

Committee Report

Application No:	DC/21/01405/FUL
Case Officer	Rebecca Norman
Date Application Valid	6 December 2021
Applicant	David Harrison
Site:	Chase Park Front Street Newcastle Upon Tyne
Ward:	Dunston Hill And Whickham East
Proposal:	Demolition of existing buildings and erection of 4no. 4-bed detached family homes, with associated hard and soft landscaping and alterations to existing access (Amended 02.02.22) (Additional information 17.02.22, 06.04.22, 10.06.2022, 22.07.2022, 04.08.2022, 08.09.2022, 09.09.2022, 14.09.2022)
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF SITE

The application site is to the north western corner of Chase Park, Whickham, located south east of the junction of Rectory Lane with Front Street and Church Chare.

1.2 The site was previously used as a Council maintenance depot and store for the park as well as an adult day care centre and contains buildings and areas of hardstanding previously used for these purposes. There are currently five buildings on the site including a two storey converted former stable block to the southern boundary and a single storey timber building to the north of the site which was used as the day care centre. The buildings are vacant and are in poor condition.

1.3 There is an access point at the western side of the application site from Rectory Lane which serves as a pedestrian link into Chase Park. There is a bollard a short distance up the access road preventing vehicular access by members of the public. The site includes a pedestrian path which runs east to west along the northern part of the site.

1.4 The site is within Whickham Conservation Area and within Chase Park Locally Listed Park and Garden.

1.5 The site is included on the Council's Brownfield Land Register and is allocated for housing under policy MSGP9 of Making Spaces for

Growing Places (MSGP), as detailed at Appendix 3 of MSGP (MSGP9.39).

- 1.6 Land levels within the site fall from south to north and the site is elevated above Front Street to the north.
- 1.7 **DESCRIPTION OF APPLICATION**
The application proposes the demolition of the existing buildings and redevelopment of the site to provide 4no. 4-bed detached dwellings.
- 1.8 Vehicle access would be via the existing access point from Rectory Lane, with a private road leading south from the existing access road to provide access and parking for the dwellings. The existing access road would be widened at the entrance with Rectory Lane to facilitate two-way vehicular movements at the site entrance which would necessitate alterations to the existing boundary walls and gatepost.
- 1.9 Each dwelling would have 2no. parking spaces and there would be 2no. visitor parking spaces. A right of access would be retained for members of the public into Chase Park via the existing access and footpath.
- 1.10 Three dwellings (Plots 1-3) would be positioned to the western side of the site, west of the central access road, and one dwelling (Plot 4) would be positioned to the east. The dwellings would be constructed from natural stone with slate roofs. The dwelling on Plot 4 would also include a detached garage. The proposed plans include indicative details of hard and soft landscaping including the retention of the former stable block building as a landscaping and boundary feature within Plot 4.
- 1.11 **RELEVANT PLANNING HISTORY**
DC/18/01012/BPIP - Permission in Principle for residential development of between 1 and 6 dwellings. Permission in Principle granted 27.03.2019.
- DC/15/00323/FUL - Improvements to Chase Park including works to entrances and replacement of enclosures. Planning permission granted 29.05.2015.
- 1008/93 - Change of use of part of Leisure Services Department depot to day centre, installation of 2 entrance doors and construction of access ramp with canopy above. Planning permission granted 03.12.1993.

2.0 Consultation Responses:

Historic England	Concerns raised on heritage grounds. No objections are raised to the principle of
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housing on this site however greater attention should be made to conserving the significance of the Conservation Area. The application would cause harm to the significance of Whickham Conservation Area through the loss of the stables and replacement with housing of a suburban character. The re-use of the stables is recommended; if not feasible or desirable, a more contextual design for housing on this site should be sought.

The Coal Authority	No objections, subject to conditions
Tyne and Wear Archaeology	No objections, subject to conditions
Northumbrian Water	No response received

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 Letters of objection have been received from Councillors M Ord, McClurey, Hawkins, Craig and Maughan. At the time of writing this report Councillor McClurey is no longer a Ward Councillor.
- 3.3 The objections from Councillors are summarised below:
 - Inappropriate development in Conservation Area
 - Development incompatible with Park
 - Buildings not in keeping with character of historic park
 - Highway safety concerns around proposed main entrance and existing park users
 - Loss of disabled bays
 - Adverse impact on wildlife
 - Inadequate ecological information
 - Development contrary to declaration of trust for Chase Park, which states that the site may only be used for recreational purposes, and Public Health Act which requires park to be for recreational use
 - Would permission be stopped for community events within the park due to proximity to dwellings
 - Development is an insult to the Friends of Chase Park
 - No affordable homes
 - Development not compliant with/contravenes BPIP approval

- Failure to consult with North of England Civic Trust and Heritage Lottery Fund

3.4 1no. letter of support has been received which raises the following points:

- The proposals are welcomed
- The current buildings are in a horrendous state of repair and are an eyesore
- Family housing will deter antisocial behaviour
- The access route should be retained as this is regularly used

3.5 A total of 79no. letters of objection have been received (including 4no. letters from 2no. individuals) which are summarised below:

Visual amenity/heritage

- Out of character with streetscene
- Out of character with Conservation Area
- Out of character with/impact on character of park
- Overdevelopment
- Buildings will appear high and overbearing and spoil the look of Front Street
- Destruction of heritage assets which could be renovated for public use or as a dwelling
- Impacts on historic park entrance and loss of previous restoration work
- The development will not enhance/will ruin the park
- The historic buildings should be protected by Gateshead Council
- The development is not in keeping with the history of the park
- It is the Council's fault that the buildings have fallen into disrepair and the onus is on them to restore or remove them, not move the problem onto the detriment of the public
- The condition of the buildings does not justify the development
- The development would not be an asset to the area

Residential amenity

- Disturbance early mornings/late evenings
- Overbearing impact
- Additional noise
- The houses would overlook and overshadow paths in the park
- Additional noise, disturbance and pollution from future occupiers
- Conflict between future occupiers and park users

Highway safety, traffic and parking

- Inadequate car parking
- Increase in traffic from future occupants over and above occasional use by Council associated with the Depot
- Loss of park access

- Impacts on park access: the proposed access route will make the well-used and safe park access unsafe, especially to vulnerable users
- The development must retain a dedicated and safe public path that connects the park to the centre of Whickham
- Amended plans still reduce public access to Chase Park
- Pedestrian and vehicle access must be separated
- Risk of pedestrian and traffic accidents at busy and important junction
- Inappropriate access location will cause congestion and accidents
- The access point is unsafe as it is next to the traffic lights
- Traffic issues for people driving into/out of the park onto a busy junction and pedestrian crossings
- The site faces a Surgery and Chemists which generate a large amount of traffic on a road which is already unsuited to modern traffic needs
- The Council would not consider the proposed access arrangements on a main road outside the park and this is not appropriate within the park
- Loss of disabled parking bay for drivers access parking off Rectory Lane
- Contractors, delivery vehicles and refuse collectors will find manoeuvring difficult
- Impacts during construction (access, disruption, traffic, noise and debris on roads)
- Potential for congestion if proposed parking is not restricted to residents
- Future occupants would not be required to use public transport due to generous parking provision
- Increased usage of Coalway Lane as a main route from this development
- Restricted access to the park

Trees and ecology

- Loss of trees
- Risk of damage to replacement trees by local youths
- Loss of insects, wildlife and bats resulting from loss of trees
- Loss of bat roost in buildings

Other matters

- There are other areas in Gateshead that could be developed including brownfield sites in Whickham
- What is the Council doing about closed schools in Dunston and Whickham and the derelict house on Whickham Bank?
- There is no requirement for houses of this type or new houses in Whickham
- No provision of affordable homes
- No provision for people with disabilities

