

PLANNING AND DEVELOPMENT COMMITTEE AGENDA

Wednesday, 9 December 2020 at 10.00 am in the The meeting will be held virtually.

Please click

here to access the meeting.

From the Chief Executive, Sheena Ramsey

Item Business

1 Apologies for Absence

2 Minutes

The Committee is asked to approve as a correct record the minutes of the meetings held on 11 and 18 November 2020 respectively (copies previously circulated).

3 Declarations of Interest

Members to declare interests in any agenda items

4 Planning Applications (Pages 3 - 6)

4i No. 1 - The Runhead, Holburn Lane, Ryton, NE40 3HJ (Pages 7 - 14)

4ii No. 2 - Former Whitley Court, Land South of Ebchester Avenue, Wrekenton, NE9 7AD (Pages 15 - 48)

4iii No. 3 - Land on North Side of Lead Road (Penny Hill) (Pages 49 - 60)

4iv No. 4 - 41 Haswell Close, Felling, Gateshead NE10 8UE (Pages 61 - 66)

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PLANNING AND DEVELOPMENT
COMMITTEE
9 December 2020

TITLE OF REPORT: Planning applications for consideration

REPORT OF: Anneliese Hutchinson, Service Director,
Planning, Climate Change and Strategic Transport

Purpose of the Report

1. The Committee is requested to consider the attached schedule of miscellaneous planning applications, which are presented as follows:-

PART ONE:

Planning Applications
Applications for Express Consent under the Advertisement Regulations
Proposals for the Council's own development
Proposals for the development of land vested in the Council
Proposals upon which the Council's observations are sought
Any other items of planning control

PART TWO: FOR INFORMATION ONLY

Applications determined in accordance with the powers delegated under Part 3, Schedule 2 (delegations to managers), of the Council Constitution.

Recommendations

2. Recommendations are specified in the schedule.

The Human Rights Implications of the recommendations have been considered. Unless specified there are no implications that outweigh the material planning considerations.

Contents

Application Number	Site Location	Ward
1. DC/20/00161/FUL	The Runhead Holburn Lane	Ryton Crookhill And Stella
2. DC/20/00876/FUL	Former Whitley Court	High Fell
3. DC/20/00924/FUL	Land On North Side Of Lead Road (Penny Hill)	Crawcrook And Greenside
4. DC/20/00954/HHA	41 Haswell Close Felling	Wardley And Leam Lane

DEVELOPMENT PLAN

Section 38(6) of the Planning & Compulsory Purchase Act 2004 specifies that: 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF was published in 2019 by Ministry of Housing, Communities and Local Government (MHCLG) and is a material consideration in planning decisions. The NPPF is supported by Planning Practice Guidance (PPG), which provides further detail on how some policies of the NPPF should be applied.

LOCAL PLAN

In 2015 Gateshead Council and Newcastle City Council adopted Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne 2010-2030 (CSUCP). This Development Plan Document (DPD) sets area-wide Planning Policies for Gateshead and Newcastle, (including policies setting out the amount, and broad distribution of new development) and provides more detailed policies for the Urban Core of Gateshead and Newcastle.

In accordance with the Planning and Compulsory Purchase Act 2004 (as amended) the CSUCP now forms part of the statutory development plan for Gateshead. The CSUCP also supersedes and deletes some of the saved policies in the Unitary Development Plan (UDP). A list of deleted UDP policies is provided in Appendix 1 of the CSUCP.

The Unitary Development Plan for Gateshead was adopted in July 2007 and the remaining saved policies together with the CSUCP represent a current up to date development plan. In the report for each application, specific reference will be made to those policies and proposals which are particularly relevant to the application site and proposed development. Where the saved UDP policies are in general conformity with the NPPF due weight should be given to them. The closer the consistency with the NPPF the greater the weight can be given.

Some UDP policies are supported by Interim Policy Advice notes (IPA), or Supplementary Planning Guidance (SPG). IPA 4 and 17 and SPG 4 and 5 excerpts, will continue to be used until they have been replaced by appropriate alternatives.

