

Committee Report

Application No:	DC/21/01494/FUL
Applicant	Mr Henry Butt
Date Application Valid	30 December 2021
Site:	Land South of Chain Bridge Road Blaydon NE21 5SS
Ward:	Blaydon
Proposal:	Erection of a building for employment uses (Use Classes Use Classes E(g) (ii) and E(g) (iii), B2 and B8), together with associated car parking and landscaping works (amended plans/additional information received 03/03/22, 12/04/22, 30/05/22 and 29/06/22).
Recommendation:	GRANT SUBJECT TO A SECTION 106 AGREEMENT
Application Type	Full Application

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

The application relates to an area of land located to the south of Chain Bridge Road, Blaydon. The application site occupies approximately 1.8 hectares, and houses a part brick, part metal clad industrial building which was previously let to British Steel however has been vacant for the last 12 months.

1.2 The site is bounded to the north by existing vegetation and beyond by Chain Bridge Road and other existing industrial, commercial, manufacturing units, to the east by Toll Bridge Road and existing industrial, commercial, manufacturing uses, to the south by Toll Bridge Road and beyond by vegetation and the railway line, and to the west by Chain Bridge Road.

1.3 The main pedestrian and vehicular access is currently taken via Toll Bridge Road, along the western boundary. A secondary vehicular access is located in the south east corner of the site and provides access to the hardstanding area located to the east. Additional access points are located along the southern boundary of the site and provide access to the hardstanding. The access points provide access to segregated areas of the site and do not allow for the through movement of vehicles within the site.

1.4 The site is located within the wider Blaydon/Derwenthaugh Main Employment Area as defined by Policy MSGP3 of the Local Plan, and the Environment Agency Flood Map indicates that the site lies entirely within Flood Zone 2.

1.5 DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the erection of a building for employment uses, together with associated car parking and landscaping

works. The application more specifically proposes the use of the building for the following purposes;

- Use Class E (g) (ii) - the research and development of products or processes;
- Use Class E (g) (iii) - any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit;
- Use Class B2 - General Industry; and/or
- Use Class B8 - Storage and Distribution.

1.6 The footprint of the unit is proposed to be 8,360sqm (90,000 sqft). It is proposed for the building to be positioned within the eastern extent of the site, with a maintenance yard behind. The western extent of the site would comprise the service yard, loading bays and car parking. The proposed building will be 12 metres to eaves and 16.6 metres to the ridge. The application proposes that the building has a neutral palette of materials, including grey cladding.

1.7 The submitted hard and soft landscaping plans propose a comprehensive landscaping scheme for the site, particularly around the site boundaries. The majority of the existing vegetation will be retained where possible, and be enhanced with the planting and trees.

1.8 The application proposes that vehicular access be provided as follows:

- Existing main vehicular access on the western boundary of the site with Toll Bridge Road is to be retained.
- Secondary vehicular access on the southern boundary of the site is proposed and will serve entry and exit movements to and from the gated car park.
- Existing access in the south east corner will also be retained and will provide entry and exit movements from the maintenance yard.
- New footway to be provided along the eastern kerblines of Toll Bridge Road connecting into the existing infrastructure to the north. The footway will connect south, providing pedestrian access to the site via the main vehicular access. The footway will also continue south between the main and second vehicular access points to the site.

1.9 The following documents have been submitted by the applicant in support of the application:

- Arboricultural Impact Assessment;
- Design and Access Statement;
- Ecology Appraisal (including Net Gains Assessment);
- Flood Risk and Drainage Assessment;
- Phase I Contaminated Land Risk Assessment;
- Planning Statement; and
- Transport Assessment & Travel Plan.

1.10 PLANNING HISTORY

The relevant planning history of the application site summarised as follows;

- DC/21/01493/DEM; Prior approval consent granted for 'Demolition of former British Steel Building.' Date; 27 January 2022.
- DC/20/00899/ADV; Advertisement consent refused and appeal dismissed for 'Upgrade of existing 48 sheet advert to support digital poster' Dates; 04 December 2020 and 14 May 2021.

