. AR00 – Event Floor GQ-HOK-AR-AR00-DR-A-9302-P1
 GA Plan – LVL. AR01 – Entrance & VIP GQ-HOK-AR-AR01-DR-A-9303-P1
 23466 Updated ES Appendix 3.2 Revised and Replacement Drawings.docx
 GA Plan – LVL. AR02 – Services Mezzanine GQ-HOK-AR-AR02-DR-A-9304-P1
 GA Plan – LVL. AR03 – Main Concourse GQ-HOK-AR-AR06-DR-A-9305-P1
 GA Plan – LVL. AR04 – MEP Plant GQ-HOK-AR-AR07-DR-A-9306-P1
 GA Plan – LVL. ARRF – Roof Plant GQ-HOK-AR-ARRF-DR-A-9307-P1
 GA Plan – LVL. ARUR – Bowl Roof GQ-HOK-AR-ARUR-DR-A-9308-P1
 GA Plan – LVL. CX03 – Back of House & Admin B.
 Entrance
 GQ-HOK-AR-CX03-DR-A-9301-P1
 GA Plan – LVL. CX00 – Entrance, Box Office and Retail GQ-HOK-CX-CX00-DR-A-9401-P1
 GA Plans – LVL. CX01 – Convention Center Medium
 Rooms
 GQ-HOK-CX-CX01-DR-A-9402-P1
 GA Plan – LVL. CX02 – Service Corridor GQ-HOK-CX-CX02-DR-A-9403-P1
 GA Plan – LVL. CX03 – Exhibition Halls Concourse GQ-HOK-CX-CX03-DR-A-9404-P1
 GA Plan – LVL. CX04 – Galleria and Plant Deck GQ-HOK-CX-CX04-DR-A-9405-P1
 GA Plan – LVL. CX05 – Plenary and Plant Deck GQ-HOK-CX-CX05-DR-A-9406-P1
 GA Plan – LVL. CXRF – Co-Ex Halls Roof GQ-HOK-CX-CXRF-DR-A-9407-P1
 Contextual Elevations GQ-HOK-ZZ-ZZZZ-DR-A-9501-P1
 Elevation – Exhibition Halls and Convention Center GQ-HOK-ZZ-ZZZZ-DR-A-9502-P1
 Elevation – Co-Ex BOH and Admin Building GQ-HOK-ZZ-ZZZZ-DR-A-9503-P1
 Elevation – Arena 01 GQ-HOK-ZZ-ZZZZ-DR-A-9504-P1
 Elevation – Arena 02 GQ-HOK-ZZ-ZZZZ-DR-A-9505-P1
 Elevation – Exhibition Halls and Convention Center GQ-HOK-ZZ-ZZZZ-DR-A-9502-P1
 Elevation – Co-Ex BOH and Admin Building GQ-HOK-ZZ-ZZZZ-DR-A-9503-P1
 Elevation – Arena 01 GQ-HOK-ZZ-ZZZZ-DR-A-9504-P1
 Elevation – Arena 02 GQ-HOK-ZZ-ZZZZ-DR-A-9505-P1
 Contextual Sections GQ-HOK-ZZ-ZZZZ-DR-A-9601-P1
 Section 01 – Conference Halls and Galleria GQ-HOK-ZZ-ZZZZ-DR-A 9602-P1
 Section 02 – Multipurpose Halls GQ-HOK-ZZ-ZZZZ-DR-A-9603-P1
 Section 03 – Arena GQ-HOK-ZZ-ZZZZ-DR-A-9604-P1
 External CGI 1 GQ-HOK-ZZ-ZZZZ-DR-A-9901-P1
 External CGI 2 GQ-HOK-ZZ-ZZZZ-DR-A-9902-P1
 External CGI 3 GQ-HOK-ZZ-ZZZZ-DR-A-9903-P1
 External CGI 4 GQ-HOK-ZZ-ZZZZ-DR-A-9904-P1
 External CGI 5 GQ-HOK-ZZ-ZZZZ-DR-A-9905-P1

AHR plans - 07200 P5; 07201 P5; 07202 P5; 07203 P5; 07204 P4; 07205 P3; 07206 P3;
 07207 P3; 07208 P3; 07209 P3; 07210 P3; 07211 P3; 07212 P3; 07351 P4; 07352 P3; 07353
 P3; 07400 P3; 07401 P3; 07402 P3; 07403 P3; 07410 P3; 07411 P3; 07412 P3; 07413 P3;

07450 P3.

Planit IE plans - 1001 P5; 1002 P5; 1101 P5; 1201 P5; 1301 P4; 1302 P4; 1401 P4; 1501 P5; 1503 P4; 2101 P4; 2201 P4; 2301 P4; 2401 P4; 2501 P4; 2503 P3; 2504 P4; 2505 P4; 2506 P1; 2507 P1; 10027 P01.

Reason

In order to ensure that the development is carried out in accordance with the approved plans.

2. The development shall be carried out in accordance with the Construction Environment Management Plan approved under 20/00323/DOC1 at all times during construction unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development in accordance with policies CS14, CS17, CS18, MSGP14, MSGP18, MSGP19, MSGP30, MSGP37 and MSGP38 of the Local Plan for Gateshead.

3. The use of the development hereby approved shall not commence until the final report of the results of the archaeological fieldwork approved and undertaken under 20/00323/DOC1 has been submitted to and approved in writing by the Local Planning Authority.

The report shall be produced in a form suitable for publication in a suitable and agreed journal.

Reason

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded and publication of the results will enhance understanding of and allow public access to the work undertaken, in accordance the NPPF, policies CS15, UC14 and MSGP27 of the Local Plan for Gateshead.

4. The remediation and mitigation schemes must be carried out in accordance with the details approved under 20/00323/DOC1

Before any part of the development hereby approved is first occupied and following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason

To ensure that risks from land contamination and coal mining legacies to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with the NPPF, policies CS14 and MSGP20 of the Local Plan for Gateshead.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified and/or anticipated in the remediation and mitigation schemes, it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment shall be undertaken and where remediation is necessary a revised remediation scheme shall be submitted to and approved in writing by the LPA in accordance with the requirements of the details approved under 20/00323/DOC1 ,

prior to the additional remediation being commenced.