The Council is currently working on new detailed policies and land allocations for the new Local Plan. The DPD will be called Making Spaces for Growing Places (MSGP), which once adopted will replace any remaining saved UDP policies and designations/allocations.

UPDATES

The agenda is formed and printed approximately a week prior to the Planning and Development Committee meeting. Information, correspondence and representations can sometimes be received in the intervening period. In such cases a written update report will be circulated to Members the day prior to the meeting and on occasion there may be further verbal updates to Members from officers, so that Members are aware of all material planning considerations when making their decision on applications.

SPEAKING AT COMMITTEE

Gateshead Council seeks to be inclusive in its decision making process and therefore allows applicants, agents and interested parties to make verbal representation to Members at Committee in accordance with the Council's agreed speaking rights protocol; amongst other procedural requirements, a person must have submitted a request to speak in writing at least a week, in advance of the meeting, and subsequently confirmed their intention to speak.

For further details of speaking rights at committee contact the Development Management Section on (0191) 4333150 or please view the leaflet 'Having Your Say' available from Development Management.

SITE PLANS

The site location plans included in each report are for illustrative purposes only. Scale plans are available to view on the application file or via Public Access.

PUBLICITY/CONSULTATIONS

The reports identify the responses to site notices, press notices, consultations and/or neighbour notifications which have been undertaken. The reports include a précis of the comments received, full copies of letters are available to view on the application file. In all cases the consultations and publicity have been carried out in accordance with the appropriate procedure(s).

SITE VISITS

On occasion the Committee will defer making a decision until they have viewed the application site themselves as a group. The visits are fact finding visits only and no debate or decision making will take place on the visit and no representations will be heard at these visits and therefore the Local Planning Authority will not invite applicants or third parties to attend unless for the sole purpose of arranging access to land and or/ buildings.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION (AS AMENDED)

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These papers are held on the relevant application file and are available for inspection during normal office hours at the Communities and Environment reception, Civic Centre, Regent Street, Gateshead NE8 1HH.

Committee Report

Application No:	DC/20/00161/FUL
Case Officer	Josh Woollard
Date Application Valid	24 February 2020
Applicant	Malhotra Group Plc
Site:	The Runhead Holburn Lane Ryton NE40 3HJ
Ward:	Ryton Crookhill And Stella
Proposal:	Proposed erection of tipi within beer garden and 1no. timber clad storage container (additional info 05.11.20, 19.11.20, description amended 10.11.20)
Recommendation:	GRANT TEMPORARY PERMISSION
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The site is broadly triangular in shape. The Runhead public house building occupies much of the site and is predominantly single-storey with the exception of a two-storey structure. In terms of external finish, white render has been used across the external elevations, along with roof tiles for the roof at single-storey level and a light green pitched roof to complete the two-storey building. Also making up the site is an external area for patrons running along the western boundary of the site and a car park and servicing area within the northern portion of the site.

1.2 Vehicular access into the site is from Holburn Lane which runs along the eastern boundary. Along the southern boundary of the site runs the B6317. Immediately adjacent to the western boundary are the rear gardens of residential properties along The Meadows. To the north, the gable elevations of properties along Holburn Lane bound the site.

1.3 DESCRIPTION OF THE APPLICATION

The application proposes the erection of a tipi within the external drinking area to the west of the pub building.

1.4 The tipi would be formed from a light beige/brown canvas and would have two peaks with a maximum height of approximately 7.4m which would taper down to a central covered area. The tipi would be approximately 22.3m long. Within the tipi would be a seating area for patrons of the pub and a bar. The capacity of the tipi would be circa 50 people.

1.5 The application also proposes the siting of a storage container against the southern boundary of the site. The container would be approximately 2.6m in

height, 2.4m deep and would be 12.1m in length. In terms of external finish, the container would be clad in timber.

