

Committee Report

Application No:	DC/22/00275/OUT
Case Officer	Joanne Munton
Date Application Valid	12 April 2022
Applicant	Mr Joshy Mani
Site:	Site Of Former Odeon Cinema And Theatre High Street Gateshead
Ward:	Bridges
Proposal:	OUTLINE APPLICATION for erection of 109 residential apartments over 2-9 floors with shared amenity facilities, associated basement car parking and communal external and internal amenity spaces, with all matters reserved.
Recommendation:	REFUSE
Application Type	Outline Application

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

The rectangular site is approximately 0.36 ha in area and is bounded by High Street to the east, Ann Street to the south, the former Gloucester Public House to the west and the Charles Street car park to the north. Very close to the site to the north west is the 10-storey tower block, Regent Court.

1.2 Until 2003 when it was demolished, the Odeon Cinema (formerly Regal Theatre) occupied the site. Since that time it has remained vacant. The site is currently heavily vegetated, with grass and established trees on site.

1.3 The land slopes steeply down by some 7.5m from west to east

1.4 The site is generally open, with only lightweight or non-existent boundary treatments to east, south and west. The remnants of various brick buildings and walls of varying but significant heights mark the northern boundary, but 298-304 High Street, the neighbouring property to the north has been demolished and replaced with a 'pocket park'.

1.5 The site is in the Southern Gateway Sub Area and High Street South Area within the Urban Core, and within the Exemplar Neighbourhood.

1.6 DESCRIPTION OF APPLICATION

The is application is for outline planning permission for the erection of 109 residential apartments (34 one bedroom flats and 53 two bedroom flats and 22 three bedroom flats). The development is proposed to be over 2-9 floors

with shared amenity facilities (gym/communal lounge), associated basement car parking and landscaped courtyard.

- 1.7 All matters of access, appearance, landscaping, layout and scale are proposed to be reserved and therefore not detailed or under consideration in this outline submission. For clarity, these are:

'Access' - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

'Appearance' - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

'Landscaping' - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

'Layout' - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

'Scale' - the height, width and length of each building proposed within the development in relation to its surroundings.

- 1.8 This outline application is considered against the general principles of how the site can be developed.

- 1.9 Whilst all matters are proposed to be reserved, indicative plans/drawings have been submitted showing the potential way the site could be laid out, potential access and the potential scale of development.

1.10 RELEVANT PLANNING HISTORY

1105/01 Planning permission granted in 2003 for mixed use development comprising retail (use class A1), food and drink (use class A3), residential (use class C3) and office uses (use class B1) with associated car parking and access (amended 29/10/01).

DC/08/00328/OUT - Outline application - Erection of 5-storey hotel (104 bedrooms) with casino and associated car parking and erection of 27 apartments in 3-4 storey block including formation of landscaped courtyard. Withdrawn on 30 June 2008.

DC/08/01129/OUT - Outline application - Erection of 6-storey hotel (104 bedrooms) with casino, restaurant, bar and conference facilities; erection of 1 block comprising 14 maisonettes; construction of 49-bay underground car park with public open courtyard above ground and provision of toddler play facilities (revised application). Granted 13 October 2008.

DC/11/00632/OUT - Outline application - Outline application for erection of 6-storey hotel (97 bedrooms) with bar/restaurant and retail unit at street level and erection of 5-storey care home (72 bedrooms) with associated car parking and landscaped terrace to rear (Amended by plans received 04.08.2011 and 24.08.2011). Granted 23 February 2012.

2.0 Consultation Responses:

Tyne And Wear Archaeology Officer	Conditions recommended
Northumbrian Water	No objection subject to conditions
Coal Authority	No objection, subject to conditions
Northern Powergrid	Objection due to level of noise information
Northern Gas Networks	No objection
Nexus	Conditions recommended
Northumbria Police	No objection
Tyne And Wear Fire And Rescue Service	No objection
Health And Safety Executive	No objection

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 One objection has been received, raising concerns regarding:

- Development does not fit within the aspirations of a town centre location, particularly in terms of no active ground floor uses
- Unclear how the developer would contract tenants for the development
- Site should be developed as part of the wider regeneration scheme but instead does not take into account the unique location that it lies within.

4.0 Policies:

NPPG National Planning Practice Guidance
NPPF National Planning Policy Framework
CS2 Spatial Strategy for Urban Core
CS5 Employment-Economic Growth Priorities
CS9 Existing Communities
CS10 Delivering New Homes
CS11 Providing a range and choice of housing
CS13 Transport
CS14 Wellbeing and Health
CS15 Place Making
CS16 Climate Change
CS17 Flood Risk and Waste Management
CS18 Green Infrastructure/Natural Environment
SG1 Southern Gateway Sub-Area
SG2 The Exemplar Neighbourhood Key Site
UC4 Homes
UC5 Primary and Secondary Pedestrian Routes
UC6 Cycling
UC5 Primary and Secondary Pedestrian Routes
UC7 Public Transport
UC9 General Traffic
UC10 Car Parking
UC12 Urban Design
UC13 Respecting and Managing Views
UC15 Urban Green Infrastructure

UC16 Public Realm

UC17 Public Art

MSGP8 Digital Infrastructure

MSGP10 Accessible and Adaptable Dwellings

MSGP12 Housing Space Standards

MSGP14 Mitigating Impact on Transport Network

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP19 Air Quality

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP27 Archaeology

MSGP29 Flood Risk Management

MSGP30 Water Quality/River Environments

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP40 Provide/Enhance Open Space/Sport/Rec

ENSPD Exemplar Neighbourhood SPD

POSPD Planning Obligations SPD

5.0 Assessment of the Proposal:

5.1 The key planning considerations to be taken into account in this application are the principle of the proposal, housing policy visual and residential amenity, noise, air quality, highway safety and parking, flood risk and drainage, ecology, trees, ground conditions, archaeology, and climate change implications.

5.2 PRINCIPLE

The site is located in the Southern Gateway Sub Area within the Urban Core. Policy SG1 allocates the Exemplar Neighbourhood Key Site for mixed use development (Policy SG2), and the application site is within the Exemplar Neighbourhood boundary.