2.0 Consultation Responses:

Marine Management Organisation	No objection.
Environment Agency	No objection.
Northern Gas Networks	No objection.
National Highways	No objection.
Coal Authority	No objection subject to condition(s).
Northumbrian Water	No objection subject to condition(s).
Newcastle City Council	No response.

3.0 Representations:

- 3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. No objections have been received.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS6 Employment Land

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

MSGP3 Other Employment Areas

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP29 Flood Risk Management

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

5.0 Assessment:

- 5.1 The main planning issues in this case are considered to be the principle of development and the impact on design, amenity, highways, flood risk, contaminated land, ecology, trees, CIL as well as other any material planning considerations.
- 5.2 **PRINCIPLE OF THE DEVELOPMENT**
Policy MSGP3 of the local plan identifies Blaydon/Derwenthaugh as a Main Employment Area, further the Policy seeks '*...to provide a range of land and premises capable of accommodating the needs of new and existing businesses operating within B1b, B1c, B2 and B8 uses...*' This policy requirements hangs off Policy CS6 which seeks to ensure a '*... sufficient supply, range and choice of employment land is maintained for class B1, B2 and B8 uses.*'
- 5.3 As set out above, the application proposes the building be used for the following uses;
- Use Class E (g) (ii) - the research and development of products or processes;
 - Use Class E (g) (iii) - any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit;
 - Use Class B2 - General Industry; and/or
 - Use Class B8 - Storage and Distribution.
- 5.4 Policies B2 and B8 are expressly referenced in both Policies CS6 and MSGP3 and are therefore supported. While the proposed E classes aren't expressly referenced, they are clearly employment uses. It is considered that these research and development, and industrial process uses would not impact negatively on the Main Employment Area.
- 5.5 However, it is considered necessary to condition that the premises should not be used for any use other than those particularised within the description i.e. B2, B8, E (g) (ii) and E (g) (iii) (Condition 3). This condition would allow the LPA to assess the impact of change of use moving forwards.

- 5.6 Based on the above and subject to the above condition, it is considered that the proposed uses are acceptable in accordance with the NPPF, and Policies CS6 and MSGP3 of the Local Plan.
- 5.7 **DESIGN**
Policy CS15 of the CSUCP requires that development should contribute to good place-making through the delivery of high quality and sustainable design by responding positively to local distinctiveness and character. Further, Policy MSGP24 of MSGP requires that all new development ought to be considered against the following criteria; the development compatibility with the surrounding area, layout and access, spacing and public realm, detailing and materials and landscaping.
- 5.8 The form of the building is very much driven by its proposed function, while it cannot be argued that the proposal would have a greater visual impact than the existing building e.g. there are clear differences in both height and massing. However, regard must be had to the fact the area is a Main Employment Area, the building has been designed to ensure it is desirable to potential occupants and has been accompanied by a landscaping scheme.
- 5.9 On the basis of the above and subject to conditions pertaining to final materials (Conditions 4 and 5) and the submission of, implementation and maintenance of a final landscaping scheme (Condition 6 to 8), it is considered that the proposal is acceptable in design terms.
- 5.10 It is considered that the application would deliver a well-considered design that would fully accord with the aims and requirements of the NPPF, Policy CS15 and MSGP24 of the Local Plan for Gateshead and the Gateshead Placemaking SPD.
- 5.11 **HIGHWAYS**
The planning application has been supported by a Transport Assessment (TA) and a Travel Plan (TP), as requested by the Council. The Transport Assessment examines the potential vehicle movements associated with the proposed development.
- 5.12 Officers are of the view that the proposed development would not have any unacceptable impact on the strategic or local highway network as a result of trip generation and/or distribution. Further, National Highways have been consulted on the application and had no comments to make.
- 5.13 Further to the above, the site accesses, car park and serving layouts are considered to be acceptable subject to final details which would be secured via planning conditions in the following areas;
- Final details of all site accesses including visibility splays, access controls and waiting/loading restrictions (Conditions 9 and 10)
 - The making good of existing accesses including any external highways works (Conditions 11 and 12)
 - Final details of parking, including EVC, motorcycle, cycle parking (Conditions 11 and 13)

- A carpark management plan (Conditions 12 and 13)
- Demolition and construction management plan (Conditions 16 and 17)
- Travel Plan (Conditions 18 and 19) and;
- Servicing management plan (Conditions 20 and 21).