- The application site is an integral part of the park, and should be maintained for the community to use
- The buildings should be used to benefit the community (e.g. café, restaurant, community space, work spaces, museum, classroom, youth centre) rather than for private gain
- The derelict buildings could be demolished and the land used for additional public space/extending the park
- Had the land been given to the Friends of Chase Park for community use there would have been no issue developing the land to accommodate projects to tackle problems with youths
- It would be short-sighted to lose this land when it could be accessed by all residents now or in the future
- More public space is needed with increased housing developments
- No public consultation with local residents and businesses prior to the original land sale
- The consultation period for the application is too short, appears rushed and is unfair
- Inconsistencies in the Gateshead Council Planning Portal
- Existing sewage system is not fit for purpose
- Increase in vandalism, burglary and anti-social behaviour
- Health concerns
- Cooking smells and odours
- Increased traffic pollution
- Increase in air pollution from wood burning stoves, contrary to policy
- The park was declared to be in trust as a King Georges Field in 1939 which states that the park can only be used for recreational use for the community
- The park was a gift to Whickham and should not be built on
- The development would result in the loss of the historic park for private housing
- The park belongs to the people of Whickham and should be used for them
- Once the site is lost it will never be public again
- Private property does not belong on public grounds
- The development is unsuitable and incompatible with the park, as this is meant to be a public space for the community
- The Council must consider how the community feels
- The scheme may be the first step to the Council selling off the rest of the park
- The development would create a precedent for more properties in proximity to leisure areas
- The development would be detrimental to local people who use the park
- The loss of the park is contrary to Council aims for better health
- The development would be illegal/unlawful, as the park is for the people of Whickham

- How can permission be granted when you do not legally own the land
- The Council has no right to sell of the land
- The application is a money-making scheme that will not benefit any local residents
- Council Officers and Councillors supporting this plan should be ashamed
- The development is ridiculous
- The marginal private benefits of the development would be undermined by the negative impacts on the community
- The development does not compensate for the loss of space that could be for public use
- Loss of trade to shops by removal of access to village

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS1 Spatial Strategy for Sustainable Growth

CS9 Existing Communities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP8 Digital Infrastructure

MSGP9 Housing Sites Allocation

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP25 Conservation/Enhancement Heritage Assets

MSGP27 Archaeology

MSGP29 Flood Risk Management

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP39 Protecting Open Space/Sport/Recreation

MSGP40 Provide/Enhance Open Space/Sport/Rec

MSGP48 Waste Management Facilities - New Dev

5.0 Assessment of the Proposal:

5.1 The key considerations to be taken into account in the assessment of this application are the principle of housing development on this site, impact upon heritage assets, design and visual amenity, residential amenity, highway safety and parking, ecology, trees, archaeology, drainage, ground conditions, digital infrastructure, CIL, open space and play and any other matters.

5.2 BACKGROUND

The application site is an allocated housing site under policy MSGP9 (MSGP9.39) of Making Spaces for Growing Places with an indicative capacity of 5 units (as at Appendix 3 to MSGP).

5.3 The application site was granted 'Permission in Principle' under application DC/18/01012/BPIP for residential development of between 1 and 6 dwellings on the site. This application was considered by Planning Committee on 30 January 2019 following deferral at the meeting on 9 January 2019 to allow Committee to visit the site.

5.4 The 'Permission in Principle' application established that the redevelopment of the site for between 1 and 6 dwellings was acceptable in principle. The approved application considered that a suitably designed, scaled and landscaped scheme could be achieved and that safe access to the site for up to 6 dwellings via Rectory Lane could be achieved, subject to final details to be provided at Technical Details Consent stage.

5.5 **THE PRINCIPLE OF THE DEVELOPMENT (HOUSING POLICY)**
Policy CS1 of the Local Plan for Gateshead sets out the spatial strategy for sustainable growth. Given population and economic

growth, there is a need to plan for 30,000 homes within Gateshead and Newcastle up to 2030, as referenced by Local Plan policy CS10.

- 5.6 The application site is allocated for housing under policy MSGP9.39 of the Local Plan for Gateshead with an indicative capacity for 5 homes. The site was also subject to a 'Permission in Principle' application (ref. DC/18/01012/BPIP) which approved between 1 and 6 dwellings 'in principle' on the site.
- 5.7 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 provide 4no. additional dwellings in the Borough, which is a positive factor.
- 5.8 Local Plan policy CS9 seeks to ensure that existing communities will be sustainable places of quality and choice which should be achieved by, amongst other things, maintaining a range of housing types and sizes throughout the plan area. Local Plan policy CS11(1) also requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). The proposed development of 4 x 4-bedroom dwellings would therefore contribute towards this target.
- 5.9 Policy CS11(4) requires adequate space inside and outside the home to meet the needs of residents. This is supported by policy MSGP12 which sets out that new homes should be built in accordance with Nationally Described Space Standards (NDSS). The application demonstrates that all dwellings would exceed NDSS and Officers consider that these would afford future occupiers with adequate external space.
- 5.10 The proposed development would contribute towards the provision of family homes with three or more bedrooms in the Borough on an allocated housing site. It is therefore considered that the scheme is acceptable in principle in housing policy terms, subject to all other material planning considerations being satisfied.
- 5.11 **IMPACTS ON HERITAGE ASSETS**
The site is within Wickham Conservation Area. There are also a number of Grade II listed buildings which are close to, but visually separate from, the site: beyond Rectory Lane to the west is Wickham Cottage Hospital; to the north west at the corner of Church Chare and Front Street is the Bust of John English and to the south east within Chase Park is the Windmill in King Georges Field.
- 5.12 In addition, the site is within Chase Park Locally Listed Park and Garden and contains a former stable block which is neither listed nor included on the Council's Local List. These are considered to be non-designated heritage assets.

- 5.13 Paragraph 197 of the NPPF states that *“in determining applications, local planning authorities (LPAs) should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness”.*
- 5.14 NPPF Paragraphs 199 and 200 continue:
- “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.*
- “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.*
- 5.15 NPPF Paragraph 202 states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*
- 5.16 NPPF Paragraph 203 states that *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*
- 5.17 NPPF Paragraph 207 also states that *“not all elements of a Conservation Area ... will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area ... should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area ... as a whole”.*
- 5.18 The application site contains vacant buildings and a service yard associated with its former use as a Council maintenance depot and

store and adult day centre. There are four single storey buildings towards the north and eastern side of the site which are adjacent to the access road and are visible when facing south from Front Street. These buildings are modern buildings constructed from brick and timber which are in poor condition and have no heritage value. There is also a two storey former stable block to the south eastern corner of the site. The stable block building was associated with Whickham House, both of which were constructed in c18th. The house, later known as Whickham Chase, was demolished in the 1960s leaving only the stable block, with the grounds and parkland garden understood to have evolved to form Chase Park.

- 5.19 The former stable building is formed from sandstone with a Welsh slate roof, and originally contained stables with storage and accommodation above. The building was converted to Council garages with staff and office accommodation, with window and door/garage door openings installed in the north elevation. The south elevation of the building directly abuts Chase Park and forms the site boundary in this location. This elevation is windowless at ground floor level and features four dormer windows at first floor level. This building can be seen from footpaths within Chase Park and its roof is visible from Front Street.
- 5.20 The former stable block is the only remaining original building of the Whickham House complex, which provides a connection to other historic features in the Tyne valley thought to be developed at the same time by the same architects. Officers consider that the stable block contributes positively to the significance of the Conservation Area, and also to Locally Listed Chase Park. The loss of this building as part of the proposed redevelopment of the site is therefore considered to amount to less than substantial harm to the significance of the designated heritage asset (Whickham Conservation Area).
- 5.21 In terms of Grade II listed buildings, Officers consider that the proposed development would not result in harm to these or their settings. The proposed development would take place within the setting of the Bust of John English (to the north west of the site) however this setting is already compromised by its location at a busy road junction in proximity to a mix of buildings. Whilst the Windmill in King Georges Field (to the south east of the site) is within Chase Park, this area was not formerly part of the grounds and parkland garden associated with Whickham Chase and therefore Officers consider that the setting of this structure would not be harmed by the proposed development. Furthermore, the setting of Whickham Cottage Hospital (to the west of the site) is already compromised by the adjoining modern building, with its remaining setting to the north and west, which the proposed development would not affect.
- 5.22 In accordance with the NPPF, the harm to Whickham Conservation Area resulting from the loss of the building requires clear and

convincing justification (Para. 200), and the harm is required to be weighed against the public benefits of the proposal (Para. 202).