- 5.3 Policy SG2 sets out the development requirements to create a new sustainable neighbourhood at the Exemplar Neighbourhood Key Site. These include:
- 1. A minimum of 1,000 homes at an average of 50 dwellings per hectare.*
 - 2. Provision of small-scale ancillary uses that support the needs of the new community including small shops, cafes and community facilities along primary pedestrian routes and other main routes.*
- 5.4 Policy UC4 also specifically allocates the Exemplar Neighbourhood in the Southern Gateway Sub Area for approximately 1000 new homes predominantly for families.
- 5.5 The Exemplar Neighbourhood Key Site is a major area of change and the vision for the area is to create a new sustainable residential community. Policy CS2 of the Local Plan sets out that this site (amongst others) will be brought forward in accordance with approved masterplans to demonstrate a comprehensive and coordinated approach to site development and infrastructure provision.
- 5.6 The approved masterplan for the Exemplar Neighbourhood Key Site forms part of the Exemplar Neighbourhood Supplementary Planning Document (ENSPD) which was approved in 2013. An updated ENSPD is being prepared and consultation on the updated version ended on 13 March 2022. The Council are in the process of reviewing comments, which will inform any amendments to the document before it is consulted on a second time. As such, the updated ENSPD can be afforded some weight in the consideration of this current application.
- 5.7 Policy SG2 and both the adopted and draft updated ENSPD focus mixed use/commercial at ground floors of development on sites along the route of the City Boulevard, located further east of this application site.
- 5.8 In relation to the High Street area, the adopted ENSPD at paragraph 6.32 states that given this area's close proximity to Gateshead Centre's retail core it is anticipated that new development could include a significant proportion of commercial uses (including retail) at street level as well residential uses.
- 5.9 Further, the application site spans across the High Street South and Civic areas in the draft updated ENSPD. Section 3 of this document states that the vision for High Street South is to create a high quality residential intergenerational neighbourhood and that there is the opportunity for a small amount of ground floor commercial space that is fully integrated with its surroundings, and a mixture of terraced family housing alongside low rise apartments is envisaged in the Civic area.

- 5.10 Therefore, whilst the proposal does not include commercial uses that would be available to the public, it is considered that this would not be unacceptable in this location.
- 5.11 The density of the development would equate to 303 dwellings per hectare. Whilst this density is high, this could help to compensate for other areas of the Exemplar Neighbourhood, such as the former Freightliner site where development will be at a lower density than 50 dwellings per hectare. In addition, the site is located in the urban core with excellent access to public transport and services where higher densities can be appropriate if other planning considerations allow.
- 5.12 The latest results of the Housing Delivery Test (HDT) show that 87% of homes required are being delivered in the Borough. The proposed development would therefore have the potential to increase delivery on an allocated site for housing and is a positive factor.
- 5.13 The proposed development would help to deliver homes in the area, in accordance with policies SG2 and UC4. It is considered that the redevelopment of the site for residential use is acceptable in principle, subject to the proposal being acceptable in relation to other planning considerations below.
- 5.14 DESIGN AND VISUAL AMENITY/EXEMPLAR NEIGHBOURHOOD
Policy SG2 (2) includes a range of design and layout requirements to create a new sustainable neighbourhood across the whole Exemplar Neighbourhood site. Whilst a number of these would be considerations for reserved matters, consideration is given at outline stage as to whether the quantum/massing of development proposed in this application would be able to comply with these requirements.
- 5.15 NPPF paragraph 130 states:

Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.16 Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

5.17 The National Design Guide sets out ten characteristics to help to nurture and sustain a sense of community, to work to positively address environmental issues affecting climate, and to contribute towards the cross-cutting themes for good design set out in the NPPF. These are:

Context - enhances the surroundings.

Identity - attractive and distinctive.

Built form - a coherent pattern of development.

Movement - accessible and easy to move around.

Nature - enhanced and optimised.

Public spaces - safe, social and inclusive.

Uses - mixed and integrated

Homes and buildings - functional, healthy and sustainable.

Resources - efficient and resilient.

Lifespan - made to last.

5.18 The following paragraphs of the National Design Guide are noted in particular:

43. Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation.

51. Well-designed places, buildings and spaces:

- have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion;

- have a character that suits the context, its history, how we live today and how we are likely to live in the future; and
- are visually attractive, to delight their occupants and other users.

67. Well-designed places use the right mix of building types, forms and scale of buildings and public spaces for the context and the proposed density, to create a coherent form of development that people enjoy. They also adopt strategies for parking and amenity that support the overall quality of the place.

71. Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.

91. Well-designed places:

- integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity and water management, and addresses climate change mitigation and resilience;
- prioritise nature so that diverse ecosystems can flourish to ensure a healthy natural environment that supports and enhances biodiversity;
- provide attractive open spaces in locations that are easy to access, with activities for all to enjoy, such as play, food production, recreation and sport, so as to encourage physical activity and promote health, well-being and social inclusion.

123. Well-designed homes and buildings:

- provide good quality internal and external environments for their users, promoting health and well-being;
- relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and
- resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods.

5.19 The National Model Design Code also provides detailed guidance on the production of design codes, guides and policies to promote successful design, expanding on the ten characteristics of good design set out in the National Design Guide.

5.20 The adopted ENSPD contains various design principles relating to design quality, the type and size of properties, materials, infrastructure (including green infrastructure) and sustainability. Paragraph 5.8 of the SPD states:

All development proposals are required to:

- Demonstrate a high level of architectural design quality across all buildings;

- *Provide contemporary architecture that responds to the locality;*
- *Create attractive and useable green spaces that provide relief in an urban setting;*
- *Form high quality development along the edge of the proposed City Boulevard, maximising the gateway character of the site;*
- *Ensure active, animated routes with windows and activity, with active ground floor use;*
- *Define gateways with landmark buildings;*
- *Ensure all buildings be constructed using high quality, durable materials, with the design of the building being as robust as practical;*
- *Ensure buildings are designed to maximise energy efficiency and solar gain;*
- *Ensure buildings are designed to reduce maintenance and have security built into the layout and fabric of the building;*
- *Employ decentralised energy solutions wherever possible.*

5.21 Further, in terms of block developments, the ENSPD specifies the following integral criteria:

- *Continuous street frontage*
- *Coherent building line*
- *Architectural variation between buildings (including dynamic building frontages)*
- *Flexible ground floor uses*
- *External activity to be encouraged*
- *Increased building heights located towards Gateshead's centre and at the northern part of the Boulevard*
- *Feature buildings on prominent corners*
- *Central courtyards for on site parking provision, servicing and refuse and undercroft or underground facilities may be appropriate for linear blocks, avoiding undercroft parking on main elevations or main routes*

5.22 Local Plan policy UC12 states that:

To deliver higher quality locally distinctive places in terms of architecture and public realm, development will:

1. *Be designed to respect and enhance the positive characteristics and context,*
2. *Provide a co-ordinated approach that reinforces and creates linkages to its surroundings,*
3. *Provide strong urban frontages and an appropriate urban grain reinforcing continuity and enclosure at a walkable urban block scale,*
4. *Ensure active frontages along Primary and Secondary Pedestrian Routes, and*

5. Incorporate high quality, durable and sustainable materials appropriate to the character of the area and the use envisaged for the site.

