

Committee Report

Application No:	DC/16/00136/FUL
Case Officer	Lois Lovely
Date Application Valid	15 February 2016
Applicant	Bellway Homes (NE)
Site:	Block 2 Half Moon Lane Gateshead NE8 2AA
Ward:	Bridges
Proposal:	VARIATION OF CONDITION 1 (approved plans) of 103/01 to enable alteration of facades, increase of flat numbers from 40 to 58, amendments to parking layout and bin store area (additional information received 16/02/17 and amended plans received 13/02/17).
Recommendation:	DEFER
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The application site lies within the Bridges Conservation Area and the overall Ochre Yards development. This application, to vary the approved plans, focuses on the former boiler shop, known as Block 2 that is situated on the northern boundary.

1.2 Ochre Yards is bounded on three sides by railway lines and on the north side, facing the Tyne, by High Level Road and Rabbit Banks Road that runs down to the river from the site entrance; it is 5 to 11 metres below site level when it passes alongside Block 2.

1.3 On the south side, Block 2 fronts a new access road within the new Ochre Yards development and faces two new blocks 6 and 7. On the east side a small open area of open space about 13 metres wide separates Block 2 from Block 4 that is approved as a viewing point of the river and to be landscaped. This has been completed in part and will be finished once Block 2 is completed.

1.4 30 metres to the west of Block 2 the Metro line emerges from a tunnel under the site and crosses the River Tyne on the Queen Elizabeth II Metro Bridge.

1.5 Block 2 is a Grade II listed former boiler shop at the former Gateshead (Railway) Works, which occupied the whole of the site, known as Greenesfield. Block 2 is located on the northern edge of the site overlooking the Tyne. The existing building is a large two storey Victorian industrial building.

- 1.6 The annex building is not highlighted on the Listing map, although it is regarded as curtilage listed and therefore must be treated as part of the listed building.
- 1.7 The main (shop) floor is at site ground level and the vaulted basement, seven metres below, is at Rabbit Banks Road level. An annex building, without a basement, is attached to the east end of the main block and forms part of this application.
- 1.8 The basement floor level of Block 2 meets the road level of Rabbit Banks Road at one point, which was originally an entrance into the building. However, access onto the road is not now feasible for either pedestrians, because there is no footpath, nor vehicles, because the road is now a designated bus route and visibility lines are poor.
- 1.9 In 1997 the Greenesfield site was allocated for mixed use development, with the majority of the site allocated for residential and the remainder at the eastern end allocated for commercial uses (branded as The Point). In 2002, following extensive consultation with Gateshead Council and English Heritage (now Historic England), Bellway Homes (NE) were granted planning permission to develop over 600 apartments on the residential part of the site (ref 103/01)
- 1.10 Bellway's proposals were for nine new build apartment blocks and the conversion of two existing buildings; the locally listed former Tinsmiths Shop (Block 1) and the listed former Boiler Shop (Block 2). Block 2 was to be converted into 40 apartments.
- 1.11 The associated Listed Building consent (ref 104/01) for Block 2 has expired without being implemented. Thus a fresh Listed Building Consent is required as well as this application to vary to the existing planning permission, to increase the number of residential units from 40 to 58. The Applicant has stated that the current market conditions for the site have necessitated a review of the approved scheme which is now regarded as not viable because of the large size of the approved apartments and the limited number of them, i.e. there is a maximum price that can be achieved for apartments in this location and this will not meet the development costs. The original scheme had 24 x 1 bed apartments and 16 x 2 bed apartments (40 apartments total).
- 1.12 Construction started on Blocks 1 and 3 in 2003 and has continued steadily since this time. Work started on the final new build, Block 10, in 2016 leaving the conversion of Block 2 as the final work needed to complete the site.
- 1.13 **DESCRIPTION OF THE APPLICATION**
This is a section 73 application that seeks to vary the plans approved under ref 103/01, in so far as they relate to Block 2.
- 1.14 The proposal is to provide an additional 18 apartments, resulting in a total of 58 apartments, by converting the existing building and the construction of a four storey tower in Corten steel, to be built in the annex building envelope providing four storeys with an undercroft parking area.

- 1.15 The original approved scheme was to simply reroof the annex continuing the ridge line of the main building. The amended scheme proposes to construct a new building within the shell to compliment and contrast with the existing building. The difference in height is that of an additional storey, 5m. The separation distance to Tranquil House remains the same at 13.5m.
- 1.16 The main building has been re-designed to provide a double height space to the central entrance. There are three entrances to the main building which have new external lobbies on the south elevation. The main building would contain 42 units, and the annex 16 units (58 apartments in total).
- 1.17 The increase in apartment numbers from the approved scheme to the current proposal has been achieved by locating apartments on both sides of the building apart from at basement level. An upper mezzanine level bedroom is set back and overlooks the main living area, similar to the conversion of Block 1.
- 1.18 The proposed upper floor proposes new window openings to be formed in the existing walls.
- 1.19 The depth of the existing building means that a substantial space is left between the north and south apartments. A top lit atrium court is proposed for this area to help to retain a sense of the scale of the original interior. The approved scheme had dual aspect apartments on the river facing elevation and to the south elevation a top lit atrium that housed a garden courtyard.
- 1.20 As with the approved scheme, the size of the existing windows determines the minimum width for the apartments to avoid walls within the window opening that would impact on the appearance of the windows/ overall building.
- 1.21 The details of the proposal are as follows:
- On the north side of the existing building this development would result in
Lower Ground Floor (LGF) 9 x 1 bed mezzanine units and 1 x 2 bed mezzanine units
Ground Floor (GF) 10 x 2 bed mezzanine units
First Floor (FF) 10 x 2 bed mezzanine units
- On the south side of the existing building this development would result in
LGF No units
GF 6 x 2 bed units
FF 6 x 1 bed units
- 1.22 A total of 42 units would be in the main building.
- 1.23 The new build element to the east, the Annex, requires the demolition of a small lean to element of the existing east wall but the main body of the east gable wall is retained. It is still proposed to remove the south wall in accordance with the previously approved scheme.