5.14 Subject to the conditions set out above, the development is considered to comply with the requirements of NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

5.15 AMENITY

The application site is located within a solely commercial area, there are no sensitive noise receptors within the immediate vicinity. This said, there are other commercial operations within the immediate area, however it is considered that neither physical form of the development nor its operation would have an unacceptable level of impact on adjacent businesses. It is considered that the proposal may result in some impact during construction, as such it is considered necessary to attach conditions requiring the submission of a demolition and construction management plan ((DCMP) Conditions 16 and 17).

5.16 Based on the above assessment, it is considered that the development is acceptable from an amenity point of view and accords with the aims and objectives of the NPPF, Policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.17 GROUND CONDITIONS

5.18 Contaminated Land

The site has been assessed and inspected as part of the Council's Contaminated Land Strategy and is situated on potentially contaminated land based on previous historic use. On this basis, a preliminary risk assessment has been submitted as part of the application. Officers agree with the recommendation of the assessment and subject to conditions (Conditions 22 to 25) the development is considered to be acceptable in contaminated land terms.

5.19 Coal Mining

The Coal Authority agree with the finding of the preliminary risk assessment, within which it is concluded that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order ensure the safety and stability of the proposed development; this will be secured by planning condition (Conditions 26 and 27).

5.20 Subject to the above conditions, the development is considered to comply with the requirements of Policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.21 FLOOD RISK AND DRAINAGE

A flood risk and drainage assessment has been submitted with the application, in accordance with Policies CS17 and MSGP40 of the Local Plan for Gateshead. In addition to this, a Sequential and Exception Test Report has also been provided in support of the application.

- 5.22 The Sequential and Exception Test Report concludes that no 'reasonably available' alternative sites have been identified and that the continuing less vulnerable use of the site is a compatible use in flood zone 2 that does not require the application of the exception test. The report also advises that the proposed development will improve the site's resilience, resistance to flooding and, by using flood risk management measures to protect the site from flooding, the vulnerability of the site will be improved. Officers agree with this conclusion.
- 5.23 The flood risk and drainage assessment have appropriate regard to all forms of flooding and to the drainage hierarchy. The principle of the drainage design is considered to be acceptable, however final details will be required via condition (Conditions 28 and 29).
- 5.24 Subject to the conditions set out above, it is considered that the proposal would comply with the aims and requirements of Policies CS17 and MSGP29 of the Local Plan for Gateshead.
- 5.25 **ECOLOGY**
The proposed development site is located within a designed Wildlife Corridor and within 2km of several designated sites, including Shibdon Pond Site of Special Scientific Interest (SSSI) c. 300m to the south and the River Tyne Local Wildlife Site (LWS) c. 100m to the north. The proposals are considered unlikely to result in a significant adverse impact on designated sites or ecological connectivity.
- 5.26 The application is supported by an Ecological Impact Assessment and Biodiversity Net Gain Assessment.
- 5.27 The application site is dominated by buildings and hardstanding with very small areas of semi-natural habitat and individual/small groups of trees located towards the boundaries. Overall the site is considered to be of low ecological value and the buildings on site were assessed as posing a low risk for roosting bats.
- 5.28 A single nesting bird checking survey confirmed the presence of a number of nesting birds, recommendations are made in the submitted supporting information including avoiding the use of deterrent measures that would prevent gulls from nesting on the roof(s) of the new building(s) to be constructed on site, and the provision of nesting platforms to encourage the species'. To this end, a scheme for offsite ecological mitigation compensation/enhancement measures has been designed, these works will be provided by the developer via a commuted sum, secured through a S106 agreement.