- 5.23 Local Plan policy CS15 requires development to contribute to good place-making through the delivery of high quality and sustainable design and ensure connectivity, accessibility and legibility. Policies UC16 and UC17 also relate to public realm and public art requirements in the Urban Core.
- 5.24 Whilst all matters are reserved in this outline application, the submission is supported by indicative layouts and imagery, suggesting that a way to deliver 109 flats on site would be a stepped approach, increasing from 2 to 5 to 7 to 9 storeys from east to west. National guidance advises that applications for outline planning permission are to be considered as to whether the scale and nature of a proposed development would be acceptable before fully detailed proposals are put forward. Therefore, officers need to be satisfied that the scale and nature of development proposed in this application could be delivered on site in a well-designed and appropriate way.
- 5.25 Although the principle of residential development would be acceptable, and the proposed density would also not necessarily be unacceptable in principle, this is subject to other planning considerations. It is considered that the indicative scheme would represent overdevelopment of the site and that it has not been carefully sited or designed, or demonstrably based on an understanding of the existing situation.
- 5.26 Whilst the adopted ENSPD advises increased building heights should be located towards Gateshead's centre, the draft updated ENSPD clearly envisages 3/4 and 4/5 storey blocks in the location of the application site. The scheme in this application not only proposes development of up to 9 storeys, it also is considered that the scale and massing that would result from the indicative design submitted would be inappropriate, in that it would not be visually attractive (in terms of physical bulk) and would not relate positively to or integrate with the wider surroundings.
- 5.27 Additionally, the indicative scheme would also be impenetrable along its east-west axis, effectively cutting off potential permeability linking with the town centre, and, in the indicative design, would not deliver quality public realm or green space with good pedestrian connectivity. As such, the indicative design would not create a place that would provide attractive and easily accessible external space or ease of access to other open space, and would not create a coherent form of development that people would enjoy.
- 5.28 Therefore, it is considered that insufficient information has been submitted with the application to demonstrate that 109 dwellings could be provided on site as part of an appropriate design approach, and to allow officers to be satisfied that the proposed development would not have an unacceptable impact on visual amenity at outline stage. As such, it is recommended that the application be refused for this reason, in accordance with the NPPF, policies CS2, SG1, SG2, UC12, CS15, MSGP24 of the Local Plan and the Exemplar Neighbourhood SPD.

5.29 HOUSING REQUIREMENTS

5.30 Space Standards

Policy CS11 requires adequate space inside and outside of the home to meet the needs of residents. Part 2(iv) of policy SG2 requires the provision of good quality accessible external private or semi-private space. Paragraphs 5.12 and 5.21 of the adopted ENSPD also set out the need for sufficient internal and external space.

5.31 Policy MSGP12 also sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). This policy is applied from 1 February 2022.

5.32 Whilst this application is for outline planning permission with all matters reserved, officers would need to be confident that the proposal would be able to achieve appropriate living conditions for occupants at reserved matters stage in any event. Indicative numerical floor areas of the proposed flats have been submitted with the application, and do not raise significant concern in principle at this stage in terms of floor areas; bedroom dimensions and storage provision are not indicated on plans and these would need to be assessed at reserved matters stage.

5.33 Policy MSGP10 sets out that on housing developments of 15 or more dwellings, 25% of dwellings will be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards. If this application is approved, a condition could secure this.

5.34 Range and choice of housing

Part 1 of policy CS11 of the CSUCP requires 60% of new private housing across the plan area to be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms.

5.35 Part 1 of policy CS9 of the CSUCP also seeks to maintain a range of housing types and sizes throughout the plan area and paragraph 1.2 of the ENSPD sets out that the Exemplar Neighbourhood offers itself as a prime location for families as well as young professionals and older people to live in. Paragraph 2.4 of the ENSPD also builds on the vision of a family neighbourhood whilst still providing a range of city living opportunities.

5.36 The formal description of the development proposed at outline does not include the number of bedrooms for each of the 109 units, but this is clarified in the application form and design and access statement. 20% of the flats proposed would have 3 bedrooms.

5.37 It is recognised that the 60% figure is a plan-wide target not required to be met in full from every development, and in this case, a substantially lower figure, as proposed, is considered to be appropriate in relation to the nature and location of the proposed development.

5.38 Affordable housing

Policy CS11 also requires the provision of 15% affordable homes on all developments of 15 or more dwellings, subject to development viability. The NPPF requires that 25% of any Affordable Homes provision be first homes (market discounted by 30% and for eligible houseowners only).

5.39 The affordable housing statement sets out that 15% of 109 dwellings would equate to 16.35 dwellings. This has then been rounded down to 16 affordable homes to be provided. In addition, the tenure splits have also been rounded down. Instead, it should be rounded up to 17 affordable homes, as 16 homes would be below 15%.

5.40 There is also concern regarding the proposed tenure split and compliance with the preferences in the Obligations SPD. If the application was recommended to be granted, this could be included in the s106 obligation required to include the correct tenure split and first homes criteria. The provision of First Homes would still enable the preferred tenure split in the SPD to be achieved.

5.41 As above, the proposal would not provide affordable homes in line with the National policy or the requirements of CS11 and in the absence of any clear and convincing justification for this, the application is considered to be contrary to these policies and the application should be refused for this reason.

5.42 RESIDENTIAL AMENITY

Paragraph 130(f) of the NPPF requires development to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.43 Local policies CS14, MSGP17 and MSGP18 also seek to protect residential amenity and manage noise from development.

5.44 Whilst plans/drawings submitted with the application are indicative, officers at this outline stage need to be satisfied that an acceptable scheme for 109 flats on the application site could be achieved. No daylight or sunlight analysis has been submitted to indicate the likely impacts of this scale of development.

5.45 There are residential neighbours at Regent Court as little as 8m to the north/north west of the boundary of the application site. Regent Court is a 10 storey block of flats, and indicative plans show that a 9 storey element of the proposed development would be only approximately 15m away from windows of these residential neighbours (shown on submitted sections to be 13.8m).