- 1.24 The proposed tower is four storeys in height and proposed in Corten steel. The annex accommodates the remaining 16 units providing four x 1 bed and 12 x 2 bed units, an overall total of 58:

GF mezzanine Unit 1 x 1 bed
GF mezzanine units 2, 3, 4 x 2 bed
FF Unit 5 x 1 bed
FF Units 6, 7, 8, x 2 bed
FF mezzanine unit 9 x 1 bed
FF mezzanine units 10, 11, 12 x 2 bed
Roof unit 13 x 1 bed
Roof units 14, 15 16 x 2 bed

- 1.25 Units 2, 3, 6, 7, 10, 11, 14 and 15 are located at the eastern end of the annex. Features of this end elevation are two vertical, four storey screened bay windows to provide an oriel window to each unit, orientated towards the north (river view).
- 1.26 Unit 4 has a terrace on the north façade and Unit 12 has a Juliet balcony.
- 1.27 The proposed new build element of the scheme is located on the area previously approved as a car park to the east of Block 2. The approved car parking to the south west of Block 2 is proposed to be retained, although the bays have been rearranged to accommodate construction of a substation. All apartments would have a parking bay and three visitor bays are provided. In total there are 61 car parking spaces for the 58 flats.
- 1.28 The undercroft also provides long stay cycle spaces, by way of 16 cycle stands on the GF and a bin store and the lift. In the main building there is cycle parking in two groups of 19 cycle stands and four stands on LGF. A total of 58 cycle parking spaces are proposed.
- 1.29 A level access main entrance is proposed at the western end, near the main car park, with two further level-access entrances/ fire escapes toward the east via three secured doors on the south elevation. Within the building all apartments can be reached from the atrium courtyard. A lift is proposed at each end of the main block which will serve all floors. In addition there are three fire escape stairs and two staircases.
- 1.30 Access to the car parking in the undercroft is from the southern elevation to the extreme west of the annex building.
- 1.31 The site layout of Ochre Yards provides overlooking to all public spaces. In the vicinity of Block 2 the public spaces including car parks are overlooked by Blocks 4, 5, 6 and 7 as well as Block 2 itself.
- 1.32 The proposal is to repair existing masonry walls, the roof and windows of the main building. On the north façade new acoustically uprated slim line, grey powder coated aluminium windows are proposed to be installed in existing openings. On the south façade it is proposed to remove brick piers and

chimneys and reinstate the original door and window openings, this includes extending window openings down to ground level to match the door openings and form a consistent arcade.

- 1.33 A pumping station is proposed in the south east corner of the main building on LGF. Within the atrium courtyard, obscurely glazed oriel windows to bedrooms are proposed on the GF and FF. The FF northern elevation has an external terrace for apartments.
- 1.34 **PLANNING HISTORY**
Greenesfield was NE Railways principle works in the 19th century but following its decline in the 20th century the site was allocated for mixed use development in the UDP and in 2002 Bellway Homes (NE) were granted detailed planning permission to develop a large part of the site, renamed Ochre Yards, for over 600 apartments.
- 1.35 Planning permission ref 103/01 for Demolition and conversion of redundant and existing buildings, erection of new buildings with associated access roads, parking and open space to provide accommodation for residential use (class C3), hotel use (class C1), office use (class B1), leisure use (class D2) and food and drink use (class A3), was granted 16/04/2002 for the development of the former Greenesfield railway works site in the form of new built blocks of apartments, with the conversion of two of the historic buildings into apartments. These proposals included the conversion of Block 2 for 40 apartments and included the opening up of the roof on the south side to provide a walled garden on part of the main floor. Listed Building Consent was also granted for the works as they related to Block 2 (ref 104/01).
- 1.36 There have been a series of planning applications for the various blocks on Ochre Yards over recent years. Most relevant, in terms of the current proposal for Block 2 are:

DC/16/00137/LBC LISTED BUILDING CONSENT: Conversion of former boiler shop to 58 apartments with associated parking and external bin stores (additional information received 15/03/16, 30/09/16, 3/10/16, 12/12/16 and 13/02/17 and amended plans received 03/10/16, 12/12/16, 16/12/16 and 13/02/17). Current

DC/12/01197/FUL: Variation of Condition 1 of approval 103/01 to allow modification of block 8 together with minor amendments to face and footprint (amended 02/01/13).

DC/09/00753/FUL - Variation of condition 1 of permission 103/01 DM to allow additional 10 units in Block 7 by revising internal layout and external elevations - Granted 22.09.2009.

DC/08/00297/FUL - Erection of 4 - 6 storey block of flats with associated car parking (to include an additional 10 units with associated parking) - Withdrawn 4.09.2008.

1.37 The following documents have been submitted in support of the application:

Design and Access Statement (DAS)
Heritage Asset Statement
Archaeological Report
Condition Survey
Noise Impact
Bat Survey
Transport Statement
Travel Plan

2.0 Consultation Responses:

Newcastle Upon Tyne City Council No observations

Historic Environment Historic England raise concerns regarding the level of information provided with the application to ensure that the proposal complies with the requirements of the NPPF. A further response in relation to the amended plans is awaited.

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) (England) Order 2015. A site notice was posted on 23rd December 2016 and a further notice in the press was published on 22nd March 2017 due to the receipt of an amended scheme.