- 5.23 The applicant has submitted a Heritage Assessment to seek to justify the loss of the former stable block rather than its conversion and re-use. In summary, the assessment offers the following justification:
- The condition of the building is poor. The building has previously been adapted for use as a Council depot and has suffered from fire and water damage and vandalism. The first floor is in unsound condition and much of its internal fabric has been lost.
 - Sloping land levels result in a sloping internal floor, which was likely suitable for stable use to allow ease of cleaning and drainage. The ground floor would need to be excavated to produce a level surface and in the likely absence of foundations, underpinning would be required.
 - Converting the building would result in south-facing windows directly overlooking the park, creating privacy issues. The south elevation would also directly abut the park, creating maintenance and security issues.
 - Potential for contamination to be present.
 - Costs of conversion would compromise the remaining development.
 - The converted building would only have a north-facing garden, which is undesirable and likely to compromise the value of the site and saleability.
 - Permission in Principle has been granted for the site. The Council's preference was to retain the building however options for the scheme included loss of the building.
- 5.24 Officers have considered the justification offered by the applicant and whilst a full structural survey or viability assessment have not been submitted and the loss of the building is regrettable, noting the previously approved Permission in Principle, Officers consider that sufficient information has been submitted to justify the demolition of the building rather than its re-use.
- 5.25 Historic England have been consulted and have no objections in principle to the application, noting that this is an allocated housing site within the Council's Local Plan. Concerns have however been raised that the application would cause harm to the significance of Whickham Conservation Area through the loss of the former stable building and replacement with housing of a suburban character. Historic England have therefore advised that where the re-use of the stable building is not deemed feasible or desirable, a more contextual design should be sought for new housing on the site. The Tyne and Wear Archaeologist has also expressed that it would be desirable to retain the stable block building within the development, and that the design of the new development should contribute positively towards

the significant of nearby heritage assets. These views have been echoed by the Council's Conservation Officer.

- 5.26 The application site is located to the centre of Whickham Conservation Area within the historic village core along Front Street. This area includes some prominent, larger individual buildings but more commonly terraces and small informal groups of houses and shops, usually no more than two storeys and set back a little from the road. The quasi-rural character of this area is greatly enhanced by the frontage of tall trees presented by Chase Park and the grounds of the medical centre to the west.
- 5.27 In order to seek to address the above concerns relating to the proposed scheme, the applicant has made amendments to the design of the houses and materials proposed to be used. As amended, whilst of a contemporary design, the dwellings would be constructed from natural sandstone with slate roofs and stone detailing (omitting areas of cladding and render as originally proposed), to reflect buildings within Whickham Conservation Area and the palette of the former stable building.
- 5.28 Furthermore, the proposed dormer windows would also mimic the form and materials of those to the south elevation of the stable building and would be more in character with Whickham Conservation Area than the box dormers originally proposed.
- 5.29 In addition, the ridge heights of the dwellings have also been reduced. The application also proposes the retention and adaptation of the former stable building within Plot 4, to form both the boundary wall of this plot and a landscape feature, to allow an element of future interpretation of this building.
- 5.30 The application site is elevated above Front Street and is therefore visible from within the Conservation Area. The most prominent building is the former day care centre to the north of the site, which is of no heritage interest and in very poor condition. The northernmost dwelling (Plot 1) would be set back a further 5m from Front Street than the existing former day care building and would be positioned approximately 30m south of the pavement/road edge to the southern side of Front Street, with landscaping proposed to be introduced along the northern boundary.
- 5.31 Whilst noting the additional set back distance, the design changes and proposed landscaping, Conservation Officers are however concerned that the overall scale of the proposed dwellings in this location would result in less than substantial harm to the character and appearance of the Conservation Area through the introduction of large dwellings within the village core. Officers however consider that whilst visible, the scale of the dwellings could be accommodated within the application site and the proposed design and materials

would enable the proposed dwellings to appropriately assimilate into their surroundings.

- 5.32 Noting the above concerns, the applicant has also worked with Officers to agree expectations for final details of boundary treatments (to include natural stone walls and hedging) and landscaping that would be appropriate for its location within the Conservation Area (and Locally Listed Park and Garden) which Officers consider would reduce the impact of the development upon its historic character and appearance by enabling the proposed development to assimilate into its surroundings. The proposed plans also show that the development would be set at a lower level than the park to the southern boundary, which would reduce the visual appearance of the proposed development from viewpoints within Chase Park.
- 5.33 In addition, the application proposes to widen the existing park entrance with Rectory Lane to facilitate two-way vehicle movements. This would require the relocation of the existing gatepost and the removal of a section of retaining wall. It is noted that the Heritage Lottery Fund have raised an objection to the application on the basis that this would affect previous restoration work to the gatepost. Officers consider the proposed works, which would result in an improved vehicular access situation at the site entrance, to be acceptable, subject to final details which can be secured through condition (CONDITIONS 28-29).
- 5.34 Council Officers have raised concerns regarding the provision of a shared bin store to the front of the site however this is considered to be appropriate in principle in order to provide a secure area for bin storage on collection day given the public location of the site, with bins to be stored within the garden of each property outside of collection day. It is considered that final details of this store could be secured through conditions (CONDITIONS 37-38) to ensure that this is of an appropriate scale and appearance.
- 5.35 In determining this application the LPA must weigh up the harm resulting from the development against the public benefits of the proposal. The applicant in their supporting information has offered the following public benefits:
- The sustainable re-use of a previously developed and now derelict site, which would alleviate an unsightly blight in an otherwise desirable public park
 - Alleviation of ongoing significant anti-social behaviour and health and safety concern
 - The re-use of stone from the former stable block to form a high-quality southern boundary wall
 - Opportunity to provide interpretation within the site which tells the history of the former stable yard and its association with Whickham House to contribute to understanding within the park

- The provision of an interpretation panel for park visitors
 - Biodiversity net gain
 - Provision of a commuted sum to the Friends of Chase Park, to contribute towards the maintenance and further restoration of Chase Park
 - Income generation for Gateshead Council
- 5.36 Officers note the applicant's proposal for a commuted sum to the Friends of Chase Park and income generation for the Council however these do not constitute public benefits.
- 5.37 Officers have considered the public benefits put forward by the applicant and are of the view that the benefits of the proposed scheme as a whole would outweigh the less than substantial harm to the Conservation Area that would result from the development.
- 5.38 Whilst the loss of former stable building is undesirable this is considered to be justified and would facilitate the provision of 4no. 4-bed family homes on an allocated housing site which would considerably improve the appearance of this vacant and deteriorating site and alleviate issues of anti-social behaviour and vandalism.
- 5.39 Furthermore, whilst there is an outstanding concern regarding the scale of the proposed dwellings, Officers consider that the proposed scheme could be accommodated within the site and has been designed to appropriately sustain and enhance the character and appearance of Whickham Conservation Area. The provision of an interpretation panel at the site entrance would also enhance visitors' understanding of heritage assets within and surrounding the site.
- 5.40 In addition to the above, in accordance with NPPF Paragraph 203, taking into account the above assessment Officers conclude that the harm to the Locally Listed Park would not be of such a scale to warrant refusal of the application on these grounds.
- 5.41 Having regard for the above, it is therefore considered that the proposed development is acceptable in heritage terms and accords with the NPPF and policies CS15 and MSGP25 of the Local Plan for Gateshead.
- 5.42 DESIGN AND VISUAL AMENITY
NPPF Paragraph 126 makes clear that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"*. It goes on to state that *"good design is a key aspect of sustainable development..."*.
- 5.43 Paragraph 131 further 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”.