Following completion of the measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with 20/00323/DOC1 prior to first occupation of the development.

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 the NPPF, policies CS14 and MSGP20 of the Local Plan for Gateshead.

6. The remediation details approved under 20/00323/DOC2 shall be implemented on site prior to commencement of any piling operations in the areas where such remediation works are required on the site.

Reason

To ensure that risks from land instability to the future users of the land and neighbouring land are minimised in accordance with the NPPF, policies CS14 and MSGP20 of the Local Plan for Gateshead.

7. Prior to commencement of the development hereby approved (except for vegetation clearance works, erection of site security hoardings and ground preparation and enabling works) a drainage construction method statement (DCMS) relating to the proposed drainage system which will serve the completed development 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

To ensure the works do not increase risk of flooding or pollution of watercourses in accordance with the NPPF, policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

8. The drainage and construction method statement details approved under condition 7 shall be wholly implemented prior to first use of the development hereby approved in accordance with the approved details and retained for the full life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF, policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

9. 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, which shall be in accordance with the principles set out in Gateshead Quays ES Addendum: Appendix 9 Water Resources - Flood Risk Assessment and Drainage Strategy (additional information) 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 NPPF, policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

10. The SuDS and drainage maintenance plan approved under condition 9 shall be implemented prior the first use of the development and maintained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

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, policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

11. Final details of a traffic signal plan to best manage traffic movements at the beginning and end of events, involving the optimisation of traffic signals at the following junctions in consultation with appropriate stakeholders:

- Hawks Road/North South Link Road
- Hawks Road/Mill Road/Quarryfield Road
- Eastgate / Oakwellgate
- Oakwellgate/A184
- East Street
- Albany Road/North South Link Road
- Albany Road/A184,

Changes to the Albany Road/Park Lane junction and traffic management measures to control the flow of traffic travelling eastbound on Hawks Road, including a timetable for delivery shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To best manage demand and minimise delays on the local network in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

12. The details approved under condition 11 shall be implemented in accordance with the approved timetable and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To best manage demand and minimise delays on the local network in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

13. Final details of a coach parking strategy that provides for the demand for coach parking serving the Gateshead Quays Framework Area as defined in Policy QB2 - Gateshead Quays Key Site of the Core Strategy and Urban Core Plan including a review of existing Coach

Parking at the Sage Gateshead shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure adequate coach parking provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

14. The strategy approved under condition 13 shall be implemented prior to first use of the development hereby approved and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate coach parking provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

15. Final details of taxi infrastructure provision for both Hackney carriages and private hire operatives to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure adequate taxi infrastructure provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

16. The details approved under condition 15 shall be implemented prior to first use of the development hereby approved and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate taxi infrastructure provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

17. Final details of the taxi supplier arrangement and an associated management strategy to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure adequate taxi infrastructure provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

18. The details approved under condition 17 shall be implemented prior to first use of the development hereby approved and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate taxi infrastructure provision is provided whilst safeguarding highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

19. Unless otherwise agreed in writing with the local planning authority, Full details of the

following pedestrian improvement measures together with a timetable for their delivery to support the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development:

- o Measures to prevent general traffic using areas adjacent to the HVM measures on South Shore Road and Hawks Road immediately following the end of major events.
- o Mill Road/Quarryfield Road/Hawks Road junction signal timings and layout changes.
- o Toucan crossing on Hawks Road.
- o Increased footway widths on the north side of Hawks Road adjacent to the development.
- o Measures to manage Hawks Road and Quarryfield Road from the development to the entrances of the multi storey car park approved in planning permission DC/20/00698/FUL and Quarryfield Road car park respectively to ensure a safe environment for pedestrians post event travelling towards these car parks.
- o Traffic signal timing requirements for A167 crossing from East Street towards High Street to meet pedestrian flow requirements.
- o Introduction of signage/other measures to deter pedestrians crossing to the former Auto Trader site from Hawks Road.
- o Review of signal timings and crossing layout at East Street to ensure timing and infrastructure are suitable for peak pedestrian demand.
- o Review of the existing two stage pedestrian crossing at the south end of the Tyne Bridge and implementation of improvements to ensure peak pedestrian demand can be accommodated.
- o Widening of footway on south side of Hawks Road between the Quarryfield Road junction and new multi storey car park.
- o A way-marking strategy directing pedestrians between the development site and Gateshead interchange/town centre, as well as through the site and to and from car parks.

Reason

To ensure adequate pedestrian infrastructure provision is provided to safeguard highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

20. The details approved under condition 19 shall be implemented prior to first use of the development hereby approved and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate pedestrian infrastructure provision is provided to safeguard highway safety in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

21. Unless otherwise agreed in writing with the local planning authority the internal lifts at the northern entrance of the CoEx off South Shore Road and at the entrance of the dual branded hotel shall be accessible for all 24 hours a day, every day and shall be retained as such for the life of the development (other than for essential maintenance reasons) unless alternative suitable provision has been provided.

Reason

To ensure that a fully accessible route through the site is maintained at all times in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

22. Final details of the external handrails and cycle channels shall be submitted to and approved

in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure the safety of highway users in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

23. The details approved under condition 22 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the safety of highway users in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

24. A strategy to manage access via Maidens Walk as a a permissive route to and from Hawks Road, 'Performance Square' and Abbots Road in line with security proposals associated with large events shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure the safety of highway users in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

25. The details approved under condition 24 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the safety of highway users in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

26. Notwithstanding the details on the submitted plans, final details of secure parking for at least 42 bicycles for use by visitors within external areas, and secure and weatherproof parking for at least 40 long stay staff bicycles together with locker and shower facilities, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved.

Reason

In order to ensure adequate provision for cyclists and in compliance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Council Cycling Strategy.