1.6 RELEVANT PLANNING HISTORY:

253/89 - Erection of conservatory and provision of new entrance at rear of public house, alterations to front elevation incorporating new fascia boarding, window detailing and timber cladding plus additional car parking area to the rear - Granted 15.05.1989

521/01 - Construction of childrens play area within courtyard of public house (retrospective application) - Granted 28.06.2001

DC/07/00245/FUL - Refurbishment of public house including construction of pitched roof at rear, construction of ramp at rear, new facade to front, construction of canopies at rear and sides and formation of external seating area at front and car parking to the north-east of the site. Retrospective application - Granted 05.07.2007

2.0 Consultation Responses:

2.1 No consultations have been received.

3.0 Representations:

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

3.2 8 letters of representation were received following the first round of consultation. Of these 8 letters, 7 objections were received and 1 letter supporting the development was received.

3.3 Following receipt of amended plans, 7 additional letters of objection were received.

3.4 The objections are summarised below:

- Increased noises from deliveries, music, and patrons congregating
- Increased demand for parking and overspill parking
- No frequency of events
- Tipi to be located within a designated buffer zone between pub and houses. A high earth bank and laurel bushes were removed some years ago from buffer zone

3.5 One letter of objection also states 'this applies to all houses from 42-50 The Meadows and at least no. 1 Holburn Lane', however only one signature is provided on the letter.

3.6 One letter of support has been received which states 'I support this proposal'.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV61 New Noise-Generating Developments

5.0 Assessment of the Proposal:

5.1 The key issues to be considered in the determination of this planning application are considered to visual amenity, residential amenity, and highway safety.

5.2 VISUAL AMENITY

The proposed tipi would be set within the curtilage of the pub. In terms of the design of the tipi, it would be of a traditional design, with fabric stretched over a frame to create two peaks which resemble a pyramid shape, with a central covered area, lower in height. The open face of the tipi would front the pub. Internally, a bar would be installed, with furniture for patrons.

5.3 A hedge runs along the southern boundary of the site whilst the south-west and western boundary is characterised by mature tree coverage. As a result, the tipi would benefit from some screening but would still be visible.

5.4 In terms of materials and appearance, the tipi canvas would be a light beige/brown colour which is considered to be sympathetic to the tree coverage on site and the white render used to finish the two-storey element of the pub building.

5.5 The application also proposes the siting of a storage container against the southern boundary. The container would be approximately 2.6m in height and would benefit from screening by the hedge which runs along the southern boundary. Notwithstanding the screening, the container would be clad in

timber which is considered to both soften its appearance and complement the tree coverage on site.

5.6 As such, it is considered that the proposal would be acceptable and would comply with the NPPF, policy CS15 of the CSUCP, and Saved policy ENV3 of the UDP.

5.7 RESIDENTIAL AMENITY

Objections received in relation to this application raise concerns with regard to increased noise and disturbance resulting from patrons congregating outside, music being played, and events being held.

5.8 With regard to patrons congregating outdoors and within the tipi, the external area is already available for use by patrons and this is demonstrated by the presence of approximately seven tables, two of which are situated on the western boundary. It is acknowledged that through the erection of a tipi and the subsequent creation of a covered external seating area and the installation of a bar that it is more likely to encourage patrons to congregate outdoors and therefore appropriate mitigation must be in place.

5.9 Paragraph 010 (Reference ID: 30-010-20190722) of the NPPG states:

“In general, for developments that are likely to generate noise, there are 4 broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.”

5.10 With regard to engineering measures, the foundations will be non-intrusive, consisting of uplifting the grassed area and laying an area of hardstanding, and as a result, the mature tree line along the western boundary will be retained which would provide some barrier for the residential properties to the west.

5.11 With regard to layout, there is no other location within the site where the tipi could be located. As submitted, the tipi would be located between 4-5m from the western boundary of the site. The rear elevation of properties along The Meadows are located a further 10-15m from the boundary. The entrance to the tipi would face the pub with the fabric of the tipi tapering down towards the western boundary which would provide some reduction in noise.