- 5.44 Policy CS15 of the Local Plan for Gateshead refers to place making and the need for new development to demonstrate high and consistent design standards and requires development to contribute to good place making. This is supported by policy MSGP24 which states that the design quality of proposals will be assessed with regards to criteria including: the proposal’s compatibility with local character including scale, massing, proportions and form; layout and access; and materials.
- 5.45 In broad terms, Officers consider that the proposed development would achieve an appropriate standard of design that would contribute to the site and its surrounding context.
- 5.46 The proposed dwellings would be formed from natural sandstone with stone detailing and slate roofs featuring pitched dormer windows, replicating and responding to existing buildings within the surrounding area including the former stable building on the site. These are considered appropriate and final details of materials would be secured through conditions (CONDITIONS 39-40). The dwellings would have a contemporary design however when paired with the traditional materials these are considered to represent an appropriate design solution for this site.
- 5.47 Whilst concerns have been raised regarding the scale and massing of the proposed development Officers consider that the amount of development proposed can be accommodated within the site. The scale, layout and density of dwellings varies within Wickham however Officers consider that the characteristics of the scheme proposed would not be dissimilar to larger dwellings along Millfield Road, Cornmoor Road, Whaggs Lane and Broom Lane beyond the southern side of Chase Park. Furthermore, soft landscaping and appropriate boundary treatments are proposed to be used to assimilate the proposed development into its setting, details of which would be secured by condition alongside final details of hard landscaping measures (CONDITIONS 41-42).
- 5.48 The scheme is therefore acceptable from a design point of view and subject to the recommended conditions accords with the design aims and objectives of the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.49 **RESIDENTIAL AMENITY**
NPPF Paragraph 130 requires development to create places with a high standard of amenity for existing and future users. This is supported by Local Plan policies CS14 and MSGP17, which require development to provide a good standard of amenity for existing and future occupiers and prevent negative impacts on residential amenity.

Policy CS11(4) also requires adequate space inside and outside the home to meet the needs of residents.

- 5.50 Officers are satisfied that the proposed development would provide adequate internal and external space for future occupiers and would maintain appropriate distances between the proposed dwellings to prevent overlooking/a loss of privacy. It is recommended that a condition be imposed requiring windows serving specific bathrooms and en-suites to be obscurely glazed alongside certain windows within the side elevations of Plots 1-3, to prevent overlooking between future occupiers (CONDITION 30).
- 5.51 Concerns have been raised in letters of representations as to the impact of the proposed development upon users of the park and activities taking place within this, including overlooking.
- 5.52 The proposed dwellings are largely offset from the site boundaries and the scheme incorporates soft landscaping (final details to be secured through conditions) which would also soften the appearance of the development and restrict views both into and out of the site. It is also considered that the level of activity that is reasonably likely to be associated with a development of this size would not be of such a scale so as to be detrimental to the amenity of members of the public using Chase Park. Furthermore, Officers consider that existing activities within/associated with Chase Park are unlikely to have a significant adverse effect on the amenity of future occupiers of the proposed development so as to warrant refusal on this basis.
- 5.53 Given the location and setting of the site within Chase Park, it is recommended that a condition be imposed to restrict construction hours on site and in relation to construction management (CONDITIONS 3-4).
- 5.54 Having regard for the representations received it is considered that the proposal would not result in an unacceptable impact on residential amenity and that, subject to conditions, this would therefore comply with the aims and requirements of the NPPF and policies CS11(4), CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.55 HIGHWAY SAFETY AND PARKING
NPPF Paragraph states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 5.56 The application site includes the existing access into Chase Park from Rectory Lane, which serves as a pedestrian link into the park. The access road serves a footpath which runs north to south along the western boundary of the site, and also continues east to west through the site, connecting to footpaths to the east and south. The Council’s

Public Rights of Way Officer has been consulted on the application and has confirmed that there are no recorded Public Rights of Way within or within the vicinity of the application site.

- 5.57 The application proposes to use the existing access road to serve the development. The road would be widened at the entrance with Rectory Lane and the southern gatepost would be relocated to accommodate two-way vehicle movements. The access road would also be widened along the northern boundary to accommodate vehicle turning, as detailed on the submitted plans. A new gated road would be created to the southern side of the road to provide access into the development.
- 5.58 A significant number of objections have been received to the application on highway safety grounds. These representations raise concerns about the impact of the proposed development upon users of the existing access into the park and in terms of potential increased congestion and accidents at the junction of Rectory Lane and Front Street.
- 5.59 The site access is well used by pedestrians accessing the park and using this road as a through-route. The site has however also historically been used as a Council depot with relatively high numbers of associated vehicle movements, and as an adult day care centre with associated vehicle movements; both of these uses could be reinstated. Officers acknowledge that the existing access arrangements for the site are poor, given that this is one of the main pedestrian routes into the park, and that the access is single width and on a signalised junction. Taking into consideration the established historic uses on the site and trips generated by these together with the widening/access improvements proposed by the application and relatively low number of dwellings proposed, and noting the previous grant of permission in principle, Officers however consider that the use of the site access for the proposed development would be acceptable in highway safety terms.
- 5.60 As above, the application proposes to widen the existing site entrance to accommodate two-way traffic at the Rectory Lane which Officers consider would provide an improved vehicular access arrangement. Officers consider that the proposed plans demonstrate that the pedestrian visibility arrangement for vehicles leaving the site would be no worse than the existing arrangement, subject to final details of the visibility splay and boundary wall alterations (CONDITIONS 31-32).
- 5.61 A significant number of objections have also been received on the grounds that the proposed development would reduce or remove public access to the park. The submitted plans show that access to the park for members of the public would be retained as part of the proposed development as per the existing arrangement. Whilst outside of the planning process, the applicant has confirmed that as

part of the sale of the site the access way area of land would effectively remain within the ownership of Gateshead Council, with a right of access granted for the proposed development, thus it is understood that the Council would retain an element of control over the existing public access situation.

- 5.62 Bin collection is proposed to take place from a collection point to the north of the application site from a shared bin store; final details of the store would be secured by condition. Officers are satisfied with the details submitted as part of the application which demonstrate that a collection vehicle could manoeuvre into the site access and turn within the turning area.
- 5.63 Each dwelling would have a private drive with 2no. parking spaces and an EV charging point and there would also be 2no. visitor parking spaces. Car parking standards in accordance with MSGP15 5 a) (Appendix 4a) require new residential developments to achieve min. 1no. max. 2no. parking spaces per dwelling plus 1no. visitor space per four dwellings. Proposed car parking for the development therefore meets current standards. The provision of EV charging is desirable however as this is not major development this is not mandatory and therefore cannot be conditioned.
- 5.64 Secure, weatherproof cycle parking is required for each dwelling. The proposed floor plans for the development indicate that this would be facilitated within private garages for the dwellings which Officers consider to be acceptable.
- 5.65 There are 2no. existing disabled parking spaces within the application site which would be lost as a result of the proposed development. These bays were however associated with the previous use of the site and are not for public use; this is supported by the fact that there is a bollard access the access road preventing public vehicular access. The application would therefore not result in the loss of disabled parking spaces which are available to the general public.
- 5.66 Given the location of the site, a condition would be imposed requiring the submission and subsequent implementation of a Construction Management Plan (CMP).
- 5.67 Having due regard for the representations received, Officers consider that the proposed development would not result in an unacceptable impact on highway safety and that subject to conditions this would comply with the aims and requirements of the NPPF and policies CS13 and MSGP15 of the Local Plan.
- 5.68 **ECOLOGY**
The proposed development site is not located within or immediately adjacent a designated nature conservation site or Wildlife Corridor,

and no significant adverse impacts are anticipated in relation to any such features.