- 5.29 Landscaping proposals incorporating areas of native tree, hedgerow and wildflower grassland have been submitted. The landscaping proposals are considered to be broadly acceptable, although some revision/additional information is required before the landscaping scheme can be considered approved, a final design will be secured via planning condition (Conditions 6 to 8). Further, retained trees and areas of woodland within and immediately outwith will be protected through the tree protection measures submitted as part of the development (Condition 30).
- 5.30 The results of the Biodiversity Net Gain Assessment can be summarised as follows:
- Onsite Baseline = 0.74 Habitat Units
 - Onsite Baseline = 0.00 Hedgerow Units
 - Onsite Post Intervention = 0.96 Habitat Units
 - Onsite Post Intervention = 0.64 Hedgerow Units
- 5.31 Therefore the proposed development will result in a net increase of 0.22 habitat units (i.e. 29.70%) and 0.64 hedgerow units (i.e. 100%).
- 5.32 In addition to the conditions/obligations set out above it is recommend the following conditions pertaining to the following areas be imposed;
- Biodiversity Method Statement (Conditions 31 and 32)
 - Landscape and Ecological Management Plan (Conditions 33 and 34) and
 - Ecological Lighting Design Strategy (Conditions 35 and 36).
- 5.33 Subject to the above conditions and planning obligation, it is considered that the development complies with the aims and requirements of the NPPF and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.
- 5.34 TREES
An Arboricultural Impact Assessment (AIA) has been submitted in support of the planning application. The AIA sets out the following impact;
"The proposed layout will necessitate the removal of one individually surveyed tree, one entire group of trees and a small section of one other group. In addition we would recommend the removal of Tree 10 because it is dead."
- 5.35 Further, the AIA sets out tree protection measures for the trees to be retained on site.
- 5.36 It is considered by officers that the level of tree removal is minimal and when considered against the landscaping scheme which would replace trees at a ratio of 2:1, it is acceptable.
- 5.37 Subject to a condition pertaining to the undertaking of the development in accordance with submitted tree protection plan (Condition x), it is considered that the proposed development would comply with the NPPF and Policies CS18 and MSGP36 of the Local Plan.

5.38 COMMUNITY INFRASTRUCTURE LEVY

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 not chargeable development.

6.0 CONCLUSION

6.1 The proposed development would result in the redevelopment of previously developed land and is considered to fully comply with the aims and objectives of the NPPF, and the relevant policies of the Local Plan for Gateshead.

7.0 Recommendation:

7.1 GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- Offsite biodiversity mitigation

2) That the Service Director of Legal and Corporate Services be authorised to conclude the agreement.

3) That the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include;

1

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

Location Plan - DAY-XX-XX-DR-A-04-0001 Rev. A

Existing Site Plan - DAY-XX-XX-DR-A-04-0002 Rev. A

Proposed Site Plan - DAY-XX-XX-DR-A-04-0003 Rev. F

Level 0 GA Plan - DAY-XX-00-DR-A-04-0004 Rev. E

Proposed GA Roof Plan - DAY-XX-XX-DR-A-04-0005 Rev. B

Existing Elevations - DAY-XX-XX-DR-A-04-1001 Rev. A

Proposed Elevations - DAY-XX-XX-DR-A-04-1002 Rev. C

Proposed Boundary Treatment Plan - DAY-XX-XX-DR-A-04-0006 Rev.