- 5.12 In terms of planning conditions, if the application were minded to be approved, it is recommended that the tipi shall not be used between the hours of 22:00 and 08:00 (condition 5), that no live entertainment, amplified sound system or similar equipment shall be used or installed within the tipi (condition 6), and that the tipi be managed in complete accordance with the submitted Noise Management Plan (condition 7).
- 5.13 Further to the above, paragraph 014 (Reference ID: 21a-014-20140306) of the NPPG states:
- “Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only...
- Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area...”
- 5.14 It is recommended that planning permission be granted for a temporary period of 1 year in order to assess the effect of the development on neighbouring residential properties and in particular those to the north and west.
- 5.15 Based on the above assessment, it is considered that, subject to a temporary 1 year permission and the suggested planning conditions, the proposed development would be acceptable and would comply with the NPPF, policy CS14 of the CSUCP, and Saved policies DC2 and ENV61 of the UDP.
- 5.16 HIGHWAY SAFETY
The application proposes no changes to the existing access or parking layout.
- 5.17 The capacity of the tipi would be circa 50 patrons. However, it is considered that the proposed development would not result in an additional 50 trips to the pub as it could be assumed that some existing customers of the pub would use the tipi. Furthermore, the application site is considered to be located within a sustainable area, circa 350m from Ryton local centre to the west, and close to a large residential catchment area where it could also be assumed that patrons of the pub could walk to. As such, it is not considered that the proposal would result in a significant intensification of the use and that the existing parking arrangement would be suitable to support the proposal.
- 5.18 Based on the above, it is considered that the proposed development would be acceptable and would comply with the NPPF and policy CS13 of the CSUCP.
- 5.19 OTHER MATTERS
One objection states that an earth bank and laurel bushes have been removed which constituted a designated buffer zone between the pub and the houses to the west.

5.20 A built-up mound with vegetation did exist on the site of the proposed tipi and extended to the north of the site. However, as part of the refurbishment of the pub in 2007 this area was removed. To the north of the proposed tipi, the mound was removed to relocate the parking area closer to the western boundary. On the site of the proposed tipi, the approved plans state 'all low level vegetation to be removed, ground levelled where necessary and new lawn laid'. As such, the tipi would not be located within a designated buffer zone and would not breach a planning condition associated with a previous approval.

5.21 One further objection raises concerns with regard to deliveries.

5.22 There would be no change to the existing delivery arrangements.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is recommended that planning permission be granted for a temporary period of 1 year, subject to conditions. It is considered that the proposal does accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

7.0 Recommendation:

That temporary permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

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

Location Plan

Existing Site Plan

300/P3 Proposed Elevations

102/P3 Proposed Site Plan

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 consent hereby granted shall be for a limited period only of 1 year from the date of this decision notice. On the expiration of this period, the use of the tipi shall cease. The tipi and storage container shall be removed and the site returned to its former condition within three months of the date of expiry.

Reason

The development is not considered to be suitable for a permanent permission and to ensure that site is restored to its former condition in the interests of residential and visual amenity in accordance with NPPF and policies ENV3 and ENV61 of the Unitary Development Plan.

3

The development hereby permitted shall be constructed entirely of the materials detailed on the submitted Application Form and within the email and associated photographs received 19.11.20.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

Unless otherwise approved in writing by the Local Planning Authority, all 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

5

The development hereby approved shall not be used between the hours of 22:00 and 08:00.

Reason

To ensure that the use would not result in an unacceptable level of noise/disturbance to neighbouring properties, in accordance with Saved Policies, DC2 and ENV61 of the Unitary Development Plan, Policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

6

No live entertainment, amplified sound system or similar equipment associated with the development hereby approved shall be installed or used within the tipi at any time.