- 5.69 Habitats within the site include buildings, hardstanding, trees and scrub which may offer nesting opportunities for birds, bats and hedgehog. One building within the site (the former stable block) has been assessed as being of moderate suitability for roosting bats, and one brick building and one horse chestnut tree have been assessed as low suitability for bats. The site has also been assessed as being of very low/negligible suitability for hibernating bats. Habitats directly adjacent to the site are of moderate suitability for foraging and commuting bats.
- 5.70 The application is supported by a Biodiversity Net Gain metric and report which show that biodiversity net gain is achievable within the application site as part of the proposed development.
- 5.71 The submitted ecology reports recommend avoidance, mitigation, compensation and enhancement measures. It is recommended that conditions are imposed to secure the following:
- Submission and implementation of a construction environmental management plan
 - Submission and implementation of a bat mitigation and compensation strategy
 - Submission of updating bat surveys if works not commenced within 24 months
 - Submission and implementation of hard and soft landscaping schemes, including compensatory tree planting, to achieve biodiversity net gain
 - Submission and implementation of boundary treatment details
 - Submission and implementation of an ecological lighting strategy
- 5.72 Whilst separate to the planning application process, it is noted that a Protected Species Mitigation Licence will be required from Natural England to facilitate the proposed development and an informative is recommended to be attached regarding this.
- 5.73 Subject to imposition of the above conditions it is considered that the proposed development would not result in unacceptable harm to ecology and would comply with the aims and objectives of the NPPF and policies CS18, MGP36 and MSGP37 of the Local Plan for Gateshead.
- 5.74 **TREES**
There are 25no. individual trees, 2no. tree groups and 2no. hedges within the application site alongside some minor vegetation/shrubs and self-sown trees within the site and trees adjacent to the site boundary. The trees are not subject to a Tree Preservation Order

(TPO) however are protected by virtue of being situated within a Conservation Area.

- 5.75 The application is accompanied by an Arboricultural Implications Assessment (AIA), Arboricultural Constraints Plan and Tree Protection Plan.
- 5.76 The application proposes the removal of 11no. individual trees and 1no. young tree group adjacent to the southern boundary of the site to facilitate the proposed development. Officers are satisfied that none of the trees to be removed are of high retention value and that replacement tree planting can be secured to mitigate the loss of these trees. Indicative details of soft landscaping for the site have been submitted which includes replacement tree planting along the southern boundary of the site and to the north and west of the site.
- 5.77 The application also proposes works within Root Protection Areas (RPAs) of retained trees. In these areas, the application proposes specialist construction techniques to minimise disturbance to tree roots. Protective measures are also proposed to ensure that retained trees are not harmed during construction works. Officers have reviewed the information submitted and are satisfied that protection measures can be employed to protect retained trees; conditions would however be required to secure the submission of precise details of the construction methodology of the development and require the implementation of proposed protective measures before development commences, together with details of any tree works proposed (CONDITIONS 5-7; 45-46).
- 5.78 Subject to the above conditions, the proposal would comply with the aims and requirements of the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.
- 5.79 **ARCHAEOLOGY**
The application site is within the medieval village of Whickham and was later developed for Whickham House; the surviving stone stable block on the site relates to the former Whickham house. The large modern building on the site is built on the footprint of a building shown on historic Ordnance Survey maps however the remainder of the site appears to be relatively undisturbed.
- 5.80 The site has some archaeological potential, in particular for remains dating to the medieval period. Conditions are therefore to be imposed requiring archaeological trial trenching to be undertaken prior to work commencing on site, to establish the presence or otherwise of archaeological remains (CONDITIONS 8-10).
- 5.81 The application also proposes to demolish the existing buildings on the site, of which the stable block is considered a non-designated heritage asset. The Tyne and Wear Archaeologist has raised no

objections to the application including the demolition of the building, although has expressed that it would be desirable for the stable building to be retained. A condition is required to be imposed for historic building recording to be undertaken prior to demolition of the building, to provide an archive record of the building (CONDITION 11).

5.82 Subject to the above conditions, the proposal would comply with the aims and requirements of the NPPF and policies CS15 and MSGP27 of the Local Plan for Gateshead.

5.83 DRAINAGE

The application site is situated within Flood Zone 1 and has a site area of less than 1 hectare, therefore there is no requirement for a Flood Risk Assessment to be submitted in this instance.

5.84 The application is accompanied by a Drainage Strategy which provides details of proposed foul and surface water drainage arrangements for the development, which would be accommodated within the existing combined sewer network. Following amendments made to the application, the strategy proposes the use of permeable paving to the private driveways and central road to provide an element of SuDS together with a geocellular attenuation tank to the north east of the site. The application also includes works to improve the existing drainage situation along the access road by introducing gullies to collect surface water flow.

5.85 Officers have reviewed the amended strategy and consider that final details are required of the drainage design plan, works to the access road and drainage calculations (to include the attenuation tank porosity), and to demonstrate that the proposed attention tank will be structurally adequate. This would therefore be sought via conditions (CONDITIONS 35-36). Final details of permeable paving would also be sought via conditions (CONDITIONS 41-42).

5.86 Subject to conditions, it is considered that the proposal would be acceptable in terms of drainage and would comply with the aims and requirements of the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

5.87 GROUND CONDITIONS

5.88 Coal Mining Legacy

The site falls in the Coal Authority defined Development High Risk Area. A Coal Mining Risk Assessment has therefore been submitted with the application. The Coal Authority agree with the recommendations of the submitted assessment, and it is recommended that conditions be imposed requiring the submission of a report of further site investigations relating to coal legacy, remediation scheme where required, the implementation of approved

remediation measures and the submission of verification report(s) demonstrating their effectiveness (CONDITIONS 14-15).

- 5.89 **Contaminated Land**
The application is accompanied by a Phase I Preliminary Risk Assessment (PRA) and has been assessed as being situated on potentially contaminated land based on previous use. Conditions are recommended to be imposed requiring final details of intrusive site investigations (Phase II Detailed Risk Assessment), and where required, remediation measures and gas monitoring, and the implementation of approved remediation measures and the submission of verification report(s) demonstrating their effectiveness (CONDITIONS 16-21).
- 5.90 Subject to the above conditions the development would comply with the aims and requirements of the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.
- 5.91 **DIGITAL INFRASTRUCTURE**
Local Plan policy 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.
- 5.92 A condition is recommended to be imposed (CONDITION 34) requiring the submission of a statement explaining the outcome of this engagement, subject to which the application complies with policy MSGP8 of the Local Plan for Gateshead.
- 5.93 **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. The development is located within Charging Zone b, with a levy of £30 per square metre for this type of development and would therefore be charged accordingly.
- 5.94 **OPEN SPACE AND PLAY PROVISION**
Policy MSGP39 seeks to protect open space and recreational facilities from development and changes of use other than in specific circumstances. Chase Park is an area of designated open space however the application site is specifically excluded from this designation and therefore Officers are satisfied that this would not result in the loss of public open space.