3.2 Seven letters of representation have been received from residents of Ochre Yards. Two from the same resident

3.3 The concerns raised relate to:

- overdevelopment,
- insufficient car parking,
- highway safety,
- harmful impact on heritage assets,
- increased noise
- loss of views towards Newcastle and consequential devaluation;
- loss of light;
- loss of privacy and overlooking
- the increase in flats will make the road less safe for children.
- proper restoration work to the boundary wall behind Ochre Yards 4 (Tranquil House) not yet done
- the proposed structure is unattractive and not in keeping with the historic nature of the existing site, or the surrounding buildings or landscape

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS2 Spatial Strategy for Urban Core

UC13 Respecting and Managing Views

UC14 Heritage

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV7 Development within Conservation Areas

ENV9 Setting of Conservation Areas

ENV11 Listed Buildings

ENV12 Demolition of Listed Buildings

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV23 Building Recording

ENV4 Urban Design Principles for Central Ghd

ENV46 The Durham Biodiversity Action Plan

ENV54 Dev on Land Affected by Contamination

IPA11 Levels of car parking in new development

IPA17 Conservation Area Character Statements

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

5.0 Assessment of the Proposal:

- 5.1 The principle of conversion of the building to residential use is already established by the previous listed building consent and planning permission. The main planning issues are the impact of the amendments on heritage assets, archaeology, ecology residential amenity, car parking and highway safety.
- 5.2 NPPF paragraph 128 requires the applicant to set out the significance of the heritage asset. Paragraph 132 states that, when considering the impact of a proposed development on the significance of the heritage asset great weight should be given to its conservation. Any harm or loss should require clear and convincing justification. Paragraph 137 requires works to heritage assets to better reveal or enhance their significance.
- 5.3 Core strategy policy CS15 (Place Making) and Urban Core policies UC13 (views) and UC14 (heritage) are relevant. The site also falls with the Urban Core sub-area Gateshead Quays and Baltic (Policy QB1). Supporting paragraph 17.60 states that the Quays and Baltic sub-area has a strong and layered historic legacy ... characterised by the legacy of the rail development ... reinforced by the large former railway engineering sheds at Greenesfield.
- 5.4 Core strategy CS15 states, 'Development will contribute to good place-making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. ...respond positively to local distinctiveness and character...respect and enhance significant views and the setting of heritage assets...respond to local design and conservation guidance... Taking a proactive approach to sustaining the historic environment in a manner appropriate to the significance of the relevant heritage asset and requiring development to support and safeguard the historic environment... Positively responding to those heritage assets which are at risk, and not leaving heritage assets at risk, or vulnerable to risk...'
- 5.5 Saved UDP policies ENV7 (development in conservation areas), ENV9 (setting of conservation areas including views into/out of), and ENV11 (listed buildings), are reflected in CSUCP Policy CS15.
- 5.6 Part of the evidence base for the CS (policy UC13 regarding strategic views) was The Tyne Gorge Study, produced in 2003. This recognises the significance of the River Tyne, the development of the banks of the Tyne, and the views within that context.
- The former Boiler Shop is identified as key landmark within the Tyne Gorge and its immediate setting. As a result of its position on the lip of the Gorge and its connection to the important railway history of Gateshead it is highly visible from both the railway and the Metro bridges.

- The Boiler Shop and annex are dominant in the surprise view of the Gorge which opens up as you approach the High Level Bridge from the north
- Section 4D is primarily concerned with the Greenesfield Railway works - the former Boiler Shop is an important good quality early railway building, which assumes an even greater significance in the context of the previous removal of much of the railway architecture of northern Gateshead.

5.7 HERITAGE ASSETS

The application relates to a Grade II Listed building within the Bridges Conservation Area. These are both designated heritage assets. A separate application for Listed Building Consent has been received and is due to be determined under delegated powers.

- 5.8 The site's industrial history began in the 1830s with the opening of a station and engine shed on the former Greene's Field Meadows. In the 1850s the North Eastern Railway built its HQ and locomotive works here and by the end of the century it was the largest employer in the town with 16,000 men employed.
- 5.9 The Boiler Shop was an extension of the Engine Shed, Smiths Shop and Tank Shop, all designed by Thomas Prosser and all since demolished. Hence the southern façade wall of the Block 2 is actually the northern facade wall of the original Tank Shop.
- 5.10 The main shop floor measures about 80 metres long plus 25 metres in the annex and by up to 22.5 metres wide and was for the construction of locomotive boilers. In the basement 6.5 metre wide brick vaults and 1.5 metre arched piers were required to support the huge loads of the boiler shop floor. The basement was used as a smiths shop and old images show a line of nine chimneys at roof level on the north wall serving the smiths' hearths. The chimneys have since been removed but the internal flues remain, located between windows on the inside face of the external wall.
- 5.11 The northern and western sides of Block 2 are certainly the most architecturally and historically important. The huge window openings reflect the industrial past and are appropriate to the scale of the cliff-side setting, as is the slight batter to the walls. The west gable, facing directly up river, towers above Rabbit Banks Road.
- 5.12 The former Boiler Shop is grade II listed and included on the Council's Register of Buildings at Risk. It has been subject to acts of vandalism and arson. The Buildings at Risk survey (2007) concluded that the building is in a poor condition requiring attention to the roof covering, rainwater goods, repointing, repairs to windows, re-glazing and repairs to doors.
- 5.13 Conversion of the building will ensure that the condition of the building remains good in the long term. Therefore the public benefits of this proposal are clear.
- 5.14 The former Boiler Shop has strong evidential value and contributes significantly to the ability to understand and interpret the history of the Greenesfield site. It is a record of that past activity and its significance is recognised in the character

appraisal for the conservation area. This evidential value underpins its historical significance as an illustrative example of the past use of the Greenesfield site, of that period of industrial development and innovation, and of the legacy it has left Gateshead.

