



***PLANNING AND DEVELOPMENT COMMITTEE  
AGENDA***

**Wednesday, 22 December 2021 at 10.00 am in the Council Chamber - Civic Centre**

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From the Chief Executive, Sheena Ramsey

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Item	Business
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4ii	<b>No. 2 - Land bounded North &amp; South of Blackfell Way, Northside, Birtley (Pages 3 - 12)</b>
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# UPDATE

**REPORT OF THE  
SERVICE DIRECTOR, PLANNING, CLIMATE CHANGE AND STRATEGIC  
TRANSPORT**

**TO THE PLANNING AND DEVELOPMENT COMMITTEE ON  
22 December 2021**

Please note this document should be read in conjunction with the main report of the Service Director, Planning, Climate Change and Strategic Transport



**MINOR UPDATE**

<b>Application No:</b>	<b>DC/21/00774/FUL</b>
<b>Site:</b>	<b>Land Bounded North And South Of Blackfell Way. North Side Gateshead Birtley</b>
<b>Proposal:</b>	<b>Erection of 73 residential dwellings with associated infrastructure, landscaping and SUDS drainage (additional information and amended plans received 11/10/21, 12/10/21, 11/11/21, 12/11/21, 16/11/21, 26/11/21 and 14/12/21).</b>
<b>Ward:</b>	<b>Lamesley</b>
<b>Recommendation:</b>	<b>Grant Permission</b>
<b>Application Type</b>	<b>Full Application</b>

**Reason for Minor Update**

**Condition(s) added/deleted/amended**

**DRAINAGE**

Updated flood risk/drainage information has been submitted for the application.

**Further information is required as follows:**

- Urban creep allowance to be reviewed – either justification of 8% or use of 10%.
- The means of managing overland runoff from the undeveloped site area to the north that currently accumulates in the low spot of the application site
- Confirmation of measures for long term retention/maintenance of a clear route to prevent overland flood water from adversely affecting plots 3 and 4 (where there would be a low area and a retaining wall that would be flush with the finished ground level), to ensure the potential flood flow route is not compromised (eg by changing the railings to a solid wall, etc.)
- Updated water quality calculations for the detention basin to suit the proposed basin geometry (varying widths) and modelled water level.
- Completion of final details relating to landscaping/biodiversity matters.
- Details of the construction plan to allow adequate design development by the contractor.

It is recommended that additional conditions be imposed requiring the submission of the above detail to the LPA for consideration, and implementation of the approved scheme.

It is also recommended that a condition be imposed requiring the submission of a post development topographical survey of the detention basin, demonstrating that the design attenuation volume is adequate.

The wording of the additional recommended conditions is below:

**47**

*The development hereby approved shall not progress above damp proof course until the following details have been submitted to and approved in writing by the Local Planning Authority:*

*- Detailed final drawings of the proposed drainage scheme, along with supporting calculations demonstrating that runoff for all rainfall events up to and including 1in100year return period, with intensities increased to allow for the predicted effects of climate change over the lifetime of the development are adequately managed on site. Connected areas shall be increased with an appropriate urban creep allowance (either justification of 8% or use of 10%). Discharge from site shall be limited to a greenfield rate of runoff as determined in the Flood Risk Assessment & Drainage Strategy by CK21 (rev C, Nov 2021).*

*- Adequate water quality measures for the mitigation of pollution from potential contaminants from connected drainage areas (including updated water quality calculations for the detention basin to suit the proposed basin geometry (varying widths) and modelled water level)*

*- Management of overland run-off from offsite sources and works both on and offsite to safeguard sufficient above ground capacity in mitigation of moving the risk of flooding to downstream areas in the catchment.*

*- A construction plan in line with section 6.3.12 of the Flood Risk Assessment and Drainage Strategy demonstrating how the quantity and quality of runoff on site will be adequately managed in the interim period between commencement on site and completion of the drainage system.*

*- Final details relating to landscaping and biodiversity aspects of the detention basin design.*

**Reason**

*To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan*

**48**

***The development hereby approved shall be implemented in accordance with the details approved under condition 47 at all times and retained and maintained as such for the lifetime of the development.***

***The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 5414 and ensure that surface water discharges to the attenuation pond and surface water network to the south of the site at a maximum rate of 12.4l/s.***

**Reason**

***To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan***

**49**

***No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:***

***- As-built information relating to the principal elements of the final drainage scheme, demonstrating that design intent has been delivered. This shall include a topographical survey of the detention basin area together with the approved S104 plan.***