Reason

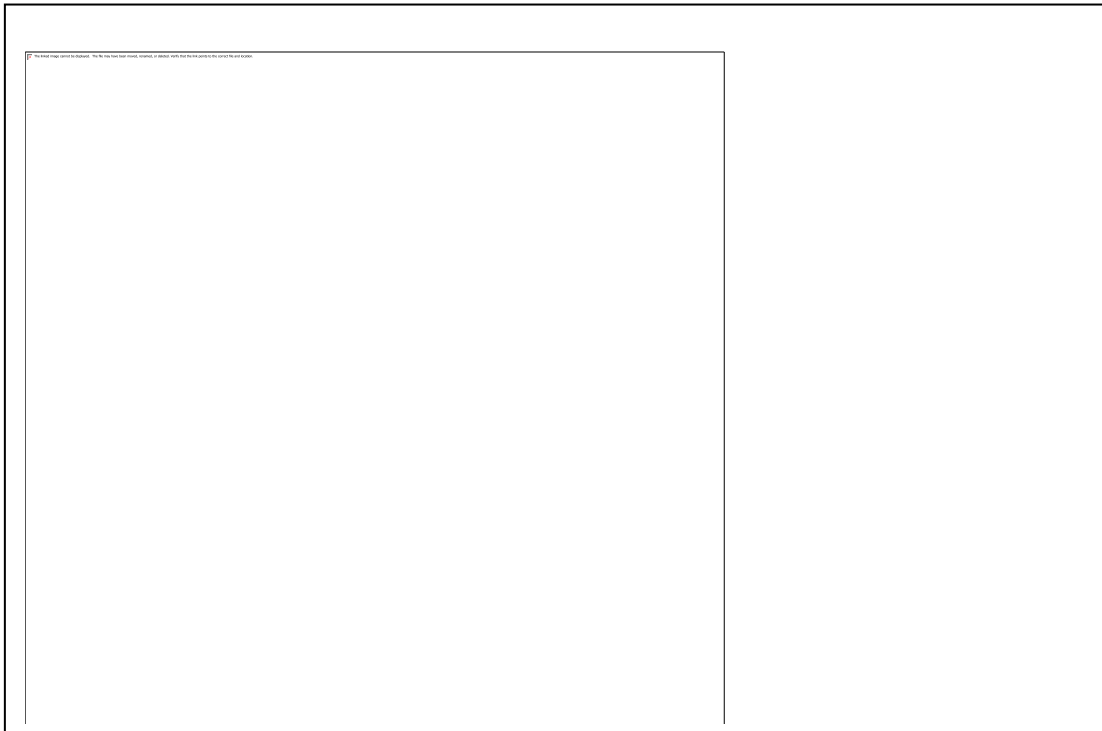
To ensure that the use would not result in an unacceptable level of noise/disturbance to neighbouring properties, in accordance with Saved Policies, DC2 and ENV61 of the Unitary Development Plan, Policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

7

The development hereby approved shall be managed in complete accordance with the submitted Noise Management Plan Revision C.

Reason

To ensure that measures and operating policies are in place to protect the residential amenity of nearby properties in accordance with the NPPF, policy CS14 of the CSUCP, and Saved policies DC2 and ENV61.



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Committee Report

Application No:	DC/20/00876/FUL
Case Officer	Joanne Munton
Date Application Valid	28 September 2020
Applicant	Gateshead Regeneration Partnerships
Site:	Former Whitley Court, Land South of Ebchester Ave, Wrekenton, NE9 7AD
Ward:	High Fell
Proposal:	Redevelopment of the vacant former Whitley Court site involving demolition of existing garages followed by erection 44 dwellings including family homes, assisted living bungalows and apartments with communal spaces (12x 2 Bed Houses, 16 x 3 Bed Houses, 4 x 2 Bed Bungalows and 12 x 1 Bed Apartments) with additional unallocated parking area at Westwood Gardens between the existing properties (additional information received and amended 19/10/20, 21/10/20, 16/11/20, 20/11/20 23/11/20 and 27/11/20) (Description amended 24/11/20)
Recommendation:	MINDED TO GRANT
Application Type	Full Application

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

The application site is an irregular shaped parcel of land located to the north west of Springwell Road (B1296), accessed off Marsden Grove and bound by Ebchester Avenue to the north and Bridleway 016 to the east. The site has been mainly vacant since the demolition of former sheltered housing units, library, children's home and a number of flat roofed bungalows over the past 10 years.

1.2 The red line boundary of the application site includes the main area of open space with various pathways through, an area of hardstanding opposite the health centre that used for informal parking, a row of single storey garages along the eastern boundary and a piece of land between terraced properties at Westwood Gardens, which is currently hardstanding/footpaths.