5.46 Although indicative section drawings submitted in the Design and Access Statement showing proposed relative building heights, there remain significant concerns relating to loss of outlook and light, and an overbearing impact and

overshadowing at existing neighbouring properties. Further, in terms of overlooking, whilst the Design and Access Statement proposes that there would be no glazing to habitable rooms on the elevation of the 9 storey element facing Regent Court, it is considered that, in proposing to remove privacy concerns in one location, this arrangement would result in greater impact on residential amenity elsewhere and by other means.

- 5.47 Firstly, this arrangement would focus habitable glazing on the western elevation of the 9 storey element, overlooking land further west, including that of the existing (former) Gloucester Hotel, and with the proposed development indicatively shown to be approximately 3m from the western boundary of the site, this would result in this neighbouring site being surrounded by higher blocks to the north, east and south. This could limit the potential for long term deliverability of the neighbouring site in accordance with Exemplar Neighbourhood aspirations.
- 5.47 Secondly, the proposed blank elevation at the north western end would result in significantly limited opportunities for appropriate glazing, and therefore, natural light, in some of the affected flats indicatively shown (eg. the accessible 1 bedroom flats on levels 7 and 8). As such, it is considered that the indicative floor plans do not provide adequate comfort that the scheme could be appropriately delivered without resulting in unacceptable living conditions for future occupiers in this regard.
- 5.48 There is also potential for conflicts regarding privacy and outlook for future occupiers, given the proximity to neighbouring properties shown on the submitted indicative layouts and the arrangement between proposed flats indicatively shown (eg. The only available space for windows for flats at the inside corner of the proposed development at floors 2 to 6).
- 5.49 Although the details submitted are not a formally proposed layout or scale, it is considered that insufficient information has been submitted with the application to demonstrate that 109 dwellings could be provided on site without resulting in an unacceptable loss of outlook and light, and an overbearing impact and overshadowing at existing neighbouring properties or resulting in an unacceptable impact on privacy, outlook and light for future occupiers of the proposed dwellings, or to allow officers to be satisfied that the proposed development would not have an unacceptable impact on residential amenity at outline stage. As such, and it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan.
- 5.50 **NOISE**
Whilst noise information has been submitted with the application, this is from 2011 and considered to be out of date and not clearly relevant to the development proposed in this application. An update of the baseline noise levels at this location is required. The situation is likely to have changed in 10+ years, particularly along High Street, and there is potential for new or different noise sources that would need to be taken in to account. Traffic

volumes are expected to have increased, although through the covid pandemic noise levels may not be back to their full potential either, so some consideration would be needed to ensure it is representative of typical conditions. Further, given the application proposes development up to 9 storeys, the upper floors may well be susceptible from noise coming from the A167.

- 5.51 Additionally, Northern Powergrid have confirmed they formally object to the application, as the application proposes high density residential in very close proximity to an existing primary electricity substation, situated directly north of the proposed development site. The detail submitted does not consider the substation, which contains two large transformers with low frequency noise and cooling fans. A noise assessment would need to include this feature to identify any mitigation required.
- 5.52 In the absence of up to date relevant noise information, it is not possible to fully determine the impacts of noise on potential future occupiers. Therefore, insufficient information has been submitted with the application to allow officers to be satisfied that the proposed development would not have an unacceptable impact on residential amenity for future occupiers at outline stage in relation to noise. As such, and it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS14, MSGP17 and MSGP18 of the Local Plan.
- 5.53 AIR QUALITY
The site is within the Town Centre Air Quality Management Area (AQMA).
- 5.54 Policy CS14 states that the wellbeing and health of communities will be maintained and improved by requiring development to contribute to creating an age friendly, healthy and equitable living environment through preventing negative impacts on residential amenity and wider public safety from air quality.
- 5.55 Policy MSGP19 states:
- 1. Development that has the potential to:*
- a) increase air pollution levels that would exceed National Air Quality Objective thresholds, or*
- b) lead to an increase in exposure where high levels of air pollution already exist*
- will only be permitted where it can be demonstrated, through an air quality assessment, that acceptable air quality levels will or can be achieved.*
- 5.56 An air quality statement has been submitted with the application, dated 2011. It is considered that this detail is out of date, and more up to date information is required to allow officers to properly and fully assess the impact on existing

residents in the area (eg. through traffic generation) and the impact on new receptors in the area (ie. being located in an area of poor air quality).

5.57 In the absence of up to date relevant air quality information, it is not possible to fully determine the impacts on the living conditions of existing potential future occupiers. Therefore, insufficient information has been submitted with the application to allow officers to be satisfied that the proposed development would not have an unacceptable impact at outline stage in relation to air quality. As such, and it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS14 and MSGP19 of the Local Plan.

5.58 HIGHWAY SAFETY AND PARKING

Local Policy CS13 seeks to ensure new development would not have an unacceptable impact on existing transport networks.

5.59 Policy MSGP14 requires that where a development is likely to have a significant impact on the transport network, its acceptability will need to be demonstrated by:

1) Transport Assessment in line with the scope agreed with the Planning Authority including, but not limited to:

a. an assessment of the impact of the proposals on traffic movements and highway safety;

b. an assessment of the accessibility of the site by sustainable modes; and

c. an action plan setting out how and when issues highlighted by the accessibility and transport assessments will be addressed.

2) A travel plan for all users of the development which includes provision for the continuing development of the plan over time, and the setting and monitoring of targets for sustainable travel use.

5.60 Policy MSGP15 requires new development to:

- secure safe access to the site for all people and provide adequate servicing facilities;

- not have an unacceptable impact on the safe operation of the transport network, or a severe residual cumulative impact on the efficient operation of the road network, or levels of congestion;

- give priority to access by sustainable travel including the improvement of existing links and the removal of barriers to sustainable means of access and;

- protect, and where necessary, enhance the public right of way and cycle networks. Where it is necessary to disturb either network, suitable replacement sections of route will be required; and

- provide the level of parking necessary to secure the safe and effective operation of the development by complying with the relevant vehicle and cycle parking standards in MSGP.