D

Landscape Hardworks - 4759-02 Rev. B

Landscape Softworks - 4759-03 Rev. B

Transport Statement - JN2162-Rep - 0002.2

Interim Travel Plan - JN2162-Rep-0003.2

Ecological Impact Assessment - 6625 – Rev. R01

Biodiversity Net Gain Assessment - 6625 – Rev. R01

Arboricultural Impact Assessment - ARB/CP/2600 December 2021

Phase I Site Investigations Report - E3P14-908-R1-2

Flood Risk Assessment - 3298-FRA March 22 Rev. A
Sequential and Exception Test Report - 3298-SEQ December 2021
SuDS Strategy – 3298 - SUDS March 22 Rev. A)

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

Reason

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

2

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

Reason

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

3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the building hereby approved shall only be used for uses falling within Use Classes E[g] (ii), E[g] (iii), B2 or B8 as defined by Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Reason

In order to protect employment floor space and the health of Blydon/Derwenthaugh as a Main Employment Area in accordance with the NPPF and Policies CS6 MSGP3 of the Local Plan for Gateshead.

4

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

Reason

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

5

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

Reason

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

6

Notwithstanding the submitted plans, the development hereby approved shall not be occupied, until a fully detailed scheme for soft landscaping and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of landscaping, ground preparation and planting plans noting the species, plant sizes, planting densities for all new planting, gapping up/planting of hedgerows and a scheme of maintenance of the landscaping (for a period of five years following planting).

Reason

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

7

The landscaping scheme shall be implemented in accordance with the details and timings approved at condition 6.

Reason

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

8

The approved soft landscaping and hedge maintenance schemes shall be maintained in accordance with the details approved under condition 3.

Reason

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

9

Notwithstanding the approved plans, the development hereby approved shall not be occupied until the final details of all proposed and/or retained site accesses have been submitted to and approved in writing by the Local Planning Authority. These details shall include full details of visibility splays, means of protecting visibility splays, site access controls and any required waiting/loading restrictions.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

10

The site access details approved under Condition 9 shall be completed in full accordance with the approved details and timetable for implementation, and shall be maintained in accordance with the approved details (including the protection of visibility splays).

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

11

Notwithstanding the approved plans, the development hereby approved shall not be occupied until the final details of making good of all non-retained site accesses, any required offsite highway works (including but not limited to replacement footway) and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

12

All non-retained site accesses shall be made good in accordance with the details approved under Condition 11 and timetable for implementation.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

13

Notwithstanding the approved plans, the development hereby approved shall not be occupied until the final details of the proposed parking layout/scheme and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. The parking layout/scheme shall include;

- Details of end use(s) and user(s);
- Final parking layout and numbers;
- Additional van parking and associated tracking (where required);
- EV charging proposals;
- Accessible Parking;
- Motor cycle parking; and
- Staff and visitor cycle parking/facilities.

Reason

In the interests of highway safety and in order to provide appropriate parking levels in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

14

Prior to the occupation of the development hereby permitted, a car park management scheme for the car park layout/scheme approved under Condition 13 shall be submitted and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to provide appropriate parking levels in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

15

The final parking layout/scheme shall be laid out/provided in full accordance with the details approved under Condition 13 and timetable for implementation and thereafter shall be managed in full accordance with the car park management scheme approved under Condition 14.

Reason

In the interests of highway safety and in order to provide appropriate parking levels in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

16

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

The DCMP shall include:

- a. a dust management plan
- b. a noise management plan
- c. contractor parking
- b. method(s) for limiting debris/dust spill on the highway

All external works and ancillary operations in connection with the demolition and/or construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Saturdays and at no time on Sundays, Bank

Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

Any temporary alteration to the working hours set out in this condition shall be submitted as part of the DCMP and approved in writing by the Local Planning Authority.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction phases of the development in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

Reason for Pre-commencement Condition

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

17

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

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction phases of the development in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

18

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

- An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.
- Clearly defined objectives, targets and indicators.
- Details of proposed measures.
- Appointment of a travel plan co-ordinator.
- Detailed timetable for implementing measures.
- Proposals for maintaining momentum and publicising success.

- A 5 year review programme of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- Commitment to use the councils preferred survey/monitoring database (currently Jambusters).