1.3 The site topography is predominantly flat, however, there is a level difference of over 2m between Marsden Grove and the end of Ebchester Avenue adjacent the row of garages (at the eastern end). Overall, the site has a slight gradient sloping away from Marsden Grove in the South to Ebchester Ave to the North East and North West.

1.4 The residential properties surrounding the site are mid-20th Century style consisting of traditional suburban semi-detached or terraced, brick/render, two storey housing. Directly adjacent the site (to the south west) is Wrekenton Health Centre, which has a more modern design.

1.5 DESCRIPTION OF APPLICATION

This application proposes the demolition of existing garages on the eastern boundary followed by the construction 44 dwellings, which would be a mix of family homes, assisted living bungalows and assisted living apartments with communal spaces:

12x 2 Bed Houses
16 x 3 Bed Houses
4 x 2 Bed Bungalows
12 x 1 Bed Apartments

1.6 The application states that all dwellings would be affordable homes.

1.7 The assisted living apartments and bungalows would be in the south east part of the site, the apartments being in an L-shaped building with a central single storey entrance/internal communal area at the corner, and the bungalows facing out onto the existing street where properties at Westwood Gardens are located. The scheme includes a bespoke, dedicated communal garden located between and serving the assisted living apartments and bungalows, specifically designed for end users with autism.

1.8 The 28 two-storey houses would be provided on the north western part of the site, with properties along Ebchester Avenue to the north, land north of the bungalows and to the west with a dedicated parking court serving the dwellings in this location.

1.9 The proposed materials are as follows:

Weinerberger Tabasco Red Multi bricks at the north/north eastern parts of the site and two houses immediately north of the apartments

Weinerberger Woodland Mix bricks at the south east (bungalows and apartments) and western parts of the site, including Taylor Maxwell Gneiss stone and Marley Cedral Click Tegral C03 weather boarding at the apartments and the same weather boarding at the bungalows.

Ibstock Caledonian Buff Blend feature brickwork at feature gables

All roof tiles to be Russell Grampian (colour Anthracite)

Grey doors and windows

Black guttering

1.10 Dedicated parking for residents and visitors would be provided and the application proposes a ramp and stairs on the eastern boundary for continued pedestrian access to Springwell Road from this side of the site. The submission also proposes an unallocated parking area at Westwood Gardens between the existing neighbouring properties.

1.11 RELEVANT PLANNING HISTORY

DC/08/00048/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of aged persons unit (SE corner) - Granted 11.02.2008

DC/09/00761/DPA - DETERMINATION OF PRIOR APPROVAL: Demolition and landscaping works at 8-22 (even) Ebchester Ave and 23-31 (odd) Marsden Grove (NW part) - Granted 16.07.2009

DC/11/00430/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of family group home (W part) - Granted 27.05.2011

DC/15/00999/DEM - DETERMINATION OF PRIOR APPROVAL: Demolition of former Library building (NE corner) - Granted 06.11.2015

2.0 Consultation Responses:

Northumbria Water	Condition recommended
Nexus	No objection
Northumbria Police	No objection, condition recommended
Northern Gas Networks	No objection
Tyne And Wear Fire And Rescue Service	No objection

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. Due to the receipt of amended plans in late November, that included changes to the extent of the application site, and the description of development, additional neighbour notification letters have been sent and new press and site notices displayed. The expiry date for this latest round of publicity is 17 December 2020.

3.2 Three objections (including additional comments from objectors) have been received, raising concerns regarding the following:

- Too many houses proposed and subsequent impact on parking availability on-street and currently on site, the proposal would exacerbate existing issues with parking for the health centre and nearby schools
- Marsden Grove is a cul-de-sac due to bollards at the western end, and the Springwell Road access is the only way in for existing residents - this road is narrow and intensification of use would cause highway safety problems (in context of previous traffic accidents and pedestrian injuries)
- There are schools nearby and the development would result in a reduction of safety, particularly children
- Loss of parking space and sunlight at 9 Marsden Grove
- Addition of apartments across the road from the existing health centre would be overbearing and unsafe in terms of visibility
- Overlooking at residential properties on Marsden Grove
- Loss of open space and area for children to play and people to walk dogs etc
- Overdevelopment of the site
- Increased impact on flood risk
- Loss of view of green space
- Alternative development types and locations proposed
- Amended plans do not address highway safety concerns