27. The secure, weatherproof cycle parking and facilities approved under condition 26 shall be implemented before the first use of the development and maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists and in compliance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Council Cycling Strategy.

28. Final details of a public transport strategy relating to the operation of a public transport shuttle service between Gateshead Interchange and St Mary's Square, proposals for the diversion of existing services and the communication proposals that will encourage use of public transport shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved.

Reason

To ensure adequate public transport provision to serve the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

29. The details approved under condition 28 shall be implemented prior the first use of the development and retained as agreed within the final strategy unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure adequate public transport provision to serve the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

30. Notwithstanding the submitted plans final details of the highway works proposed on Hawks Road, Mill Road and South Shore Road, including access points, enhancements to the public realm, changes to pedestrian and cycle provision, alterations/relocation of existing bus stops and the associated works shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To ensure safe and sustainable access to serve the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

31. The details approved under condition 30 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure safe and sustainable access to provision to serve the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

32. A comprehensive servicing management plan for each element of the development that clearly details how the service yards and service areas for the Arena, CoEx , Dual Brand Hotel and the retail units will operate and be managed, the operation of security/hostile vehicle mitigation (HVM) measures, and a HGV Movement Management Strategy between the

development and suitable muster points/off-street parking areas, to ensure there is no material impact on the wider transport network together with a strategy outlining what measures can be put in place if problems do arise, shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the part of the approved development to which they relate.

Reason

To ensure no adverse impact upon highway safety associated with servicing the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

33. The details approved under condition 32 shall be implemented prior the first use of the part of the development to which they relate and retained as such for the life of that part of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure no adverse impact upon highway safety associated with servicing the development in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Gateshead Quays Development Framework.

34. No individual part of the development hereby approved shall be occupied until a Travel Plan relating to that specific part of the development has been submitted to and approved in writing by the Local Planning Authority.

Each Travel Plan shall detail the delivery mechanism for its implementation in order to provide for but not limited to the following measures:

- 1) Identification of challenging travel plan targets and associated initiatives to help meet those targets
- 2) Reduction in car usage and increased use of public transport, walking and cycling;
- 3) Measures to incentivise staff to travel to and from the site by sustainable means;
- 4) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous monitoring and review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- 6) Identification of named travel plan co-ordinator together with allocated budget for a minimum of 5 years post full occupation.
- 7) Details of measures identifying how the operators will manage demands relating to
 - taxi
 - drop off and pick up
 - coach Parking
 - public transport
 - cycle parking

Reason

In order to accord with the NPPF, policies CS13 and MSGP of the Local Plan for Gateshead.

35. The Travel Plan(s) shall be implemented in accordance with the details and timescales approved under condition 34 and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In order to accord with the NPPF, policies CS13 and MSGP15 of the Local Plan for

Gateshead.

36. The northern element of the hotel hereby approved shall be finished in green/blue polyester powder coated aluminium rainscreen cladding to match what is detailed within the submitted application unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, policies UC11, UC12, UC13, UC14, CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

37. A scheme for public art that reflects the approach and opportunities and scope advocated in the submitted Artwork Opportunities document dated 17 November 2021 prepared by Planit IE shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

In the interests of amenity and accordance with the NPPF, policies UC17 and MSGP of the Local Plan for Gateshead.

38. The details approved under condition 37 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of amenity and accordance with the NPPF, policies UC17 and MSGP24 of the Local Plan for Gateshead.

39. Other than the hotel cladding details addressed in condition 36, unless otherwise agreed with the Local Planning Authority, construction of the development hereby approved shall not proceed above foundation level until samples of all materials, colours and finishes to be used on all external surfaces of the buildings hereby approved, 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, policies UC11, UC12, UC13, UC14, CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead. .

40. The materials used shall be in accordance with the details approved under condition 39 unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, policies UC11, UC12, UC13, UC14, CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

41. A scheme detailing a comprehensive external lighting strategy, including any feature lighting for the development shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the NPPF, policies UC11, UC12, UC13, UC14, UC15, CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP37 of the Local Plan for

Gateshead.

42. The details approved under condition 41 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the NPPF, policies UC11, UC12, UC13, UC14, UC15, CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP37 of the Local Plan for Gateshead.

43. No plant, machinery or equipment shall be installed on or attached to the exterior of the development until full details have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the NPPF, policies UC11, UC12, UC13, UC14, UC15, CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP37 of the Local Plan for Gateshead.

44. The details approved under condition 43 shall be implemented prior the first use of the development and retained as such for the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the NPPF, policies UC11, UC12, UC13, UC14, UC15, CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP37 of the Local Plan for Gateshead.

45. Unless otherwise agreed in writing with the local planning authority the wind mitigation measures as detailed within Appendix 14.1 Statement of Conformity – Wind Microclimate of the Gateshead Quays Supplementary ES dated December 2021, and as shown on approved plans GQ-PIE-PB-ZZZZ-DR-L-2504 S4 revision P4 dated November 2021 GQ-PIE-PB-ZZZZ-DR-L-2505 S4 revision P4 dated November 2021 shall be implemented prior to first use of the development hereby approved and retain as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the amenities of highway users in accordance with the NPPF, policies UC11, UC12, UC13, UC14, UC15, CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP37 of the Local Plan for Gateshead.