- 5.95 Policy MSGP40 of the Local Plan for Gateshead states that new development will ensure that the provision of open space, sports and recreation facilities is able to meet identified needs, and seeks to achieve this through the provision of open space and play facilities on new housing developments of 10 dwellings or more. As the application is for 4 dwellings there is no requirement to provide open space or play facilities as part of the development.
- 5.96 **OTHER MATTERS**
Suggestions and criticism have been received regarding the absence of affordable housing or housing for people with disabilities as part of the scheme. The requirements for affordable housing and accessible and adaptable dwellings only apply to developments of 15no. dwellings or more; this application falls below these thresholds.
- 5.97 Officers note the numerous suggestions put forward in letters of objection as to alternative uses of the site and existing buildings however the application must be considered on the basis of its own merits and not on the basis of other suggestions. Officers also note suggestions and queries about developing other sites within Gateshead however this does not preclude the determination of this application in its current form.
- 5.98 Noting the criticism received regarding public consultation, Officers are satisfied that publicity for the application has been carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.
- 5.99 Comments made relating to the legality of the land sale and scheme, land ownership and covenants are not material planning matters.
- 5.100 There is no evidence that the proposed development would result in any loss of trade to shops within Whickham.
- 5.101 There is no evidence to suggest that this application would result in further land within Chase Park being developed for residential purposes, or that this would set a precedent for similar schemes elsewhere; the application must be determined on its own merits.
- 5.102 There is no evidence that the proposed development would lead to an increase in anti-social behaviour, vandalism or burglary or detrimentally impact on public health.
- 5.103 A suggested lack of need for the proposed development is not a material planning matter and does not warrant refusal of the application.
- 5.104 It is considered that all other material planning considerations have been addressed within the body of the report.

6.0 CONCLUSION

- 6.1 The site is an allocated housing site under policy MSGP9 of Making Spaces for Growing Places (MSGP) and has previously been granted permission in principle of residential development of between 1-6 dwellings. Whilst the loss of the existing former stable building is regrettable and would amount to less than substantial harm in heritage policy terms, Officers are satisfied that this harm would be outweighed by the public benefits that would be delivered by the scheme, namely the redevelopment of this deteriorating site to provide 4no. family homes and this is therefore acceptable overall, subject to conditions.
- 6.2 Taking all relevant issues into account including the letters of representation received it is considered that the proposed development is acceptable in principle in housing policy terms and in terms of heritage impacts, design, residential amenity, highway safety, ecology, trees, archaeology, drainage, ground condition, digital infrastructure and open space and play.
- 6.3 It is therefore recommended that planning permission be granted subject to conditions.

7.0 Recommendation:

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 -

Location Plan (1:1250) (Dwg. No. 1010 Rev. P02)

Proposed Site Plan (1:200) (Dwg. No. 1100 Rev P11)

Proposed Plans (House Type A1) (Dwg. No. 1110 Rev P09)

Proposed Plans (House Type A2) (Dwg. No. 1115 Rev P08)

Proposed Plans (House Type A3) (Dwg. No. 1120 Rev P08)

Proposed Plans (House Type B) (Dwg. No. 1120 Rev P07)

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

Prior to the commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall provide for:

- A) Hours of operation;
- B) The parking of vehicles of site operatives and visitors;
- C) Measures to control the emission of dust and noise during demolition and construction;
- D) The erection and maintenance of security hoarding;
- E) Location and layout of compound areas;
- F) A Demolition and Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during demolition and construction

Reason

In order to protect the amenities of local residents and the wider environment during construction and in the interests of highway safety, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

Reason for pre-commencement condition

The construction management plan must be submitted and approved in writing before the development commences in order to ensure that an appropriate scheme can be implemented prior to works starting on site which may have a detrimental impact upon the amenity of local residents.

4

The Demolition and Construction Management Plan approved under condition 3 shall be implemented and complied with in full during all stages of construction, until completion of the development hereby approved.

Reason

In order to protect the amenities of local residents and the wider environment during construction and in the interests of highway safety, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

5

Prior to the commencement of the development hereby approved (including soil moving or any operations involving the use of motorised vehicles or construction machinery), measures for the protection of trees and hedges within and adjacent to the site as set out in the Woodsman Arboricultural Consultancy 'Arboricultural Implications Assessment' and 'Arboricultural Impact Assessment Tree Protection Plan' (Dwg. No. TPP.ChasePark.No1) shall be implemented.

The protective fencing shall thereafter be retained intact for the full duration of the works to construct the development hereby permitted.

There shall be no access, storage, ground disturbance or contamination within the fenced protected area without the prior approval of the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees and hedges in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner that protects existing trees and hedges within and adjacent to the site. The protection measures are fundamental to the protection of the trees and hedges and must be in place prior to development starting on site.

6

Notwithstanding the information submitted, no development shall commence until a detailed site-specific construction specification methodology and special 'no dig' construction methodology is submitted to and approved in writing by the Local planning Authority.

The design of the proposed methodology shall be based on the principles recommended and outlined in the submitted Woodsman Arboricultural Consultancy 'Arboricultural Implications Assessment'.

Reason

To ensure the satisfactory protection of trees and to maintain their health and visual amenity, in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner that protects existing trees and hedges within and adjacent to the site. The protection measures are fundamental to the protection of the trees and hedges and must be in place prior to development starting on site.

7

The detailed site-specific construction specification methodology and special 'no dig' construction methodology approved under condition 6 shall be adhered to for the full duration of the works to construct the development hereby permitted.

Reason

To ensure the satisfactory protection of trees and to maintain their health and visual amenity, in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

8

No groundworks or development shall commence (except works necessary to secure the site from public access) until a programme of archaeological fieldwork to record items of interest and finds for an appointed archaeologist to undertake has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 205 of the NPPF and policy MSGP27 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner which ensures that any archaeological remains can be preserved, recorded and if necessary, salvaged. This information is required prior to development starting on site, as the commencement of construction works without this information could result in harm to archaeological remains.

9

The details approved under condition 8 shall be implemented during all groundworks and development hereby approved until final completion of the development hereby approved.

Reason

To ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 205 of the NPPF and policy MSGP27 of the Local Plan for Gateshead.

10

The development hereby approved shall not be brought into first use until the report of the results of the archaeological fieldwork undertaken in accordance with the details approved under condition 9 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 journal, to be agreed in writing by the Local planning Authority prior to publication, and shall be submitted to the editor of the journal for publication following approval by the Local Planning Authority.

Reason

To ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 205 of the NPPF and policy MSGP27 of the Local Plan for Gateshead.

11

No development shall commence until a report of the results of a programme of archaeological building recording of the former stable block building (which shall be at Historic England Level 3) has been submitted to and approved in writing by the Local Planning Authority.

Reason

To provide an archive record of the historic building/structure, in accordance with paragraph 205 of the NPPF and policy MSGP27 of the Local Plan for Gateshead.

Reason for pre-commencement condition

This information is required prior to development starting on site, as the commencement of demolition/construction works without this information would result in the loss of historic remains prior to recording.

12

Prior to commencement of the development hereby approved details of final existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure an appropriate form of development in the interests of good design and the heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To ensure that final and appropriate site levels can be agreed prior to the commencement of construction of the site, which may alter site levels.

13

The levels approved under condition 12 shall be implemented in full accordance with the approved scheme before first occupation of the development hereby approved.

Reason

To ensure an appropriate form of development in the interests of good design and the heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

14

Prior to the commencement of the development hereby approved, (excluding the demolition of the existing buildings) a report of intrusive site investigations in relation to coal mining legacy, and where required, measures and timescales for remediation, monitoring, and verification reports shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure there is adequate land stability in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation scheme suitable for appropriate land stability is identified and approved prior to commencement of the development.