- 5.61 Policy UC5 requires development to contribute towards improving pedestrian routes by providing direct routes to and through the Exemplar Neighbourhood (amongst others) and links to surrounding areas. UC9 and UC10 seek to manage traffic access in and around the Urban Core and parking in the Urban Core. Further, policy UC7 requires development proposals to allow for and contribute to the implementation of improved bus infrastructure.
- 5.62 The Transport Assessment (TA) submitted in support of this application relates to an earlier 2011 planning application on this site for a hotel and care home. The information it contains is both out of date and not relevant to the proposal in this current application.
- 5.63 The site is positioned within a traffic (and pedestrian) sensitive area surrounding Gateshead Town Centre. Significant new development has been completed since the time of the 2011 TA and there have also been changes to the local and strategic road network in the area.
- 5.64 Whilst this is an outline planning application, with all matters reserved, the traffic impact of such a large development with the number of units proposed needs to be considered at this stage, and the results used to inform the in-principle decision that the outline permission seeks to establish.
- 5.65 Nexus have commented that despite the TA being misleading and incorrect, the general principles of the proposed improvements are welcomed, and if the application was recommended to be granted, would require the developer to meet the costs of two introductory travel tickets per dwelling as part of a welcome pack for residents.
- 5.66 There are also no significant concerns relating to waste management, and at this outline stage, officers are satisfied that an acceptable arrangement could be achieved.
- 5.67 However, in the absence of up to date relevant highways information, particularly a TA including an indication of parking provision and likely traffic movements associated with the proposed development, it is not possible to fully determine the impacts of the development on highway safety and parking. Therefore, insufficient information has been submitted with the application to allow officers to be satisfied that the proposed development would not have an unacceptable impact on highway safety and parking at outline stage. As such, it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS13, UC5, UC9, UC10, MSGP14 and MSGP15 of the Local Plan.
- 5.68 FLOOD RISK AND DRAINAGE
NPPF paragraph 167 seeks to ensure that development would not result in flood risk being increased elsewhere.
- 5.69 Local Policy CS17 requires development to avoid and manage flood risk from all sources, taking into account the impact of climate change over its lifetime.

Policies MSGP29 and MSGP30 seek to address flood risk and water quality, respectively.

- 5.70 Northumbrian Water have confirmed no objection to the proposal in terms of their assets and recommend a condition if the application was to be granted.
- 5.71 A Flood Risk Assessment dated 2021 has been submitted in support of the application. The assessment considers the current day risk of flooding from various sources and confirms that the site, whilst previously developed, can now be considered as greenfield for the purposes of flood risk.
- 5.72 Whilst the 'areas susceptible to groundwater flooding' map included in the SFRA shows the site to be in a 1km grid square that has 'no risk' of groundwater emergence, the dataset does not show the likelihood of groundwater flooding occurring. As underground accommodation (car parking) is proposed, the potential for groundwater affecting the proposed building would need to be considered further.
- 5.73 Further, the flood risk assessment does not elaborate whether the risk of flooding from each of the sources considered will change over the lifetime of the development due, for example, to the predicted effects of climate change.
- 5.74 A drainage strategy has also been submitted with the application. This includes information relating to the hierarchy of surface water drainage options that have been considered, with draining to ground and watercourse deemed as not appropriate. The response of a Pre-Planning Enquiry from Northumbrian Water has also been provided to demonstrate that the sewer infrastructure would accommodate a peak flow rate of 5l/s surface water discharge from the development.
- 5.75 Despite calculating greenfield runoff rates, it is proposed that discharge from the development is limited to the 5l/s capacity that NWL has advised, but no justification has been provided for this strategy.
- 5.76 The proposal is to drain all runoff from the site down to basement level and then pump it up for discharge to main sewer. It is proposed that the extent of surface water runoff needing to be pumped is minimised and ideally all surface water drainage should be drained by gravity.
- 5.77 Where pumping is unavoidable, a robust assessment of the system would need to be undertaken, in particular to determine the risk and consequences of failure and to allow the formulation of a contingency plan. Details of how surface water runoff would be managed in the event of pump failure would also need to be provided.
- 5.78 In terms of water quality, the drainage strategy plan has coloured hatching to show both rainwater garden features and permeable paved area. Further elaboration on these elements and demonstration of their efficacy is required.

- 5.79 Two additional reports were received from the agent on 23 June 2022. One of these provides the details of a trial pit and attempted soakage test, in fill material at the site and the other document provides a printout to size attenuation based on a 5l/s discharge rate, which does not reflect a greenfield limiting rate. Neither report is considered to be relevant to the assessment of the impacts of this development. Consequently, it is considered that insufficient information has been provided to demonstrate that an acceptable scheme could be delivered in terms of flood risk/drainage, and to allow officers to be satisfied that the proposed development would not have an unacceptable impact on flood risk at outline stage. As such, it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan.
- 5.80 **ECOLOGY**
Local Plan policy MSGP36 states that where the Council considers that trees or woodland may be affected by a development proposal, it will require an appropriate tree survey and ecological survey to be submitted with the planning application.
- 5.81 Policy MSGP37 requires that where appropriate, development proposals must demonstrate how they will avoid/minimise adverse impacts on biodiversity and geodiversity in accordance with the mitigation hierarchy, and provide net gains in biodiversity.
- 5.82 Policy UC15 highlights the significance of green infrastructure in the urban core and requires development to protect and enhance the Urban Green Infrastructure Network, address gaps and improve linkages to the Strategic Green Infrastructure Network at areas including the Exemplar Neighbourhood site.
- 5.83 The site comprises a mosaic of habitats which qualify as Open Mosaic Habitats on Previously Developed Land (s41 NERC Act Habitat of principal importance and Durham Biodiversity Action Plan priority habitat). Habitats / features within the site have been assessed as providing potential opportunities for roosting, commuting and foraging bats, foraging and nesting birds, priority butterfly species (i.e. dingy skipper, grayling and wall) and small mammals, including hedgehog (s41 NERC Act Species of principal importance and Durham Biodiversity Action Plan priority species). The proposed development would result in the comprehensive loss of the existing habitats / features on site and their associated fauna.
- 5.84 Whilst a preliminary ecological appraisal has been submitted with the application, this itself recommends further survey work be carried out, but the application is not supported by any further ecological survey, assessment, mitigation and enhancement report, or information relating to biodiversity net gain.
- 5.85 In the absence of appropriate avoidance, mitigation, compensation and enhancement measures, the proposal would result in a significant net loss of biodiversity and residual adverse impacts on priority habitats and species.

5.86 In the absence of an appropriate level of ecological information it is not possible to fully determine the impacts of the development on biodiversity and ecological connectivity. Therefore, insufficient information has been submitted with the application to allow officers to be satisfied that the proposed development would not have an unacceptable impact on ecology at outline stage. As such, it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS18, UC15, MSGP36 and MSGP37 of the Local Plan.

5.87 TREES

Local policy MSGP36 states that where the Council considers that trees or woodland may be affected by a development proposal, it will require an appropriate tree survey and ecological survey to be submitted with the planning application.