46. Notwithstanding the submitted plans, prior to first use of the development hereby approved, a fully detailed final 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, including site security measures, proposed trees and shrubs, green roofs, 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, designated heritage assets, and ecology in accordance with the NPPF, policies UC11, UC12, UC14, UC15, CS15, CS18, MSGP24, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

47. The landscaping scheme approved under condition 46 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 the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area, designated heritage assets, and ecology in accordance with the NPPF, policies UC11, UC12, UC14, UC15, CS15, CS18, MSGP24, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

48. 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, designated heritage assets, and ecology in accordance with the NPPF, policies UC11, UC12, UC14, UC15, CS15, CS18, MSGP24, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

49. Before the development hereby approved is first brought in to use an updated Biodiversity Net Gain Metric 3.0 and an updated scheme to secure the off-site biodiversity net gains shall be submitted to the Local Planning Authority for written approval. The updated metric and scheme shall confirm the number of post enhancement habitat units to be delivered onsite and the number of post enhancement habitat units to be delivered offsite in order to achieve a similar percentage net gain as that approved as part of DC/20/00323/FUL. The updated scheme shall include the off-site biodiversity net gains set out in Gateshead Quays ES Addendum: Appendix 14 Ecology and Nature Conservation - Off Site Proposals (additional information) at Windy Nook, Dunston Staiths Inlet, Wardley and Kingfisher Court, and include a timetable for delivery.

Reason

To ensure the development achieves a net increase in biodiversity in accordance with the NPPF, policies CS18 and MSGP37 of the Local Plan for Gateshead.

50. The details approved under condition 49 shall be implemented in accordance with the approved timetable.

Reason

To ensure the development achieves a net increase in biodiversity in accordance with the NPPF, policies CS18 and MSGP37 of the Local Plan for Gateshead.

51. Unless otherwise agreed in writing with the local planning authority, no vegetation clearance

works shall be undertaken during the bird breeding season (i.e. March to August inclusive). Where vegetation works are proposed during the bird breeding season 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 NPPF, policies CS18 and MSGP37 of the Local Plan for Gateshead.

52. The construction Employment and Training Plan shall be implemented in accordance with the details submitted and approved under 20/00323/DOC1.

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.

53. Unless otherwise agreed in writing by the local planning authority, prior to first occupation of any specific part of the development hereby approved, an Employment and Training Plan which is in accordance with the principles set out in the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016, which relates to that part of the development which outlines the potential creation of employment and training opportunities, especially apprenticeships for local people during the operation of the part of the development to which it relates shall be 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.

54. The end operation Employment and Training Plan shall be implemented in accordance with the details submitted and approved under condition 53 unless otherwise 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.

55. Full details of a servicing and deliveries management plan for the CoEx and Dual Branded Hotel shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the CoEx and Dual Branded Hotel.

Reason

To ensure residential amenity impacts from noise and disruption are minimised, and to maintain highway safety in accordance with the NPPF, policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan for Gateshead.

56. The development shall operate in accordance with the management plan approved under

condition 55 thereafter unless otherwise approved in writing with the Local Planning Authority.

Reason

To ensure residential amenity impacts from noise and disruption are minimised, and to maintain highway safety in accordance with the NPPF, policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan for Gateshead.

57. Full details of the noise mitigation signage as referred to in Table 20.1 Summary of Identified Mitigation of the Supplementary ES on page 103 of Gateshead Quays: Supplementary Environmental Statement (December 2021) shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

Reason

To ensure residential amenity impacts from noise and disruption are minimised in accordance with the NPPF, policies CS14, MSGP17 and MSGP18 of the Local Plan for Gateshead.

58. The signage details approved under condition 57 shall be implemented prior to first use of the development and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure residential amenity impacts from noise and disruption are minimised in accordance with the NPPF, policies CS14, MSGP17 and MSGP18 of the Local Plan for Gateshead.

59. A review of the existing waiting restrictions within the area shown on plan reference VN70892-D134, bound by the A167 in the west, Hillgate and South Shore Road in the north and east, and Quarryfield Road and Albany Road in the south and east, shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development. The review shall identify if any changes need to be made to the waiting restrictions in respect of taxis, drop off and pick up, coaches and delivery vehicles associated with the operation of the development and if so a timetable for delivering those changes.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

60. The details approved under condition 59 shall be implemented in accordance with the approved timetable and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

61. Detailed design of the security/Hostile Vehicle Mitigation (HVM) measures proposed for Hawks Road, Mill Road and South Shore Road together with a strategy for their management and future maintenance shall be submitted to and approved in writing by the Local Planning Authority before the first use of the development. This shall include changes to existing traffic regulation orders (TROs) and/or requirements for Temporary TROs together with a timetable for delivery.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and

MSGP15 of the Local Plan for Gateshead.

62. The details approved under condition 61 shall be implemented in accordance with the approved timetable and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

63. The arena and CoEx hereby approved shall not be brought in to use until the multi storey car park approved in planning permission DC/20/00698/FUL and the link road serving it approved under planning permission DC/20/00694/FUL are available for use.

Reason

To ensure adequate car parking provision is available for users of the proposed development and in the interests of highway safety in accordance with the NPPF, policies QB2, CS13 and MSGP15 of the Local Plan for Gateshead.

64. Unless otherwise approved in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the Coal Drops Mitigation Measures document prepared by Sir Robert McAlpine dated 21 August 2020 insofar as they relate to any works within the boundary of the planning application site.

Reason

In the interests of preserving the historic environment in accordance with the NPPF, policies QB2, CS15 and MSGP25 of the Local Plan for Gateshead.

Suggested additional conditions

65. Notwithstanding the submitted plans, plans showing the marking out of bays within each of the servicing areas to aid operation shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

66. The details approved under condition 65 shall be implemented prior to the first use of the development and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

67. Notwithstanding the submitted plans, final details of the doors to control access to the CoEx service yard shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and

MSGP15 of the Local Plan for Gateshead.

- 68 The details approved under condition 67 shall be implemented prior to the first use of the development and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

- 69 Notwithstanding the submitted plans final details of the stairs between South Shore Road and Performance Square shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development hereby approved.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

- 70 The details approved under condition 69 shall be implemented prior to the first use of the development and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

Any additional comments on application/decision:

That permission be GRANTED subject to the following conditions and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

Condition 1 – In accordance with plans.