- 5.15 Aesthetically, the building reflects the prevalent industrial design of the mid-late 1800s, and is a representation of the how the wider Greenesfield site appeared at its peak in 1880-90 and therefore has greater value as a result.
- 5.16 Communal value may be derived in this instance from the strong links to railway development, the influence of which is seen across the Bridges Conservation Area and through Newcastle. The use of the site was significant in the development of rail, and its early use. The value of this site in that period of history should not be forgotten and can still be interpreted through the character of the place.
- 5.17 The heritage statement/DAS shows clearly that the annex is contemporary with the Boiler Shop. The annex is considered to be a curtilage listed building as the Courts have held that for a structure or building within the curtilage of a listed building to be part of a listed building it must be ancillary to the principal building, that is it must have served the purposes of the principal building at the date of listing, or at a recent time before the date of listing, in a necessary or reasonably useful way and must not be historically an independent building. The annex is regarded as being part of the listed building and not listed in its own right. Its significance is therefore determined by its contribution to the significance of the listed building.
- 5.18 The building is located in Bridges Conservation area and overlooks the Locally Listed Gateshead Sculpture Park (a non designated heritage asset). Its prominent position within the Tyne Gorge puts the building's setting within the context of the River Tyne and the bridges which cross it including the grade I High Level Bridge and grade II King Edward Bridge.
- 5.19 The conservation area character appraisal (2013) identifies this site as being within the Greenesfield zone, an area which despite the demolitions has retained historic integrity and sense of place. Those buildings which do remain are crucial to the area's significance. Despite the isolation of this site, this zone links closely with the rest of the conservation area through the historical aspects of the sites and their former uses, all of which add to the understanding of the area.
- 5.20 The townscape is highly valued in terms of its location and importance in Gateshead's history and the remaining buildings add to its significance. The area is of high visual interest due to the visually dramatic railway works buildings which are prominent when approaching Newcastle on the metro or train, and the views of the bridges themselves.
- 5.21 Finding a new use for this building is fundamental to its future; however, conversion of working buildings into domestic accommodation, although a common solution, can be difficult to achieve without eroding their character.

This is because their design so often reflects their function and this legibility is integral to understanding their significance.

- 5.22 The degree of harm and whether this is outweighed by the benefit of bringing the building back into use is dependent on the details of the scheme.
- 5.23 The acceptability of the conversion of the main building to residential use has been established and will mean the building remaining in good condition is guaranteed thus the public benefits are clear. The key consideration of this application is whether the alterations are harmful to the significance of the building. Whilst these are to be comprehensively dealt with by way of the assessment of the accompanying Listed Building Application, they are also described below.
- 5.24 Refurbishment of the building is proposed to include the repair of existing masonry walls and the replacement of windows where necessary. On the north façade of the main block new windows are fitted in the existing openings. On the south face, where considerable crude alteration work has occurred, it is proposed to remove the brick piers/ chimneys and reinstate the original door and window openings; this includes extending window openings to ground level to match the door openings and form a consistent 'arcade'.
- 5.25 The most significant insertion is the introduction of high level windows to the two principal facades to light the new upper level apartments of the main block to avoid further 'hole-in-the-wall' openings which could clash with and detract from the existing distinctive window openings. Instead, a continuous horizontal band of glazing is proposed at eaves level, with deep and regularly spaced mullions, to act as a kind of closed cornice or frieze that will contrast with the solidity of the stone walling below and the large 'holes' of the existing windows; this is particularly evident on the north façade.
- 5.26 The main entrances are emphasised with a Corten steel finish canopy projection above the doors. In addition the doors and glazing are set well back in reveal and lightly framed to give the impression of a clear opening.
- 5.27 The strip windows would be broken at regular intervals by downpipes and would be omitted altogether over the main entrance doors on the south façade to emphasise the way in.
- 5.28 The downpipes on the north façade, which are set in reveal, are a significant element of the elevation and will be refurbished or replaced as required. The new downpipes to the south façade will be similarly strategically placed.
- 5.29 There is a need to provide dwellings whose thermal and technical performance meet current building regulations and properties that are capable of obtaining a warranty. Therefore it is proposed the existing solid stone wall to the south elevation is to be visually retained within the apartments that will offset other thermal efficiencies elsewhere within the building.

- 5.30 Within the basement dwellings, it is proposed that the brick arches and features within the larger open plan areas of the apartments be exposed and where brickwork has deteriorated beyond reuse, it is proposed to insulate and overclad as previously approved. Communal areas within the basement are to retain the exposed brickwork arches and walls.
- 5.31 Other Communal areas and entrance areas are proposed to retain exposed brick and stone and new stairwells are to be of exposed brickwork to contrast with the new simple white contemporary walls to the apartments facing the communal circulation spaces.
- 5.32 Following a full window condition survey, the Applicant proposes to prepare proposals for the repair, modification or renewal of the windows, should existing windows need replacing then a timber frame slim line double glazing system would be proposed. As evidence is required to demonstrate that the existing windows are beyond repair a condition is recommended to be attached to the current application for listed building consent (DC/16/00137/LBC) to secure the condition survey.
- 5.33 The scheme proposes to remove the brick chimneys on the south elevation. However it should be noted that the previously approved scheme also proposed removal of the chimneys following a condition survey that demonstrated the chimneys are structurally unstable and should be removed. This has enabled the three entrance features to be clearly identified and exposes more layers of original stonework in keeping with the original character and design of the building. A condition to secure these details is to be attached to the listed building consent (DC/16/00137/LBC).
- 5.34 Prior to construction a full contamination assessment should be undertaken for the building (CONDITION 2).
- 5.35 The scheme proposes to clean, repair and repoint the elevations. There is no detail provided. A condition survey, repair specification and method statement to support repairs is required. A condition to secure these details is to be attached to the listed building consent (DC/16/00137/LBC).
- 5.36 Long slender conservation rooflights openings are proposed to sit flush in the roof so as not to detract from, and are sympathetic to, the fundamental character, the special interest or the significance, of the building based in the industrial legacy this building dates from, and represents. Infill panes where the structure is present would be solid. A condition to secure these details is to be attached to the listed building consent (DC/16/00137/LBC).
- 5.37 As described the most significant intervention proposed to the main building is the strip windows to the upper floors of the north and south walls, giving the appearance of a frieze separate and above the wall leaving the existing arrangement of the wall and windows unaffected. This is particularly so on the north elevation where the building can be seen from a distance and the existing form will be unchanged.