15

The recommendations of the intrusive site investigation and the remediation, mitigation and monitoring measures approved under condition 14 shall be implemented in accordance with the timescales within the approved remediation scheme and in full accordance with the approved details

Reason

To ensure there is adequate land stability in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

16

The development hereby approved shall not commence (excluding the demolition of the existing buildings) until an intrusive site

investigation is undertaken and a Phase 2 Risk Assessment report of the findings is 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, any requirement for gas monitoring of the site 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.

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

Reason for pre-commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

17

Prior to the commencement of development hereby approved (except for site investigations and demolition of the existing buildings) where remediation is identified under condition 16, 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 environment shall be submitted to and approved in writing by the Local Planning Authority.

The 'Remediation Scheme' must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

Reason for pre-commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation suitable for the sensitive end use is identified and approved prior to the commencement of the development.

18

The remediation works detailed in the 'Remediation Scheme' approved under condition 17 shall be wholly undertaken within the timescales set out within the approved scheme.

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

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

19

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

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

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

20

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

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

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

21

Where remediation is required (under conditions 16-20), following completion of the approved remediation and monitoring measures, the development hereby approved shall not be first occupied until an amended verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure the land is suitable for its sensitive end use 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 for Gateshead.

22

Notwithstanding the information submitted, the development hereby approved shall not commence until a detailed Bat Mitigation and Compensation Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include:

- A) Information on the legislation relating to bats and their protections;
- B) Details of safe and appropriate working methods and timings to be adhered to at the site;
- C) The procedure to be followed in the unlikely event that bats are found during works;
- D) The requirement for all personnel working on the site to attend a Toolbox Talk, to be written and given by a Suitable Qualified

Ecologist prior to commencement of works to potential bat roost features. The talk shall cover legislation relating to bats, how to identify bats and their field signs, appropriate wording methods and procedure to follow if a bat is found on site;

- E) Full details, including the specification and precise location, of a minimum of 3no. bat roost features to be integrated within the fabric of the approved development

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels and to provide biodiversity enhancements, in accordance with the NPPF and policies CS18 and MSGP37.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner which avoids harm to bats. This information is fundamental to the development and requires approval before development starting on site as the commencement of works and the manner in which they are undertaken could be harmful to bats.

23

The Bat Mitigation and Compensation Strategy approved under condition 22 shall be implemented in full at all times during the construction stage.

The approved bat roost features shall be installed prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development. Should the features become damaged or removed, a replacement feature of the same or similar specification shall be provided as soon as is practicably possible.

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels and to provide biodiversity enhancements, in accordance with the NPPF and policies CS18 and MSGP37.

24

In the event of works not commencing on site within 24 months of the date of the submitted Estrada Ecology Ltd 'Bat Activity Survey Report (30th September 2021) an updating bat survey shall be undertaken and a copy of the report including an updated Bat Mitigation and Compensation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

Thereafter, the approved updated Bat Mitigation and Compensation Strategy shall be implemented in full at all times during the construction stage.

The approved bat roost features shall be installed prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development. Should the features become damaged or removed, a replacement feature of the same or similar specification shall be provided as soon as is practicably possible.

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels and to provide biodiversity enhancements, in accordance with the NPPF and policies CS18 and MSGP37.

25

Notwithstanding the information submitted, the development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include:

- A) A risk assessment of potentially damaging construction activities (including but not limited to removal of the tennis court, demolition and refurbishment);
- B) Identification of "biodiversity protection zones" (e.g. tree protection zones);
- C) Practical measures (both physical measures and sensitive working practices) to avoid/reduce impacts during construction (e.g. measures to protect wildlife from becoming trapped in any excavations/pipes during construction, measures to protect adjacent habitats and watercourses);
- D) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. no vegetation clearance to be undertaken between March and September (inclusive) unless immediately preceded by a nesting bird check and hand search for amphibians, undertaken by a suitably qualified ecologist);
- E) The times during construction when specialist ecologists will be present on site to oversee works (e.g. pre-works hand searches for amphibians);
- F) Details of responsible persons and lines of communication;
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- H) Details for the use of protective fences, exclusion barriers and warning signs

Reason

To avoid/minimise harm to biodiversity, in accordance with the NPPF and policies CS18 and MSGP37.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner which avoids harm to biodiversity. This information is fundamental to the development and requires approval before development starting on site as the commencement of works and the manner in which they are undertaken could be harmful to biodiversity.

26

The CEMP approved under condition 25 shall be implemented in full at all times during the construction stage.

Reason

To avoid/minimise harm to biodiversity, in accordance with the NPPF and policies CS18 and MSGP37.

27

Prior to commencement of the development hereby approved a scheme to amend the restrictions for the waiting of vehicles along Rectory Lane adjacent to the site entrance and to prevent the waiting and parking of vehicles along the access road and in the turning area together with a timescale for implementation shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety, in order to ensure safe movements to and from the site, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

Reason for pre-commencement

To ensure that revised waiting restrictions can be delivered at the site which are necessary to facilitate the creation of the proposed site access.

28

The scheme approved under condition 27 shall be implemented in full accordance with the approved details and timescale for implementation.

Reason

In the interests of highway safety, in order to ensure safe movements to and from the site, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

29

Notwithstanding the details on the submitted drawings, prior to the commencement of development hereby approved (except for site investigations) a fully detailed scheme for boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide details of the type, position, design, dimensions and materials of the boundary treatment and shall include provision for natural stone walls and native hedge planting (incorporating mesh fencing where required) within the site.

The scheme shall also include:

- A) Final details of the former stable block to be incorporated into Plot 4 including a methodology for its deconstruction
- B) A methodology for the dismantling and reconstruction of the gatepost to the southern side of the site access and final details of the proposed gatepost and adjoining wall
- C) Final details of the proposed sliding entrance gate and pedestrian access gate
- D) Measures to facilitate the movement of hedgehog within the site (where applicable)

Reason

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To ensure that an appropriate scheme for boundary treatment can be agreed prior to development commencing, as this requires the demolition of the existing stable block building.

30

The boundary treatment shall be provided in accordance with the details approved under condition 29 prior to first occupation of the development hereby approved and shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

31

The following windows shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington) prior to first occupation of the respective dwellings hereby approved and shall be retained as such thereafter.

Plot 1 (House Type A1)

First floor north elevation W1-01 ('Bathroom'), W1-02 ('En-Suite')

First floor south elevation ('Study Nook')

Plot 2 (House Type A3)

First floor north elevation ('Study Nook')

Ground floor south elevation W0-02 ('Snug')

First floor south elevation ('Bedroom 2')

Plot 3 (House Type A2)

Ground floor north elevation W0-02 ('Snug')

First floor north elevation ('Bedroom 2')

Plot 4 (House Type B)

First Floor south elevation W1-03 ('Bathroom')

Reason

To ensure that the development would provide an appropriate level of privacy for future occupiers, in accordance with the NPPF and polices CS14 and MSGP17 of the Local Plan for Gateshead.

32

Notwithstanding the details shown on the submitted drawings no dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- A) Final details of pedestrian visibility splay to the southern side of the access;
- B) Final details of the layout of the pedestrian walkway to the southern side of the access including details of boundary treatments and any necessary vegetation removal/cutting back to achieve and retain the pedestrian visibility splay under A) for the lifetime of the development;
- C) Details for the long-term management of vegetation within the pedestrian visibility splay A).

Reason

In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

33

The details approved under condition 32 shall be implemented in full accordance with the approved scheme prior to first occupation of the development hereby approved and shall be retained for the lifetime of the development.