Condition 2 – Implement Construction Environment Management Plan

Condition 3 – Final report of the results of the archaeological fieldwork

Condition 4 – Implement contamination remediation strategy

Condition 5 – Contamination not previously identified

Condition 6 – Implement coal mining legacy remediation scheme

Condition 7 – Drainage construction method statement

Condition 8 – Implement drainage construction method statement

Condition 9 – SuDS and drainage maintenance plan

Condition 10 – Implement SuDS and drainage maintenance plan

- Condition 11 – Details of traffic management measures
- Condition 12 – Implement traffic management measures
- Condition 13 – Coach Parking strategy
- Condition 14 – Implement Coach Parking Strategy.
- Condition 15 – Taxi infrastructure provision
- Condition 16 – Implement taxi infrastructure provision
- Condition 17 – Preferred taxi supplier arrangement
- Condition 18– Implement preferred taxi supplier arrangement
- Condition 19 – Pedestrian improvement measures
- Condition 20 – Implement pedestrian improvement measures
- Condition 21 – internal lifts maintained 24 hours
- Condition 22 – the external handrails
- Condition 23 – Implement the external handrails
- Condition 24 – Strategy to manage access to Maidens Walk
- Condition 25 – Implement strategy to manage access to Maidens Walk
- Condition 26 – Cycle Parking and facilities
- Condition 27 – Implement Cycle Parking and facilities
- Condition 28 – Public transport strategy
- Condition 29 – Implement public transport strategy
- Condition 30 – Improvements to bus stops
- Condition 31 – Implement improvements to bus stops
- Condition 32 – Servicing management plan
- Condition 33 – Implement service management plan
- Condition 34 – Travel Plan
- Condition 35 – Implement Travel Plan
- Condition 36 –Materials hotel

Condition 37 – Public Art

Condition 38– Implement Public Art

Condition 39 –Materials

Condition 40 – Implement Materials

Condition 41 – External lighting strategy,

Condition 42– Implement external lighting strategy,

Condition 43 – Details of external plant, machinery or equipment

Condition 44 – Implement details of external plant, machinery or equipment

Condition 45 – Implement wind mitigation details

Condition 46 – Landscaping

Condition 47– Implement Landscaping

Condition 48 –Maintain Landscaping for 5 years.

Condition 49 – Scheme to secure the off-site biodiversity net gains

Condition 50 – Implement scheme to secure the off-site biodiversity net gains

Condition 51– No vegetation clearance works shall be undertaken during the
bird breeding season

Condition 52 – Implement employment and Training Plan - construction

Condition 53 – Employment and Training Plan – operation

Condition 54 – Implement employment and Training Plan – operation

Condition 55 – Details of COEX/Hotel servicing plan

Condition 56 – Implementation of COEX/Hotel servicing plan

Condition 57 – Noise mitigation signage approval

Condition 58 – Implement noise mitigation signage

Condition 59 – Waiting restrictions review approval

Condition 60 – Implement waiting restrictions review

Condition 61 – HVM measures approval

Condition 62 – Implement HVM measures

Condition 63 – MSCP and Link Road operational first

Condition 64 – Acc' with Coal Drops mitigation measures

Date of Committee: 16 March 2022

Application Number and Address:

DC/21/01454/FUL
Former Toys R Us Unit
Metro Retail Park
Pinetree Way
Gateshead
NE11 9XU

Applicant:

The Metrocentre Partnership

Proposal:

Demolition of existing retail unit and erection of a replacement retail unit(s) with associated parking, delivery and service areas.

Declarations of Interest:

Name

Nature of Interest

None

List of speakers and details of any additional information submitted:

Reason for Minor Update

Highways and drainage update and amended recommendation and planning condition wording.

HIGHWAY AND PEDESTRIAN SAFETY

Further to paragraphs 5.15 and 5.16 of the main report, additional information has been provided by the applicant with respect to the proposed service yard and access arrangements, and further discussions between the applicant and Council officers with respect to these matters and alterations to the existing car park have taken place.

The proposals include amendments to the existing service yard to the rear of the units and the provision of a new access point from Maple Row into the service yard. Council officers initially raised concerns that the proposed new access was in close proximity to other junctions and the submission was lacking swept path analysis or other details to justify the second access and demonstrate vehicles could manoeuvre in and out of the service yard safely. The applicant has since provided the

requested swept path analysis details, and Council officers are now satisfied that this information provides the necessary tracking to demonstrate that manoeuvres can take place.

Notwithstanding this, further details are still required with respect to the final detailed design of the service yard and access proposals, as well as staff car and cycle parking provision, however it is considered these matters can now be secured by planning condition, and so additional conditions (18 and 19) are recommended accordingly.

In addition, discussions have taken place between the applicant and Council officers in respect of the proposed amendments to the existing car parking facilities between Pizza Hut and the proposed units. The proposals as submitted included amendments to the existing car park including an increase of 11 customer parking spaces, facilitated by the loss a pedestrian crossing point, existing landscaping/planters, trolley bays and accessible parking spaces.

Whilst it is considered the increase in customer parking spaces is marginal when considered against the wider parking provision in the area, Council officers raised concerns with respect to reduced accessible parking provision and a reduction in pedestrian connectivity. Council officers have therefore requested that the applicant implement measures to provide a safer environment for pedestrians, including through the provision/retention of crossing points through the existing car park, improvements to the existing pedestrian crossing on Maple Row, implementation of a one-way system, provision of marked (blue) walkways for pedestrians, as well as additional accessible and parent and child parking provision.

Through further discussions with Council officers, the applicant has indicated that they are amenable to these measures, however final details of the amendments to the existing car parking facilities, as well as details of motorcycle parking and electric vehicle charging spaces, are required. Council officers are satisfied however that this information can now be secured by planning condition, and so additional conditions (20, 21, 22 and 23) are recommended accordingly.

Furthermore, in the interests of highway safety and to promote sustainable travel, Council officers expect that unit specific travel plans be provided, to link in with the wider Metro Centre travel planning initiatives, and an additional planning condition (24) is recommended accordingly to secure this.

Finally, in order to minimise the impact of the proposed works on the highway during demolition and construction, Council officers require that the applicant provides a Demolition and Construction Management Plan, and additional planning conditions (16 and 17) are also recommended accordingly to secure this.