- 5.38 The new build annex is a contemporary intervention to be constructed within the existing listed walls with a monopitch roof. The existing window openings to the north elevation are utilised, the lower windows being to the undercroft and Corten steel infills are proposed to allow natural ventilation. Juliet balconies are proposed to the upper three floors of the corner flats and a terrace is proposed running the length of the annex's northern elevation.
- 5.39 It is proposed to use a Corten steel cladding system to reflect the industrial heritage of the building. Windows and balcony doors are proposed to be grey powder coated aluminium frames considered to be in keeping with the other modern materials.
- 5.40 A small area of listed wall on the east elevation is to be demolished (this requires consultation with Historic England) and replaced with a buttress wall. The details of this wall are required and a condition is recommended to secure these details (CONDITIONS 23 and 24).
- 5.41 The statutory requirement to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (s.16, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account in consideration of the proposal. This special statutory status means that any harm to the asset should be given considerable importance and weight when balanced against any other material considerations.
- 5.42 This desirability to preserve is also embedded in the NPPF, which states that enough information be required to assess the significance of a heritage asset and the impact of the proposal on it when determining an application so that any conflict between the proposal and the asset's conservation can be avoided or minimised (paragraphs 128 and 129). This application provides enough information to fully assess the impact of the proposal on the significance of the building and the Conservation Area.
- 5.43 The NPPF goes on to state that great weight should be given to an asset's conservation and clear and convincing justification for any harm (paragraph 132).
- 5.44 Having stood vacant for many years, and having already been on the Buildings at Risk Register for 10 years, the need to find a new use for the building and stem its further deterioration is clear and, as with the previous application, its conversion to residential is accepted in principle. Government policy acknowledges the desirability of sustaining historic buildings by finding viable uses for them, but that use needs to be consistent with their conservation (NPPF, paragraph 131).
- 5.45 It is accepted that, due to the conflict between the inherent characteristics of an industrial building and the needs of modern residential housing, some less than substantial harm is likely if residential conversion is to take place. The proposed demolition of a part of the existing listed wall on the eastern elevation of the Annex is not considered to result in substantial harm, in terms of paragraph 132 of the NPPF or result in the 'substantial demolition' that is

referred to in saved UDP policy ENV12 as it would not impact on the significance of the listed building.

- 5.46 Where the development proposed would lead to less than substantial harm, as in this case, this harm then needs to be weighed against the public benefits of the proposal (paragraph 134). Finding an optimum viable use for the building, that is included on the Council's Buildings at Risk register, as is proposed, is a clear and compelling public benefit that would outweigh the less than significant harm arising from the development and consequently can be considered to be acceptable. The development would also make a contribution to the provision of housing in the Borough and this also weighs positively in the balancing assessment undertaken. Similarly the development is considered to preserve or enhance the conservation area's special architectural or historic character or appearance.
- 5.47 Given the above and subject to the recommended conditions, both on this application and those expected to be imposed on the associated LBC, it is considered that the proposal meets the requirements of paragraphs 128, 129, 131, 132 and 134 of the NPPF, CSUCP policies CS14 and CS15 and saved UDP policies ENV7, ENV11 and ENV12 .
- 5.48 **ARCHAEOLOGY**
The proposed undercroft parking area and annex tower would be built at existing or slightly above existing ground level and so it is unlikely to have archaeological implications. Whilst it may be unlikely, it is still possible and any proposals should be raised with the Tyne and Wear County Archaeologist, who may suggest a watching brief and a condition is recommended to secure this (CONDITION 27).
- 5.49 Archaeological Building Recording would be required prior to commencement of development. A condition to secure these details is to be attached to the listed building consent (DC/16/00137/LBC) in order to comply with Saved UDP policies ENV21 and ENV22 and CSUCP policy CS15.
- 5.50 **ECOLOGY**
As the building was assessed as having a high potential risk for a bat presence during the May- September breeding season, three bat surveys were undertaken, one of which was a dawn return survey.
- 5.51 The survey reports have been assessed by the Council's Ecology Officer as being acceptable. A small non-breeding bat roost has been identified on the western gable of the building, along with a small number of key foraging areas and commuting routes. The works need to be undertaken in accordance with a Method Statement to avoid damage to a roost.
- 5.52 A Bat Mitigation Strategy and Method Statement has been submitted, however it is not wholly acceptable, as some information is missing from the document. Conditions are therefore recommended to secure a revised Mitigation Strategy and Method Statement and that the development is then carried out in

accordance with the approved Mitigation Strategy and Method Statement (CONDITIONS 17 and 33).