5.88 Given the proposed number of units and the size of the application site, it is understood that the proposal is likely to clear the site of all/most existing trees. Whilst landscaping (eg. Replacement trees/planting) is identified as a reserved matter rather than being under consideration at this outline stage, an Arboricultural Survey is required to clearly understand the extent and value of the loss of amenity as a result of the proposal.

5.89 In the absence of an appropriate level of arboricultural information, it is not possible to fully determine the impacts of the development on trees and impact on amenity at this stage. Therefore, insufficient information has been submitted with the application to allow officers to be satisfied that the proposed development would not have an unacceptable impact on trees at outline stage. As such, it is recommended that the application be refused for this reason, in accordance with the NPPF and policies CS18, UC15 and MSGP36 of the Local Plan.

5.90 GROUND CONDITIONS

The site is within a Coal Authority defined high risk area and a coal mining risk assessment has been submitted with the application. The Coal Authority agree with the recommendations of the report, and if the application was to be granted, conditions could be imposed requiring the submission of a report of further site investigations relating to coal mining legacy, the implementation of any necessary remediation, and submission a verification report demonstrating the effectiveness of the remediation.

5.91 The site is also located on potentially contaminated land based on its historic use. Officers agree with the recommendations of the submitted Phase 1 report and if the application were to be granted, conditions could be imposed requiring the submission of a report of further site investigations and Phase 2 risk assessment (including gas monitoring), the implementation of any necessary remediation, and submission a verification report demonstrating the effectiveness of the remediation.

- 5.92 Subject to conditions, the proposal in outline would be acceptable in terms of ground conditions and would comply with the aims and requirements of the NPPF and policies CS14 and MSGP20 of the Local Plan.
- 5.93 **OPEN SPACE AND PLAY**
Although the accessibility standards of policy MSGP40 are met (given the location of nearby areas of public open space), there is a quantitative deficiency of open space within the Bridges ward. In accordance with MSGP40, based on the assumed residents there is a requirement for 0.34ha of open space provision to be provided (subject to viability).
- 5.94 Within the submitted Design and Access Statement it indicates that private outdoor spaces will be provided in the form of terraces including roof terraces, balconies and a landscaped courtyard. This indicates that the amenity space proposed to be provided on site would be private, and therefore would be accessible only by the residents. However, MSGP40 requires the provision of public open space to meet the policy requirements.
- 5.95 MSGP40 states that for new major housing developments, open space will be expected to be provided on-site, unless it can be demonstrated that it would not be feasible to do so. Where it would not be feasible for the requirements to be met in full through on-site provision, consideration may be given to the potential for off-site contributions towards new open space in locations which can be accessed by the proposed development site. If it can also be demonstrated that it would not be feasible to provide new open space in a location that is accessible from the proposed development site, consideration may be given for off-site contributions towards the enhancement of existing areas of open space which would increase their recreational and/or amenity value.
- 5.96 The supporting text of this policy states that due to the densely developed character of some parts of Gateshead, there are some locations where offsite contributions may not allow the delivery of an appropriate quantity of new open space on sites that can be accessed from the proposed development site. In such circumstances, policy MSGP40 allows for contributions to be secured that would allow improvements to existing areas of open space. The accessibility is considered in line with the standards in MSGP when determining whether an open space site can be considered to be accessible from the proposed development site. These standards are that the open space can be accessed within 500m (straight-line distance) of all homes.
- 5.97 Given that the application site itself is 0.36ha, this could not be provided on site in full. The application site is in a densely developed part of the urban core but within 500m of the development site there is other land in the Exemplar Neighbour Key Site that the ENSPD has aspirations to include as public open space. However, the ENSPD masterplan is indicative and at this stage in the progress of the overall Key Site, the council are not in a position to identify a specific site for the creation of new open space, so this would currently be unfeasible. The applicant also has not proposed any site(s) for potential off-site provision.

5.98 In terms of the potential for enhancement of existing facilities, the council maintain a list of play areas that could be enhanced if funding is provided. However, this application site is not within 500m of any of the identified areas. As such, whilst the proposal would not contribute to the delivery or enhancement of open space in the area, and would not comply with the requirements of MSGP40 in terms of open space, having assessed the proposal against the hierarchy set out in policy MSGP40, it is considered that it would not be appropriate to require the provision of and/or contributions towards open space at this time in relation to this application.

5.99 There is a deficiency of play space within Bridges ward. MSGP40 requires the provision of play facilities to the equivalent of 0.07 ha per 1,000 residents therefore there is a requirement for approximately 118sqm when calculated using the play space standard. The proposal should provide an area of dedicated (albeit potentially unequipped) play space to meet the requirements of MSGP40. If the application was granted, conditions could be imposed, requiring final details of an appropriate play space at reserved matters stage, and implementation of the approved scheme.

5.100 In terms of site-specific local policy, SG2 requires [amongst others]:

iv. Provision of good quality accessible external private or semi private space,

v. Creation of the Exemplar Neighbourhood Urban Green Infrastructure Corridor, meeting the following criteria: minimum corridor width of 10m, encompassing a footpath with a minimum width of 3m, an avenue of trees and at least 2 usable multifunctional open green spaces,

vi. Creation of the Primary Pedestrian Route, integrated with the green infrastructure corridor, and creating the pedestrian and cycle bridge over the rail line and a pedestrian and cycle crossing at Park Lane,

vii. Provision of a series of connected green and/or public spaces, forming part of the key pedestrian and cycle routes that connect to locations outside the neighbourhood,

5.101 Whilst the outline application does not include any details of reserved matters, reference is made to a landscaped courtyard in the proposal description, and this is shown on indicative plans. Additionally, the application site is in the north western corner of the Exemplar Neighbourhood Key site and shown on the indicative masterplan as being in an area with harder landscaping, reflecting the immediate surroundings of the built up High Street.

5.102 Subject to conditions/obligations and the final design at reserved matters stage, the proposal could comply with the play requirements of MSGP40, and whilst the proposal would not contribute to the delivery or enhancement of open space in the area, and would not comply with the requirements of MSGP40 in terms of open space, having assessed the proposal against the hierarchy set out in policy MSGP40, it is considered that it would not be

appropriate to require the provision of and/or contributions towards open space at this time in relation to this application.

5.103 ARCHAEOLOGY

An archaeological desk based assessment was carried out for the site in 2008 and this has been submitted by the applicant. The report concluded that although the site lies beyond the thirteenth century historic core of medieval Gateshead, due to its position on the western side of the High Street, the main thoroughfare into the town, it is possible that features associated with medieval industrial activity could be located on the site. The site is also located adjacent to the Roman road which approached the Tyne (HER 276) and the Roman bridgehead settlement (HER 5633).