***- Final details of Management and Maintenance, including timescales and a demonstration of how the potential overland flood flow route between plots 3 and 4 will be maintained (eg. communicated to future property owner/occupants) to ensure that it will be maintained clear of obstruction for the lifetime of the development.***

**Reason**

***To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan***

**50**

***The management and maintenance measures approved under condition 49 shall be implemented in accordance with the approved details and timescales and retained and maintained as such for the lifetime of the development.***

**Reason**

***To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan***

Additionally, it is recommended that condition 1 be updated to include the following drainage documents:

*B3-CK-XX-XX-DR-C-5310 Suds Details - Rev T2*  
*B3-CK-XX-XX-DR-C-5300 Drainage Headwall Details Rev - T2*  
*B3-CK-XX-XX-DR-C-5200 Public Drainage Layout - Rev T2*  
*B3-CK-XX-XX-DR-C-2010 Suds Maintenance Plan - Rev P1*  
*B3-CK-XX-XX-DR-C-5360 Public Drainage Details Rev T1*  
*B3-CK-XX-XX-DR-C-5350 Public Drainage Sections Sheet 1 Rev T1*  
*B3-CK-XX-XX-DR-C-5351 Public Drainage Sections Sheet 2 Rev T1*

The following policies are also relevant to the application and added to the list of policies in the main report:

*MSGP29 - Flood Risk Management*

*MSGP30 - Water Quality/River Environments*

## **ECOLOGY**

Additional/amended information has been received in relation to impact on ecology/biodiversity. This detail provides confirmation of the following:

The proposed development site provides a baseline value of 23.52 habitat units with 0.24 habitat units being retained and 5.71 habitat units being created on site.

This results in net loss of -17.57 habitat units (-74.69%). As such, an appropriate biodiversity offset (i.e. habitat creation and/or enhancement measures to be delivered on suitable land outwith the development site and which delivers in excess of 17.57 habitat units) is required for the development to achieve measurable Biodiversity Net Gains in accordance with national and local planning policy. This is required by existing recommended condition 34, and the figures formally reported in this updated report.

Further, the reason for the pre-commencement condition 32 is added to the condition wording below:

**32**

*No works associated with the development (including site/vegetation clearance and soil stripping) shall commence on site until a Biodiversity Method Statement and Japanese Knotweed protocol has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Method Statement shall include full details of the measures to be implemented to avoid/minimise the risk of harm to biodiversity including statutorily protected and priority species and retained habitats during the site clearance and construction phase, and to provide suitable opportunities for biodiversity, including*



*statutorily protected and priority species (i.e. roosting bats, breeding birds and hedgehog) on site post development. The Japanese Knotweed protocol shall include full details of the measures to be implemented to prevent the spread and eradicate Japanese Knotweed from the site.*

**Reason**

*To avoid, mitigate and compensate for the impacts of the development on biodiversity including statutorily protected and priority species and retained habitats/features within and/or immediately outwith the proposed development site, to provide enhanced opportunities for biodiversity, and to prevent the spread of invasive non-native species in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan.*

**Reason for pre-commencement condition**

**To avoid/minimise harm to biodiversity at all times during works and construction.**

**HIGHWAYS CONDITIONS**

Recommended conditions 26-28 in the main report read:

**26**

*No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:*

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49*
- A 2m x 2m visibility splay at all driveways (with nothing above 600mm within the visibility envelope)*
- Final details of the new footpath at the south eastern part of the site*
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site*

**Reason**

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

**27**

*The details approved under condition 26 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.*

**Reason**

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

**28**

**All kerbing throughout the development shall have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points; The raised plateaus hereby approved shall be 100mm high, with 1:10 on/off ramps; and there shall be channel drains where any driveway falls towards a public footway or carriageway.**

**Reason**

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

Following discussion with the applicant, it is recommended that these be amended as follows:

**26**

**No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:**

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49**
- ~~A 2m x 2m visibility splay at all driveways (with nothing above 600mm within the visibility envelope)~~**
- Final details of the new footpath at the south eastern part of the site**
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site**

**Reason**

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

**27**

**The details approved under condition 26 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.**

**Reason**

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

**28**

**All kerbing throughout the development shall have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points; The raised plateaus hereby approved shall be 100mm high, with 1:10 on/off ramps; and there shall be channel drains where any driveway falls towards a public footway or carriageway.**

**Additionally, a 2m x 2m visibility splay shall be provided to both sides of all driveways (where a double driveway or two combined single driveways with a buffer exist, the splay requirement will be to the sides of the overall driveway dimension)**

**Reason**

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

**SEE MAIN AGENDA FOR OFFICERS REPORT.**

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