- 5.53 Subject to these conditions it is considered that the development is in accordance with CSUCP policy CS18, and saved UDP policies DC1 and ENV46.
- 5.54 RESIDENTIAL AMENITY
The existing Block 2 building was always going to be developed for flats as part of the original planning permission. The difference between the approved scheme and the scheme as proposed needs to be considered in terms of whether there is any additional harm or impact on residential amenity.
- 5.55 The Agent has provided sun path studies for both the approved scheme and the proposed scheme. These demonstrate that the proposed scheme will have no worse impact on the adjacent flats in Tranquil House in terms of loss of sunlight and daylight than the approved scheme. In fact there is a slight improvement with the proposed scheme.
- 5.56 The existing outlook of residents of Tranquil House is onto a landscaped area beyond which is Block 2 at a distance of 13.5m.
- 5.57 The approved scheme if implemented would have created a gable end at a height of 14m at a distance of 13.5m from the west elevation of Tranquil House.
- 5.58 The proposed scheme will create the appearance of a flat roof at a height of 19m at a distance of 13.5m from Tranquil House.
- 5.59 Sun and daylight path analysis has been undertaken that demonstrates the additional height does not cause any greater loss of daylight or sunlight than the approved scheme. The outlook from the western elevation flats of Tranquil House would be of the proposed windows on the eastern elevation of the proposed flats in the Annex. They are oriel windows, arranged so that they are facing the river obliquely to prevent any opportunity of overlooking of Tranquil House, although a separation distance of 13.5m in this tight urban grain would be acceptable in any event and was accepted in principle through the previous approval.
- 5.60 The new build tower is four storeys in height in Corten steel, a material entirely appropriate to the industrial significance of the building. An objection has been received in relation to the proposed structure being unattractive and not in keeping with the historic nature of the existing site, or the surrounding buildings or landscape. Assessment of the proposed annex is discussed elsewhere in this report.
- 5.61 A condition is proposed to restrict the hours of construction to protect residential amenities (CONDITION 19).
- 5.62 The original planning application was supported by a Noise Impact Assessment and high performance acoustic and thermal timber windows were approved.

High performance acoustic and thermal timber windows are still proposed. The use of these high performance windows is considered to be appropriate. The required acoustic performance of the windows is derived from data contained in Section 7 (Noise) of the Environmental Statement by WSP Environmental Ltd submitted with the original planning application for the Ochre Yard development. They will provide sound attenuation to protect residents against exposure to external noise from road and rail traffic and will meet current British Standards for all habitable rooms (CONDITION 15).

- 5.63 Given the above, it is considered that the harm to the residential amenities of existing residents is no worse than the approved scheme and the external noise for occupiers of this development, can be mitigated through use of the previously approved glazing. The development is therefore in accordance with Saved UDP policy DC2 and Policy CS14 of the CSUCP.
- 5.64 HIGHWAYS
There is a general lack of visitor parking on Ochre Yards and this has been exacerbated by the illegal allocation of parking bays on the public highway which is the subject to separate action by the Enforcement team.
- 5.65 The original planning permission had a total of just over 600 residential units however through a series of amendments to a number of the blocks this has increased to 680 units.
- 5.66 Whilst the surveys in the TS indicate spare capacity within the various off-street parking areas (courtyards and undercrofts) across Ochre Yards those parking spaces are allocated to individual dwellings and as such are unavailable for any residents with more than one car or their visitors.
- 5.67 The areas of the estate that are adopted have a mixture of double yellow and single yellow lines. The single yellow lines restrictions operate between 9am-11am Mondays-Fridays to deter commuters whilst minimising the impact on residents.
- 5.68 It is the parts of the estate that are not yet adopted and that have no parking restrictions which have a lack of enforcement by the Applicant.
- 5.69 In order to manage the car parking on the highway, when these areas become adopted, the existing restrictions or some variant will be required. A condition is recommended to secure this (CONDITION 30). The costs of the necessary legal orders and traffic signs will need to be met at the cost of the Applicant.
- 5.70 Furthermore a car parking management plan is required to maximise the use of the available car parking and this can be secured by condition (CONDITIONS 11 and 12).
- 5.71 This proposals includes 61 car parking bays. Each flat would have an allocated parking space and there would be a further three visitor parking bays. As a result, the number of car parking spaces proposed as part of this scheme does

not reduce the ratio of car parking as approved for the original number of spaces to flats over the whole site i.e. 1 for 1.

- 5.72 It is considered that the need for the comprehensive review of the allocated car parking spaces should not prevent a recommendation to grant planning permission at this time for reuse of this Grade II Listed, Building at Risk. The public benefit of retaining the significance of this heritage asset outweighs the need to have all of the car parking addressed before planning permission could be granted.
- 5.73 A condition is recommended to secure the final grouped location of the visitor parking bays and the surface treatment of the bays that make them distinct from private bays (CONDITIONS 28 and 29).
- 5.74 The undercroft also provides long stay cycle spaces, by way of 16 cycle stands on the GF. In the main building there is cycle parking in two groups of 19 cycle stands and four stands on the LGF.
- 5.75 This amount of provision meets the minimum cycle parking guidelines in the approved document Gateshead Cycling Strategy (March 2015) for flats (new build and conversions) however the style of stand does not therefore a condition is recommended to secure the details (CONDITION 31 and 32).
- 5.76 A Travel Plan has been submitted as part of this application, although as drafted it is not wholly acceptable. Measures should be put in place to encourage the use of more sustainable travel such as the introduction of a Car Club. This can be secured, along with a revised Travel Plan by condition (CONDITIONS 13 and 14).
- 5.77 Given the above, the proposals subject to the recommended conditions, are considered to be acceptable and in accordance with policy CS13 of the CSUCP.
- 5.78 **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 CIL chargeable development as it is for residential related development. The development is located outwith a charging zone thus there is no levy for this type of development.
- 5.79 **CONDITIONS**
This application seeks to vary condition 1 of planning permission 103/01, and so it would result in a new grant of planning permission for the whole development, therefore the existing conditions attached to planning permission 103/01 need to be considered to determine whether they are still necessary and/or need to be reworded. Some of the previous conditions have been discharged already and as they have already been implemented it will not be necessary to reattach these. Other conditions will need to remain as worded and reattached to the new grant of planning permission.