5.104 The desk based assessment recommends that archaeological evaluation trenches should be excavated across the site in order to establish the presence or otherwise of archaeological remains, and officers agree with this recommendation. The western end of the site is the area with the least 19th and 20th century disturbance and therefore has the most potential for surviving archaeological remains, but it is considered that other areas of the site should also be evaluated. If archaeological remains are present then further work may be required to determine their significance.

5.105 As such, if the application were to be granted, conditions could be imposed requiring archaeological fieldwork and reporting.

5.106 Subject to conditions, the proposal in outline would be acceptable in terms of archaeology and would comply with the aims and requirements of the NPPF and policies CS15 and MSGP27 of the Local Plan.

5.107 CLIMATE CHANGE

Policy CS16 of the Local Plan states:

Development will be sustainable, able to function effectively in a changing climate and address impacts on climate change emissions. Development will be required to:

- 1. Use a good standard of building fabric, passive design, and landscaping measures to minimise energy demand,*
- 2. Be flexible from the outset to allow adaptation to alternative uses,*
- 3. Deliver a good level of sustainability required by relevant government schemes/guidance,*
- 4. Minimise its contributions and provide resilience to the ongoing and predicted impacts of climate change,*
- 5. Reduce its whole-life CO2 equivalent emissions impact, and*
- 6. Optimise the use of local renewable or low carbon energy in accordance with the following hierarchy:*

- i. Connection to an existing, or make provision for future connection, to a committed wider decentralised energy scheme within a specified timeframe,*
- ii. Development of a decentralised energy scheme for the whole or significant portion of a development from the outset, including joint schemes with significant adjacent external energy loads,*
- iii. Incorporation of other renewable energy solutions,*
- iv. Incorporation of other low carbon energy solutions in accordance with current government guidelines.*

- 5.108 It should also be noted that Gateshead Council declared a climate emergency in 2019 and has pledged to be carbon neutral by 2030 and work with partners and agencies to assist in the whole of Gateshead being carbon-neutral in the same timeframe, development needs to contribute to carbon reduction targets.
- 5.109 The Exemplar Neighbourhood SPD also refers to development connecting into the open access fibre optic broadband network (paragraph 9.13), ensuring new buildings are suitable for connection to the district energy centre (paragraph 9.26) and designing for zero carbon (paragraphs 9.27 to 9.32).
- 5.110 With regard to the hierarchy in policy CS16 part 6, Gateshead District Energy Scheme is located at the nearby Gateshead Energy Centre and is an operating, decentralised energy scheme, providing lower carbon heat from gas-fired combined heat and power plants.
- 5.111 It is considered that a connection to this network would be highly likely to be technically feasible. The network has been designed with considerable spare capacity, sufficient to supply a development of this size, and the proposal site is directly adjacent the route of the district heating and private-wire network, which is routed down Ann Street, within less than 10 metres from the proposed boundary of the application site.
- 5.112 The submitted Design and Access Statement states that the incorporation of low carbon energy generation and the utilisation of existing green energy sources including the district heating network (delivered by Gateshead Council) will be investigated as the scheme develops. If the application were to be granted, investigation into connecting to the Gateshead District Energy Scheme and a scheme for connection (and where relevant, justification for not) could be required to be submitted and implemented by conditions.
- 5.113 Subject to conditions, the proposal would comply with the aims and requirements of policy CS16 of the Local Plan.
- 5.114 **DIGITAL INFRASTRUCTURE**
MSGP8 states that 'The necessary physical infrastructure to enable access to information and digital communication networks will be integrated into all appropriate new developments.' The supporting text clarifies that all proposals for new dwellings and new business premises will be required to demonstrate that engagement has taken place with more than one digital infrastructure

provider to explore how digital communication networks can be integrated into the development. The requirements of this policy will be satisfied by the submission of a statement (required either at application stage or through a planning condition) explaining the outcome of this engagement. As such, if the application were to be granted, a relevant condition could be imposed to satisfy this requirement.

5.115 TARGETED RECRUITMENT AND TRAINING

A major priority for the Authority is the creation of employment and training opportunities and especially apprenticeships for local residents and as such the council seeks to work with developers to bring forward opportunities in construction, landscaping and ancillary trades.

5.116 Local Plan policy CS5 states that:

Gateshead and Newcastle will continue to develop a diverse economy with accessible employment and deliver significant increases in the number of businesses and jobs. This will be achieved by [amongst others] Attracting and supporting a skilled labour force and improving skills and access for local people to job opportunities including through targeted recruitment and training.

5.117 Based on the number of units proposed it is considered that 3 apprenticeships would be appropriate for this proposed development (subject to viability). The apprenticeships could be through the developer or their supply chain, contractors, delivery partners or ancillary activities across the length of the build. Any such opportunities would be made available to target groups within the Borough.

5.118 Apprentice opportunities created would need to be monitored by the council in order to ensure that the targets are met and outcomes recorded, there would be an understanding that developers would work with the Council and fully contribute to that activity.

5.119 The Planning Obligations SPD clarifies that targeted recruitment and training requirements would be delivered by developers through a Training and Employment Management Plan for both the construction and end user phases of the development where appropriate. Alternatively, where a developer has an existing training and recruitment programme, this could be used for the benefit of local residents. Where the developer is unable to deliver on site training or employment an equivalent financial contribution will be required. The Training and Employment Management Plan would normally be secured through a planning condition. A financial contribution would be secured through a planning obligation.

5.120 As such, if the application was recommended to be granted this would be subject to requirements for targeted recruitment and training.

5.121 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is housing related.

5.122 The development is located within Charging Zone C, with a levy of £0 per square metre for this type of development. Therefore, this proposal would not be charged.

6.0 CONCLUSION

The proposal would allow for the principle of the delivery of housing in the central area of the borough in the Exemplar Neighbourhood Key Site. However, it is considered that the proposal would not provide affordable homes in line with the policy requirements of CS11 and does not provide any clear and convincing justification for this, and insufficient information has been submitted with the application to demonstrate that 109 units could be achieved on site in an acceptable way, and to allow officers at outline stage to be satisfied that the proposed development would not have an unacceptable impact on the following matters:

- Visual amenity
- Residential amenity for existing neighbours and future occupiers
- Noise
- Air Quality
- Highway safety and parking
- Flood risk and drainage
- Ecology
- Trees

6.1 Therefore, it is recommended that the application be refused for the reasons set out below.

6.2 In terms of planning balance, in the absence of a five-year supply of housing land, paragraph 11 of the NPPF is relevant. Where relevant policies are out of date (on account of the lack of housing land supply) that means granting planning permission unless the application of policies in the NPPF that protect assets of particular importance provides a clear reason for refusing to grant permission, or where the adverse impacts of doing so would clearly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

6.3 Whilst this proposal in outline would contribute to increasing housing supply in the borough, in the absence of sufficient information to be able to properly assess its impact and the lack of affordable homes proposed to be provided without any clear and convincing justification, the policies of the NPPF indicate that outline permission should not be granted in this case.