Reason

In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

34

Notwithstanding the provisions of Article 3, Classes A and E of Part 1 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the permitted development rights of the development (pertaining to enlargement, improvement or other alteration of a dwellinghouse; buildings etc incidental to the enjoyment of a dwellinghouse; and gates, fences, walls etc) are hereby removed.

Reason

To ensure the scheme would not have an unacceptable impact on visual amenity and the heritage interests of the area, in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

35

No dwelling hereby approved shall be occupied until a statement explaining the outcome of engagement with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure necessary physical infrastructure to enable access to information and digital communication networks at the new development, in accordance with the NPPF and policy MSGP8 of the Local Plan for Gateshead.

36

Notwithstanding the information submitted, following demolition no further works shall commence until a full and comprehensive Drainage Strategy for the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the LLFA.

The Strategy shall include a drainage management plan which shall be in accordance with Appendix B8 of the SuDS Manual (CIRIA C753) and shall include a SuDS Maintenance Inspection Checklist.

Reason

To ensure an appropriate drainage strategy for the site in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

Reason for pre-commencement condition

In order to ensure that the site layout can accommodate appropriate drainage measures prior to the commencement of the construction of the development.

37

The details approved under condition 36 shall be implemented in full accordance with the approved scheme prior to first occupation of the development and retained and maintained as such for the lifetime of the development.

The Maintenance Inspection Checklist within the approved drainage management plan shall be completed by those responsible for the operation and maintenance of the SuDS and shall be available for review on request by the Local Planning Authority to verify the condition and performance of the system.

Reason

To ensure an appropriate drainage strategy for the site in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

38

Notwithstanding the details on the submitted drawings the development hereby approved shall not be occupied until details of the shared bin store have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that adequate provision is made for bin storage and to safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24, MSGP25 and MSGP48 of the Local Plan for Gateshead.

39

The shared bin store shall be implemented in accordance with the details approved under condition 38 prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development.

Reason

To ensure that adequate provision is made for bin storage and to safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24, MSGP25 and MSGP48 of the Local Plan for Gateshead.

40

Notwithstanding the details shown on the submitted drawings no external materials shall be used in the construction of the development hereby permitted until samples of the materials to be

used have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

41

The development shall be completed using the materials approved under condition 40.

Reason

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

42

Notwithstanding the details shown on the submitted drawings no new hard landscaping shall be used on site until final details of the appearance of the hard landscaping to be used and a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority.

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

43

The hard landscaping details approved under condition 42 shall be implemented in accordance with the approved details and timescale and shall be retained as such for the lifetime of the development.

To safeguard the visual amenities and heritage interests of the area in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

44

Notwithstanding the details on the submitted drawings, the development hereby approved shall not progress beyond damp proof course level until full details of a scheme for soft landscaping and areas of habitat creation including an updated Biodiversity Net Gain Metric 3.1 and Biodiversity Net Gain Report have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- A) Ground preparation and landscape planting plans noting the species, plant sizes and planting densities for all new planting
- B) Details of those responsible for activities

- C) Proposed timings for implementation
- D) A detailed management plan, annual maintenance programme, monitoring protocol and arrangements to address any defects/issues adversely impacting the value and function of the soft landscaping and/or habitats provided on site
- E) A construction handover checklist

The management plan shall focus on the long-term management and monitoring of the created and/or enhanced features. This shall provide detailed management and maintenance for years 1-5, with broader management aims for the lifetime of the Biodiversity Net Gain commitment (i.e. the lifetime of the development or 30 year period).

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity and heritage interests of the area and to provide biodiversity net gain in accordance with the NPPF and policies CS15, CS18, MSGP24, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

45

The soft landscaping scheme approved under condition 44 shall be implemented in full accordance with the approved details and timescales and maintained thereafter for a minimum 30 years in accordance with the approved management plan.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity and heritage interests of the area and to provide biodiversity enhancements in accordance with the NPPF and policies CS15, CS18, MSGP24, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

46

Notwithstanding the information submitted, no tree pruning works shall take place during the period of construction until details of any tree works to be undertaken have been submitted to and approved in writing by the Local planning Authority.

Reason

To ensure the satisfactory protection of trees and to maintain their health and visual amenity, in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

47

Tree pruning works carried out during the period of construction shall only be undertaken in accordance with the details approved under condition 46.

Reason

To ensure the satisfactory protection of trees and to maintain their health and visual amenity, in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

48

Prior to the installation of any new external lighting associated with the development hereby approved an external lighting strategy for the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

49

The external lighting installed at the development hereby approved shall be in accordance with the lighting strategy approved under condition 48.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

50

Notwithstanding the details on the submitted drawings, no unit hereby approved shall be occupied until the final intended location and design of the interpretation board(s), which assist in the understanding and appreciation of the history of Chase Park, have been submitted to and approved in writing by the Local planning Authority.

Reason

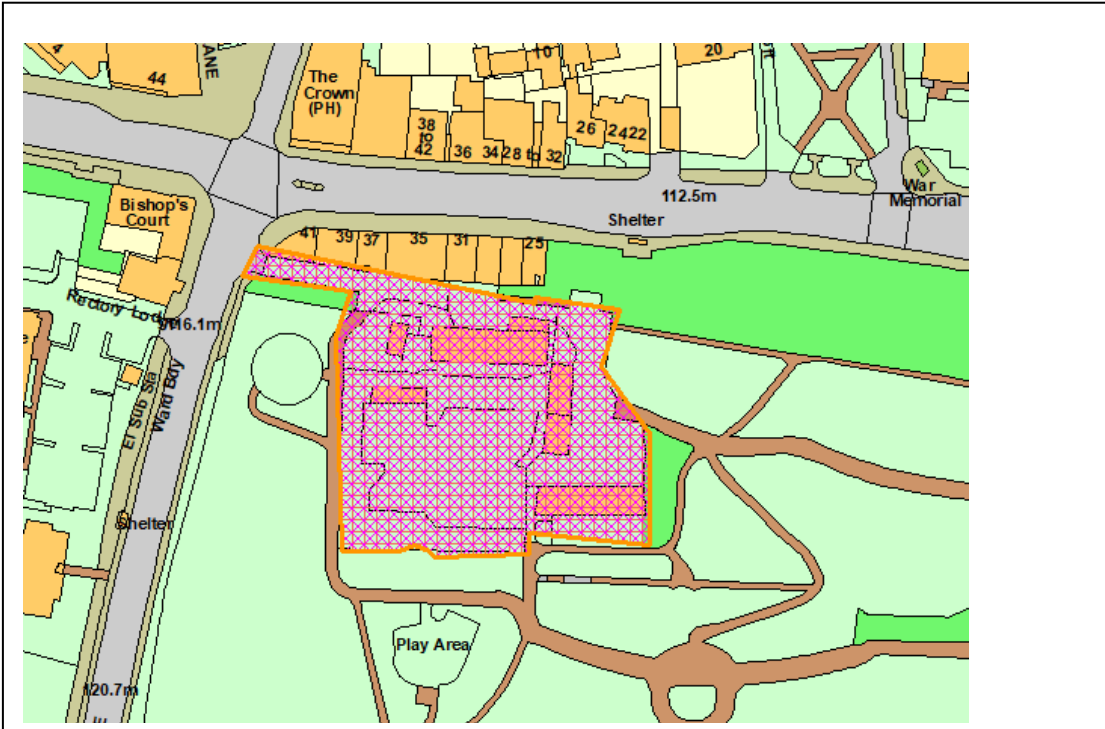
To better reveal the significance of heritage assets across the site and the provide public benefits, in accordance with the NPPF and policy CS15 of the Local Plan for Gateshead.

51

The interpretation board(s) approved under condition 50 shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason

To better reveal the significance of heritage assets across the site and the provide public benefits, in accordance with the NPPF and policy CS15 of the Local Plan for Gateshead.



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