5.80 OTHER MATTERS

In addition to the planning considerations referred to above, objectors have referred to the proposal blocking the view of the riverside thus reducing the value of the property, however, loss of view and devaluation are not material planning considerations.

6.0 CONCLUSION

6.1 Taking all of the above into consideration, the proposal is considered not to be harmful to the significance of the heritage asset. The less than substantial harm caused to designated heritage assets would be clearly and convincingly justified and outweighed by the significant public benefit of securing an optimum viable use for this Grade II listed Building at Risk. Subject to conditions there would be no significant harm to ecology, archaeology, residential amenity or highway safety in accordance with the NPPF, Saved UDP policies DC2, ENV3, ENV7, ENV9, ENV11, ENV12, ENV21, ENV22, ENV23, ENV46, ENV54, policies UC13, UC14, CS10, CS11, CS13, CS14, CS15, CS18 of the CSUPC and the NPPF.

7.0 Recommendation:

Authorise Group Director Of Communities and Enterprise to deal with at the end of the publicity period after consultation with the Chair and/or Vice-Chair with a view to GRANT permission subject to the following condition(s):

1

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

Design and Access Statement

2602-D-00-002 Rev E Proposed Site Layout

2602-D-00-011-Rev G South Elevation Existing and Proposed

2602-D-00-012 Rev H North Elevation existing and proposed

2602-D-00-013 Rev J Proposed Building Section and North Elevation
Detail

2602-D-00-014 Rev D LGF Flat types

2602-D-00-015 Rev C GF Flat Types

2602-D-00-016 rev C FF Flat Types

2602-D-00-019 Rev F Lower Ground Floor Plan as Proposed

2602-D-00-020 Rev G Ground Floor Plan as Proposed

2602-D-00-021 Rev G First Floor Plan as Proposed

2602-D-00-SK01 Rev C Roof Plan as Proposed

2602-D-00-SK02 Atrium Elevation North Wall as Proposed

2602-D-00-SK03 Bin Store as Proposed

2602-D-00-SK04 North Elevation Context as Proposed

2602-D-90-001 Rev P1 Site Layout for Parking Provision

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

No development approved by this planning permission shall be commenced until an intrusive site investigation is undertaken, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, insitu testing, soil sampling and chemical laboratory testing of samples to assess potential contamination issues, particularly relating to proposed new planting areas, and to inform foundation design.

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

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

Ground gas monitoring shall be undertaken at the site and a Gas Risk assessment report produced and submitted to the Local Authority with, where relevant, recommendations for ground gas mitigation measures.

Reason

In order to ensure the land is suitable for its sensitive end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

3

Prior to commencement of the development hereby permitted, where required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical

environment must be prepared, and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason

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

4

The details of remediation measures approved under condition 3 shall be implemented prior to commencement of the development hereby permitted 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

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

5

Following completion of the remediation measures approved under condition 4 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

6

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority.

Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason

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

7

No development shall commence on site until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

8

The landscaping scheme as approved under condition 7 shall be completed in full accordance with the approved plans during the first

planting season (October to March) following commencement of the development unless otherwise approved in writing by the Local Planning Authority.

The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

To ensure that the approved landscaping scheme is completed within a reasonable time scale in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

9

Prior to occupation of the development hereby permitted a scheme for the maintenance of the landscaping scheme approved under condition 7 shall be submitted; the scheme to be in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for the consideration and written approval of the Local Planning Authority.

Reason

To ensure that the landscaping scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance Policies DC1 and ENV3 of the Unitary Development Plan

10

The landscape maintenance plan approved under condition 9 shall be implemented for a minimum period of 5 years in accordance with the approved details.

Reason

To ensure that the landscape of the development becomes well established and is satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

11

Prior to first occupation of the development hereby permitted a Car Parking Management Scheme to include measures to maximise the use of the available car parking across the site, shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of highway safety and in order to comply with policy CS13 of the CSUCP.

12

The Car Parking Management Scheme approved under condition 11 shall be implemented in full accordance with the timeframe set out in the scheme in perpetuity

Reason

In the interests of highway safety and in order to comply with policy CS13 of the CSUCP.

13

No building(s) hereby approved shall be occupied until the submission of a Travel Plan in respect of occupier(s) (and successive occupier(s)) of any building(s) has been submitted to and approved in writing by the Local Planning Authority.

Each Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with Council Policy CS13;
- 3) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 4) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

In order to accord with CSUCP policy CS13.

14

Within 12 months of first occupation of the relevant building(s) hereby approved evidence of the implementation of the Travel Plan over a minimum period of 12 months approved under condition 13 shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

In order to accord with CSUCP policy CS13.

15

Prior to first occupation of the relevant flat(s) the flats shall be designed, converted or constructed in accordance with a scheme of sound attenuation to be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To protect residents against exposure to external noise from road and rail traffic and to ensure the dwellings are adequately soundproofed in the interests of residential amenity and in accordance with Saved UDP policy DC2 and CSUCP policy CS14.

16

The sound attenuation scheme approved under condition 15 shall be implemented in full accordance with the approved details and retained thereafter for the life of the development.

Reason

To protect residents against exposure to external noise from road and rail traffic and to ensure the dwellings are adequately soundproofed in the interests of residential amenity and in accordance with Saved UDP policy DC2 and CSUCP policy CS14.