7.0 Recommendation:

That permission be REFUSED for the following reason(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the refusal reasons as necessary:

1

The proposal would not provide sufficient level of affordable homes in line with the policy requirements of CS11 and in the absence of any clear and convincing justification, it is contrary to the NPPF and policy CS11 of the Local Plan.

2

Insufficient information has been submitted with the application to demonstrate that 109 dwellings could be provided on site as part of an appropriate design approach, or that the proposed development would not have an unacceptable impact on visual amenity. As such, it is contrary to the aims and requirements of the NPPF, the National Design Guide, policies CS2, SG1, SG2, UC12, CS15, MSGP24 of the Local Plan and the Exemplar Neighbourhood SPD.

3

Insufficient information has been submitted with the application to demonstrate that 109 dwellings could be provided on site without resulting in an unacceptable loss of outlook and light, and an overbearing impact and overshadowing at existing neighbouring properties or resulting in an unacceptable impact on privacy, outlook and light for future occupiers of the proposed dwellings, or that the proposed development would not have an unacceptable impact on residential amenity, contrary to the NPPF, policies CS14 and MSGP17 of the Local Plan and the Exemplar Neighbourhood SPD.

4

Insufficient information has been submitted with the application to demonstrate that 109 dwellings could be provided on site without resulting in an unacceptable level of living conditions for future occupiers in relation to noise. Therefore, it is considered to be contrary to the aims and requirements of the NPPF, policies CS14, MSGP17 and MSGP18 of the Local Plan and the Exemplar Neighbourhood SPD.

5

Insufficient information has been submitted with the application to allow the Local Planning Authority to be satisfied that the proposed development would not have an unacceptable impact in relation to air quality. Therefore, it is considered to be contrary to the aims and requirements of the NPPF, policies CS14 and MSGP19 of the Local Plan and the Exemplar Neighbourhood SPD.

6

Insufficient information has been submitted with the application to allow the Local Planning Authority to be satisfied that the proposed development would not have an unacceptable impact on highway safety and parking, contrary to the NPPF, policies CS13, UC5, UC7, UC9, UC10, MSGP14 and MSGP15 of the Local Plan and the Exemplar Neighbourhood SPD.

7

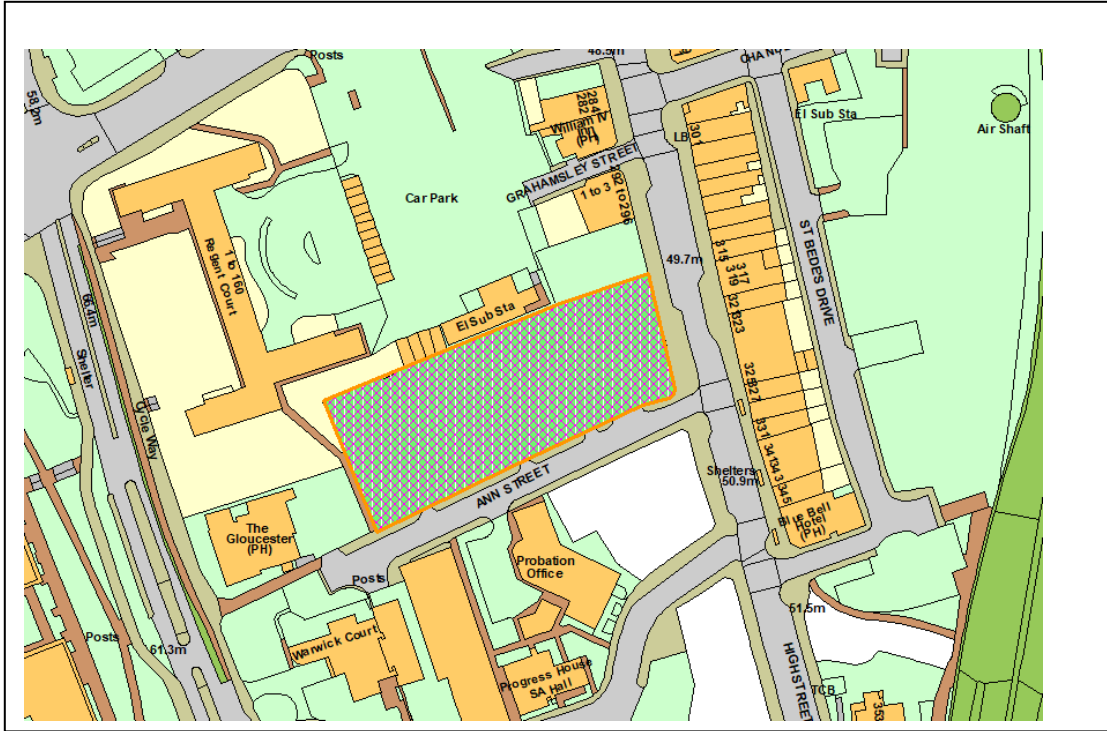
Insufficient information has been provided to demonstrate that an acceptable scheme could be delivered in terms of flood risk/drainage, and to allow officers to be satisfied that the proposed development would not have an unacceptable impact on flood risk at outline stage, contrary to the NPPF, policies CS17, MSGP29 and MSGP30 of the Local Plan and the Exemplar Neighbourhood SPD.

8

Insufficient information has been submitted with the application to allow the Local Planning Authority to adequately determine the impacts of the development on biodiversity and ecological connectivity and to be satisfied that the proposed development would not have an unacceptable impact on ecology at outline stage, contrary to the NPPF, policies CS18, UC15, MSGP36 and MSGP37 of the Local Plan and the Exemplar Neighbourhood SPD.

9

Insufficient information has been submitted with the application to allow the Local Planning Authority to determine the impacts of the development on trees within the application site, contrary to the aims and requirements of the NPPF, policies CS18, UC15 and MSGP36 of the Local Plan and the Exemplar Neighbourhood SPD.



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