In view of the above, it is considered that the proposed development is acceptable with respect to the impact on highway and pedestrian safety, subject to the identified planning conditions (set out in detail below), and in accordance with policies CS13 and MSGP15 of the development plan and relevant paragraphs of the NPPF.

FLOOD RISK AND DRAINAGE

Further to paragraphs 5.19 and 5.20 of the main report, further clarification has been provided by the applicant with respect to the modelling of the existing drainage networks and the proposed drainage arrangements, and further discussions between the applicant and Council officers with respect to these matters have taken place.

The applicant has engaged with Council officers to address the queries raised and has submitted a

revised microdrainage model and updated Drainage Strategy. Council officers are satisfied that the revised information provided by the applicant is sufficient to demonstrate the site can be adequately drained and allow the application to be determined. However, further details in respect of surface water drainage to the existing car park and proposed alleviation measures to eliminate or reduce the risk of surface water flooding, as well as the detailed drainage design for the site and a Drainage Management Plan are required. Council officers are now satisfied however that these outstanding matters can be secured by planning condition, and so additional planning conditions (25, 26, 27 and 28) are recommended accordingly.

In view of the above, it is considered that the proposed development is acceptable with respect to flood risk and drainage matters, subject to the identified planning conditions (set out in detail below), and in accordance with policies CS17 and MSGP29 of the development plan and relevant paragraphs of the NPPF.

OTHER PLANNING CONDITION AMENDMENTS

Further to the above considerations and recommended additional planning conditions, a number of amendments to the original list of planning conditions (set out in detail below) are also recommended as follows;

Condition 1: Amendment to revision reference for plan 17412-104 (Proposed Site Plan) to reflect receipt of a revised site plan (Rev C) following discussions between the applicant and Council officers on transport/service yard issues.

Conditions 3 and 4: Replaced with three separate conditions (now 3, 4 and 5) to distinguish between the various elements of the original condition (namely, Biodiversity Method Statement, Biodiversity Enhancement Strategy, and Landscape and Ecological Management Plan) and allow different 'trigger points' so that demolition on the existing building can commence once the Biodiversity Method Statement is agreed, to prevent any undue delay to the development, at the request of the applicant.

Conditions 5 and 6: Amended (now condition 6 only) following submission of the requested Asbestos Survey by the applicant.

Condition 7 and 9: Amended to clarify that demolition can commence before the condition is discharged.

Condition 11: Amended to require that the proposed landscaping at the western boundary and adjacent to the service yard accesses be limited in height, to protect sightlines in the interests of highway safety, at the request of Council officers.

Condition 12: Amended by Council officers to update wording to match standard condition wording and ensure appropriate maintenance of landscaping for a period of at least 5 years.

Condition 14: Amended to require final details of finished materials prior to construction above the damp course layer, at the request of the applicant, to allow greater flexibility in the event stated materials are unavailable.

Recommendation:

Further to paragraph 7.0 of the main report, Officers consider the recommendation should changes from;

That permission be GRANTED subject to the resolution of the outstanding highway and drainage matters and the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

To;

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

And that the current list of recommended planning conditions should be replaced with the following revised list – reissued in full for clarity / completeness.

1

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

17412-100 Location Plan
17412-104 Rev C Proposed Site Plan
17412-105 Proposed GA Plan
17412-106 Rev B Proposed Elevations

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

Notwithstanding the submitted information, no works shall commence on site (including vegetation clearance, soil stripping or earthworks) until a Biodiversity Method Statement (BMS) has been submitted to an approved in writing by the Local Planning Authority. The BMS shall provide details of the measures to be implemented on site during the site clearance and construction phase to:

- Avoid/minimise the risk of harm to protected and priority/notable species
- To avoid the spread, where present, of invasive non-native species
- To avoid adverse impacts on retained habitats and species, including immediately outwith the development site

Reason

To avoid/minimise adverse impacts on biodiversity in accordance with the NPPF and policies CS18 and MSGP37.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises adverse ecological impacts.

4

Notwithstanding the submitted information, the development shall not progress beyond the damp proof course level until a Biodiversity Enhancement Strategy (BES) has been submitted to and approved in writing by the Local Planning Authority. The BES shall include details of the habitats, soft landscaping and ecological features (e.g. integrated bat and bird boxes, bug hotels, etc.) to be created/provided on site to deliver enhanced opportunities for biodiversity. The submitted details shall include:

- Numbers, specifications and precise locations of integrated bat and bird boxes, bug hotels, etc.
- Ground preparation, soil type(s), planting schedules, seed mixes, sowing rates and a timetable for delivery.

Thereafter the BES shall be implemented in accordance with the approved details and timetable.

Reason

To provide replacement/enhanced opportunities for biodiversity in accordance with the NPPF and policies CS18 and MSGP37.

5

Notwithstanding the submitted information, the development shall not be brought into operation until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:

1. Description and evaluation of the features to be managed
2. Ecological trends and constraints on site that might influence management
3. Aims and objectives of management
4. Appropriate management options for achieving aims and objectives
5. Prescriptions for management actions
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period)
7. Details of the body or organisation responsible for implementation of the plan
8. Ongoing monitoring and remedial measures
9. Timetable for delivery

Thereafter the LEMP shall be implemented in accordance with the approved details and timetable.

Reason

To ensure the onsite habitat creation, soft landscaping and ecological features are successfully established and maintained for the life of the development in accordance with the NPPF and policies CS18 and MSGP37.

6

Following demolition of the existing building and prior to the commencement of any further development, a statement that verifies that the outstanding areas not surveyed within the submitted Asbestos Refurbishment Survey (Survey Date 02 April 2019), received 9th March 2022 by the Local Planning Authority, have been surveyed; and provides details of the methods, controls and management procedures implemented to ensure that any asbestos within the building has been safely removed, to reduce risks to potential workers, neighbours and other offsite receptors, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised, 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 NPPF and policies CS14 and MSGP20 of the Local Plan.