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

Reason

In order to promote sustainable travel and accord with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

19

The Travel Plan approved under condition 18 shall be wholly implemented in accordance with the approved details.

Reason

To ensure sustainable travel and in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

20

Notwithstanding the approved plans, the development hereby approved shall not be open to the public until a servicing plan for development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This shall clearly set out but not be limited to:

- Delivery times
- Routing within the site
- Maximum size of vehicle
- Signage
- Enforcement monitoring and control

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

21

The development hereby permitted shall be serviced in full accordance with the servicing plan approved under Condition 20 for the lifetime of the development.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

22

Prior to the commencement of development (except for site investigations works) a Site Investigation with a Phase II Detailed Risk Assessment (including a pre-demolition asbestos report) specific to the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Where required the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.

Reason

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

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the site investigations works after development has commenced.

23

Prior to the commencement of development hereby approved (except for site investigations and land remediation works), where remediation is identified under condition 22 a detailed Remediation Strategy 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 Strategy (including timescales for implementation) shall detail objectives, methodology and procedures of the proposed remediation works.

Reason

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

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the site investigations and remediation works after development has commenced.

24

The remediation works detailed in the Remediation Strategy approved under Condition 22 shall be wholly undertaken within the timescales set out within the approved strategy.

Reason

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

25

Following completion of the remediation measures approved under condition 22 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the new buildings hereby approved.

Reason

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

26

No development other than demolition and site clearance shall be commenced until intrusive site investigation works have been undertaken in order to establish coal mining legacy issues on site. The findings of the intrusive site investigations works in relation to coal mining legacy issues along with details of any remedial works (and timescales) required shall be submitted and approved by the LPA prior to the commencement of the development hereby approved.

Reason

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

27

Any remedial works identified under Condition 16 shall be implemented in accordance with the timescale set out in the approved findings.

Reason

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

28

No development (excluding demolition) shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a. information about the design storm period and intensity,

- b. the method employed to delay and control the surface water discharged from the site, including electronic modelling,
- c. the measures taken to prevent pollution of the receiving groundwater and/or surface waters,
- d. a timetable for its implementation; details of when elements of proposed drainage scheme will be constructed and connected,
- e. a drainage construction method statement (DCMS) relating to the proposed drainage system which will serve the completed development,
- f. a Drainage Maintenance Plan (DMP).

For the avoidance of doubt:

criteria a) and b) will be satisfied via the provision of drainage modelling and simulation of the final drainage system. Plans showing the final drainage system layout annotated with pipe and chamber references and drainage areas that correspond to the drainage model are to be submitted,

criterion c) requires demonstration that runoff from all areas will be adequately treated in line with the Simple Index Approach of The SuDS Manual (CIRIA C753),

the content of the DCMS required for criterion e) is to be in accordance with Appendix B6 of the SuDS Manual (CIRIA C753),

and for criterion f) section 5.3 of the SuDS Strategy (Integra ref 3298-SUDS, rev A, March 2022) should be developed into a DMP which should include a Maintenance Inspection Checklist in accordance with Appendix B8 of the SuDS Manual (CIRIA C753). The checklist shall subsequently be filled out by those responsible for the operation and maintenance of the drainage system and shall be available for review on request by the local authority to verify the condition and performance of the system at any particular time.

Reason

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

29

The detailed drainage scheme approved under condition 28 shall be constructed, managed and maintained in full accordance with the approved details and timescales for implementation.

Reason

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

30

All retained trees and areas of woodland within and immediately outwith the site boundary should be protected in accordance with the submitted Arboricultural Impact Assessment and Plan (Drawing No. ARB/CP/2600/AIP) including the installation and maintenance of protective fencing prior to the commencement of works on site and for

the full duration of the construction phase of the development (unless otherwise agreed in writing by the Local Planning Authority).