17

No works shall be carried out on site unless prior to the written approval of the Local Planning Authority to a revised Bat Mitigation Strategy and Method Statement. The submitted Bat Mitigation Strategy & Method Statement dated March 2017 shall be revised to include confirmation of the following:

- a) Project Ecologist to provide the project manager/principal contractor/scaffolding contractor/roofing contractor with a Tool Box Talk prior to the commencement of works on site
- b) A copy of the Bat Mitigation Strategy and Method Statement (including a copy of the project Ecologist's contact details) to be retained on site at all times for reference purposes
- c) Statement requiring that in the event of a bat(s)/evidence of bats being discovered at any stage during the development, all works in that area must cease immediately and the project Ecologist be contacted for urgent advice

Reason

To avoid harm to protected species (bats and breeding birds) and their habitats in accordance with CSUCP policy CS18 and saved UDP policies DC1 & ENV46.

18

No development shall take place, including any works of demolition or remediation, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development

- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for the recycling/disposing of waste arising from demolition and construction works.

Reason

In order to avoid nuisance to the occupiers of adjacent properties in accordance with Saved Policies DC1 and DC2 of the Unitary Development Plan and policies CS13 and CS14 of the CSUCP.

19

Unless otherwise approved in writing by the Local Planning Authority, all demolition, external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF, saved Policies DC1, DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne

20

No equipment or machinery shall be installed on or attached to the exterior of the premises without the prior written approval of the Local Planning Authority

Reason

To ensure that no undue disturbance is caused to the residential amenities of the occupiers of nearby properties and to accord with Saved UDP policy DC2 and CSUCP policy CS14.

21

No mechanical ventilation and extraction scheme shall be installed until a scheme of odour suppression and noise levels, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed flue, all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters, fans and flues and the manufacturers recommendations concerning frequency and type of maintenance and noise levels. The cooking equipment to be installed and used in the premises shall be restricted to any equipment that is considered as having light grease/smoke loading in 'Guidance on the Control of Odour and Noise from Commercial

Kitchen Exhaust Systems', DEFRA, January 2005 (as amended March 2011) or any superseding document thereof only.

Reason

In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the NPPF, policy CS14 of the CSUCP and saved policies DC1(h) and DC2 of the UDP.

22

The equipment approved under condition 21 shall be installed in accordance with the approved details prior to the preparation of hot food in connection with the use hereby approved commencing and shall thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions. A written record of any maintenance shall be retained on site and be made available for inspection by the Local Planning Authority.

Reason

In order to avoid odour nuisance to the occupiers of adjacent properties and unacceptable visual impact in accordance with the NPPF, Saved UDP policies DC2 and ENV61, Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

23

Prior to commencement of the development hereby permitted, details of the buttress wall to the east elevation shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interest of protecting the appearance of the heritage assets and in order to accord with the NPPF and CSUCP policy CS15.

24

The details of the buttress wall to the east elevation approved under condition 23 shall be implemented in full accordance with the approved details prior to first occupation of the development hereby permitted.

Reason

In the interest of protecting the appearance of the heritage assets and in order to accord with the NPPF and CSUCP policy CS15.

25

Deliveries to the commercial buildings shall not take place before 8am or after 6pm unless otherwise approved in writing by the Local Planning Authority

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable delivery hours and in order to accord with Saved UDP policies DC2 and ENV61 and CSUCP policy CS14.

26

The opening hours of the bar(s) shall be restricted to between 8.30am to 11.30pm only or as may otherwise approved in writing with the Local Planning Authority

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable trading hours and in order to accord with Saved UDP policies DC2 and ENV61 and CSUCP policy CS14.

27

No development shall take place until the developer has appointed an archaeologist to undertake a programme of observations of demolition and construction work to record items of interest and finds in accordance with a specification provided by the County Archaeologist. The watching brief report shall be submitted for written approval by the Local Planning Authority within one month of the completion of the excavation work, unless alternative arrangements have been submitted to and given prior written approval by the Local Planning Authority.

Reason

The site is located within an area identified as being of potential archaeological importance. The observation is required to ensure that any archaeological remains on the site can be recorded and, if necessary, emergency salvage undertaken in accordance with Saved Policies ENV21 and ENV22 of the Gateshead Unitary Development Plan and CSUCP Policy CS15.

28

Prior to first occupation of the development hereby permitted, full details of the location of grouped visitor parking bays and the surface treatment materials for these bays shall be submitted for the consideration and written approval of the Local Planning Authority

Reason

In the interests of a satisfactory highway layout and in accordance with CSUCP policy CS13.

29

The visitor parking bay details approved under condition 28 shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby permitted.

Reason

In the interests of encouraging sustainable development and in order to accord with CSUCP policy CS13

30

Prior to the first occupation of Block 2, final details of the measures necessary, include waiting restrictions, in order to manage car parking on the public highway within the whole site shall be submitted for the written approval of the Local Planning Authority.

Reason

In the interests of highway safety, in accordance with the NPPF and Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

31

Prior to first occupation of the development hereby permitted, details to include the style and layout of 58 secure cycle parking spaces shall be provided for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of encouraging sustainable development and in order to accord with CSUCP policy CS13

32

The cycle parking details approved under condition 31 shall be installed in full accordance with the approved details prior to the first occupation of the development hereby permitted

Reason

In the interests of encouraging sustainable development and in order to accord with CSUCP policy CS13

33

No works shall be carried out on site unless they are in strict accordance with the revised Bat Mitigation Strategy and Method Statement approved under condition 17.

Reason

To avoid harm to protected species (bats and breeding birds) and their habitats in accordance with CSUCP policy CS18 and saved UDP policies DC1 & ENV46.