7

No development shall commence (other than the demolition of the existing building) until details of land gas protection measures have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land gas to the future users of the land and neighbouring land are minimised, 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 NPPF and policies CS14 and MSGP20 of the Local Plan.

8

The development shall be implemented in accordance with the gas protection measures approved at condition 7.

Reason

To ensure that risks from land gas to the future users of the land and neighbouring land are minimised, 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 NPPF and policies CS14 and MSGP20 of the Local Plan.

9

No development shall commence (other than the demolition of the existing building) until a Detailed Remediation and Verification Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details on:

- How to manage risks to human health in the permanent case via the permeation of potable water supplies.
- How to manage risks to human health and the built environment in the permanent case associated with hazardous ground gasses.
- How to manage risks to human health in the temporary case associated with hazardous ground gasses.
- How to manage risks to human health in the temporary case associated with ingestion, direct contact or inhalation of made ground derived soils.
- How to manage risks associated with unforeseen contamination discovered during construction.

- How to manage and control soils / fill imported and / or exported to and / or from the site.
- Verification documentation which proves that the gas protection measures have been correctly installed by an appropriately qualified installation contractor

Reason

To ensure that risks from land contamination and gases are minimised in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

10

The development shall be implemented in accordance with the detailed Remediation and Verification Strategy approved at condition 9.

Reason:

To ensure that risks from land contamination and gases are minimised in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

11

Notwithstanding the submitted details, the construction works associated with the development hereby approved shall not progress beyond the damp course layer until full details of hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The 'New landscaping' at the western boundary of the site within and adjacent to the 'Service Yard' (as shown on plan 17412-104 Rev C Proposed Site Plan) shall be limited in height to no taller than 0.6m, unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of visual amenity and highway safety and in accordance with the NPPF and policies CS13, CS15, MSGP15 and MSGP24 of the Local Plan.

12

The hard and soft landscaping scheme approved under condition 11 shall be implemented in full accordance with the approved details prior to the occupation of the units hereby approved 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 planting and during this period any trees which die, become diseased or are removed shall be replaced in the first subsequent planting season (October to March) with others of a similar size and species.

Reason

In the interests of visual amenity and in accordance with the NPPF and policies CS15 and MSGP24 of the Local Plan, and the Gateshead Placemaking SPD.

13

In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination.

Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and implemented. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination are minimised in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

14

Notwithstanding the submitted details, the construction works associated with the development hereby approved shall not progress above the damp course layer until full details of external finishing materials have been submitted to and approved in writing by the local planning authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

15

The development hereby approved shall be used for Class E(a) retail use(s) for the sale of any goods (except food, drink or tobacco for consumption off the premises where such sales exceed 250sqm of gross floor area of the retail unit), and not for any other use, including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order. The operation of any café or restaurant selling hot or cold food and drinks for consumption on or off the premises shall at all times remain ancillary to the Class E(a) retail use of the unit.

Reason

In order to protect the viability and vitality of retail centres and to limit the impact on the highway network in accordance with the NPPF and the adopted Core Strategy and Urban Core Plan.

16

No development (including any demolition) shall commence until a Demolition and Construction Management Plan (DCMP) has been submitted to and approved in writing by the Local Planning Authority. The DCMP shall set out how demolition and construction activities will be managed to minimise impact on the highway (both private and adopted).

Reason

In order to minimise the impact on the highway (both private and adopted) during the demolition and construction phases of the development in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises the impact on the highway (both private and adopted). This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of demolition and construction works and the manner in which they are undertaken could affect the operation of the highway.

17

The development shall be implemented in accordance with the Demolition and Construction Management Plan measures approved at condition 16.

Reason

In order to minimise the impact on the highway (both private and adopted) during the demolition and construction phases of the development in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

18

Notwithstanding the submitted details, no development shall commence (other than the demolition of the existing building) until final details of the rear 'Service Yard' layout (including works to facilitate the proposed new access and existing access widening, signage, road markings, staff car and cycle parking, and any necessary adjustments to junction radii) have been submitted to and approved in writing by the Local Planning Authority. The details shall include appropriate provision of secure and weather proof cycle parking facilities for staff (including the number, specification and location of the cycle facilities).

Reason

To ensure appropriate servicing arrangements and staff parking facilities and in the interests of highway and pedestrian safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan and the Council's Cycling Strategy.

19

The 'Service Yard' details approved under condition 18 shall be implemented in accordance with the approved details before the units hereby approved are occupied and the approved 'Service Yard' arrangements shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate servicing arrangements and staff parking facilities and in the interests of highway and pedestrian safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan and the Council's Cycling Strategy.

20

Notwithstanding the submitted details, no development shall commence (other than the demolition of the existing building) until final details of amendments to the existing customer parking facilities (including details of cycle, motorcycle, accessible and parent/child parking, crossing points, pedestrian crossing on Maple Row, road markings and signage) have been submitted to and approved in writing by the Local Planning Authority. The details shall include appropriate provision of secure and weather proof cycle parking facilities for customers (including the number, specification and location of the cycle facilities).

Reason

To ensure appropriate parking provision and pedestrian connectivity and in the interests of highway and pedestrian safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan and the Council's Cycling Strategy.

21

The details of amendments to the existing customer parking facilities approved under condition 20 shall be implemented in accordance with the approved details before the units hereby approved are occupied and the approved amended parking facilities shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate parking provision and pedestrian connectivity and in the interests of highway and pedestrian safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan and the Council's Cycling Strategy.