Reason

To ensure the satisfactory protection of trees in accordance with the NPPF, and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

31

No development shall take place (including any groundworks or site clearance) until a Biodiversity Method Statement (BMS) for the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The BMS shall include details of the following measures and a timetable for their provision, implementation and retention:

- a) measures to avoid adverse impacts on retained ecological habitats and features during the site clearance and construction phases of the development
- b) measures to minimise the residual risk of harm to individual species during the site clearance and construction phases of the development
- c) measures to ensure local populations of protected and/or priority species are maintained at, or above, their current status.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the site clearance and construction phases of the development can be carried out in a manner which avoids or minimises harm to ecology. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of site clearance and construction works and the manner in which they are undertaken could harm existing ecology on the site.

32

The BMS approved at condition 31 shall be implemented in full in accordance with the approved details and the approved timetable for implementation and retention.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction

phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

33

A landscape and ecological management plan (LEMP) for all landscaping features and landscaping shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the development hereby approved.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

34

All retained landscape features shall be managed in full accordance with the LEMP approved under condition 33.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

35

No external lighting shall be provided until an external lighting strategy for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity, including bats
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly be demonstrated that areas to be lit will not prevent bats and other wildlife using their territory or having access to their resting places and

c) identify those areas of highway (including footpaths) which are intended to be adopted.

Reason

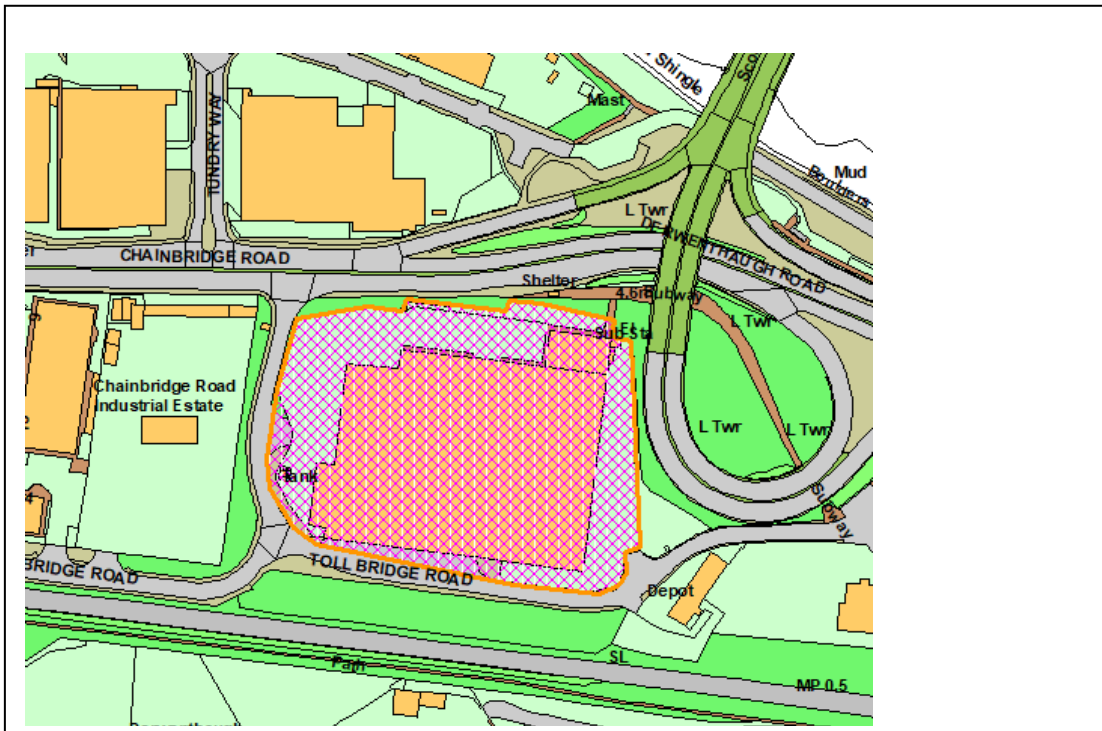
To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

36

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy at condition 35.

Reason

To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.



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