22

Notwithstanding the submitted details, no development shall commence (other than the demolition of the existing building) until a scheme for the provision of electric vehicle (EV) charging apparatus (to include a minimum of 2no. EV charging bays) within the existing customer parking areas contained within the blue line boundary indicated on plan 17412-100 (Location Plan) and within the vicinity of the units hereby approved has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate electric vehicle charging provision, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

23

The EV charging apparatus scheme approved under condition 22 shall be implemented in accordance with the approved details before the units hereby approved are occupied and the approved EV charging facilities shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate electric vehicle charging provision, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

24

Prior to the units hereby approved being brought into use, evidence shall be submitted to and approved by the Local Planning Authority of the measures being taken for each unit to reduce car usage and increase the use of public transport, walking and cycling amongst occupiers of each unit, in line with the measures set out in the intu Metrocentre Travel Plan, March 2013 (or any subsequent update). The evidence shall include:

- Measures taken to raise awareness of the objectives and actions set out in the intu Metrocentre Travel Plan.
- Measures taken to offer the opportunity for personalised journey planning for each member of staff within the units.

The evidence shall also include details of the timescales within which the travel plan measures are to be implemented. Evidence of travel plan measures being successfully implemented shall be submitted to and approved in writing by the Local Planning Authority within 12 months of occupation of the approved units. At all times thereafter, the Travel Plan measures which have been implemented within each unit shall remain in operation.

Reason

In the interests of highway safety and to promote sustainable travel in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

25

No development shall commence (other than the demolition of the existing building) until drainage to the existing car park has been investigated and details with calculations and plans to show the extent of flooding in the car park area (as indicated by the EA's surface water flood map) have been submitted to the Local Planning Authority. The hazard posed by surface water flooding in the car park is to be assessed and alleviation measures proposed, ideally to eliminate but, as a minimum, to ensure it represents a low hazard (Hazard Rating of less than 0.75 in accordance with Defra / EA

Risks to People).

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan.

26

Notwithstanding the submitted details, no development shall commence (other than the demolition of the existing building) until a detailed drainage design for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage design shall demonstrate attenuation of runoff to a peak rate of 5.8l/s under rainfall intensities of 1in100year return period that have been increased to suit the predicted effects of climate change in line with current EA guidance and allowing for downstream water levels. The design shall ensure that runoff is adequately treated in line with the Simple Index Approach described in The SuDS Manual (CIRIA C753), with sufficient evidence submitted to validate that the mitigation indices for each drainage component can be claimed. The drainage design shall be supported by plans and details to demonstrate the drainage model attenuation capacity can be physically provided and that runoff will be captured and conveyed as intended.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan.

27

Notwithstanding the submitted details, no development shall commence (other than the demolition of the existing building) until a Drainage Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Drainage Management Plan shall include the final approved drainage scheme layout and sufficient information to describe how the inspection, operation and maintenance of salient drainage components (i.e. swale, crated tank and permeable pavement, etc) will be undertaken and by who.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan.

28

The approved drainage scheme shall be managed and maintained in accordance with the Drainage Management Plan approved at condition 27.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan.

Any additional comments on application/decision:

That permission be GRANTED subject to the resolution of the outstanding highway and drainage matters and the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport 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 -

17412-100	Location Plan
17412-104	Proposed Site Plan
17412-105	Proposed GA Plan
17412-106 Rev B	Proposed Elevations

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.

2

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

3

No development shall take place (including any demolition, ground works, site clearance) until a method statement for the demolition, site/vegetation clearance, aftercare and long term maintenance has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives, including:
 - measures to be implemented to avoid/minimise potential residual adverse impacts on statutorily protected and/or priority species; and
 - biodiversity enhancements proposed to provide net gains for biodiversity as part of the proposed development (e.g. integrated bat and bird boxes, all new landscaping to be locally native species of local provenance, lighting design strategy for biodiversity);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises residual adverse impacts on statutorily protected and/or priority species.

4

The works agreed under condition 3 shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

5

No development (including demolition) shall commence until the developer either submits evidence that the building was built post 2000 or carries out an intrusive pre-demolition asbestos survey in accordance with HSG264 (second edition) and provides a mitigation plan (detailing methods, controls and management procedures in the event asbestos is found) to reduce risks to potential workers, neighbours and other offsite receptors to be approved in writing by the Local Planning Authority.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition phases of the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6

Where required, the development shall be implemented in accordance with the asbestos mitigation plan approved at condition 5.

7

Prior to the commencement of development, details of land gas protection measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the development can be carried out safely without unacceptable risks to future users of the land, workers, neighbours and other offsite receptors.

8

The development shall be implemented in accordance with the gas protection measures approved at condition 7.

9

Prior to the commencement of development, a Detailed Remediation and Verification Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details on:

- How to manage risks to human health in the permanent case via the permeation of potable water supplies.
- How to manage risks to human health and the built environment in the permanent case associated with hazardous ground gasses.
- How to manage risks to human health in the temporary case associated with

hazardous ground gasses.

- How to manage risks to human health in the temporary case associated with ingestion, direct contact or inhalation of made ground derived soils.
- How to manage risks associated with unforeseen contamination discovered during construction.
- How to manage and control soils / fill imported and / or exported to and / or from the site.
- Verification documentation which proves that the gas protection measures have been correctly installed by an appropriately qualified installation contractor

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the development can be carried out safely without unacceptable risks to future users of the land, workers, neighbours and other offsite receptors.

10

The development shall be implemented in accordance with the detailed Remediation and Verification Strategy approved at condition 9.

11

Notwithstanding the submitted details, the construction works associated with the development hereby approved shall not progress beyond the damp course layer until full details of hard and soft landscaping have been submitted to and approved in writing by the local planning authority.

12

The hard and soft landscaping scheme approved under condition 11 shall be implemented in full accordance with the approved details prior to the occupation of the units hereby approved and shall be maintained thereafter for a minimum of 5 years.

13

In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination.

Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and implemented. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

14

The development hereby permitted shall be constructed entirely of the external materials detailed in the following plans and documents:

17412-106 Rev B Proposed Elevations
17412 Design and Access Statement (November 2021)

15

The development hereby approved shall be used for Class E(a) retail use(s) for the sale of any goods (except food, drink or tobacco for consumption off the premises where such sales exceed 250sqm of gross floor area of the retail unit), and not for any other use, including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order. The operation of any café or restaurant selling hot or cold food and drinks for consumption on or off the premises shall at all times remain ancillary to the Class E(a) retail use of the unit.