3.3 Additionally, a petition with 14 signatures has been submitted in objection to the proposal, raising concerns regarding the following:

- Too many houses proposed and subsequent impact on parking availability on-street and currently on site, the proposal would exacerbate existing issues with parking for the health centre and nearby schools
- Development would result in more difficulty turning cars in the cul-de-sac at Marsden Grove
- There are schools nearby and the development would result in a reduction of safety, particularly children
- Loss of parking space for 9 Marsden Grove
- Increased traffic at Easington Avenue, especially if bollards on Marsden Grove are removed, in context of previous traffic accidents and pedestrian injuries
- Reduced on-street parking availability
- Insufficient parking provision, particularly for the apartments
- Increased congestion on Springwell Road
- Overdevelopment - the site has not previously developed as much as is proposed

- Loss of open space and area for children to play and people to walk dogs etc
- Overlooking at residential properties on Marsden Grove
- Increased impact on flood risk
- Loss of view of green space

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

H5 Housing Choice

H12 Housing Density

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1H Pollution

DC1M Recycling

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

MWR35 Micro-Renewables, Energy Efficiency

CS1 Spatial Strategy for Sustainable Growth

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP Making Spaces for Growing Places

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when assessing this planning application are: the principle of the proposal, open space and play provision, visual and residential amenity, highway safety and parking, ground conditions, flood risk, trees and ecology.
- 5.2 **HOUSING POLICY**
The site is proposed to be allocated for housing in emerging policy MSGP (MSGP10.56). Although this policy remains emerging and cannot be given full weight at this stage, the aspirations of the Council for this site are clear and it is considered that residential use on the site would be generally acceptable.
- 5.3 The latest results of the Housing Delivery Test (HDT) show that the only 60% of Gateshead's Local Housing Need (LHN) is being delivered in the Borough. The proposed scheme will therefore have the potential to increase delivery, which is a positive factor.
- 5.4 Emerging policy MSGP13 sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). This policy does not have full weight as the policy is undergoing examination as part 3 of the Development Plan - Making Spaces for Growing Places (MSGP) and was subject to objections from third parties. However, in any event, Policy

CS11(4) of the adopted CSUCP requires adequate space inside and outside of the home to meet the needs of residents. Submitted details show that the development would provide adequate space for residents, and therefore would comply with this policy requirement.

- 5.5 Policy CS11 of the CSUCP requires 60% of new private housing across the plan area to be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. It is understood that the housing proposed would be affordable rent and affordable shared ownership homes, so this policy requirement would not apply as the scheme would not be private. In any event, the proposal would provide 16 dwellings with 3 bedrooms, which would contribute to the provision of family housing in the borough.
- 5.6 Part 2 of the same policy encourages the provision of Lifetime Homes and Wheelchair-Accessible Homes. Saved policy H9 of the UDP requires the provision of 10% of homes to be constructed to Lifetime Homes standards. Policy H10 requires the provision of 2% of homes to be built to or be capable of adaptation to Wheelchair Housing Standards. The Design and Access Statement submitted with the application confirms that the development is designed to Lifetime Homes and (the withdrawn) Code for Sustainable Homes standard (100%), and that the four bungalows would be wheelchair accessible (9%). Therefore, these policy requirements would be satisfied.
- 5.7 Policy MSGP11 requires that on housing developments of 15 or more dwellings, 25% will be constructed to meet M4(2) of the Building Regulations. This policy has been formulated by taking into account viability across MSGP. However, as set out above MSGP is still undergoing examination and the policy was subject to third party objections so does not yet have full weight.
- 5.8 Saved policy H5 of the UDP relates to housing choice and requires developments to offer a range of house sizes and types, taking into account the requirements of different groups. In this case, the proposal would have a good mix of housing and also help to serve those with specific needs. The proposal would be in accordance with policy H5.
- 5.9 Emerging Policy MSGP12 sets out that specialist and supported accommodation and care schemes will be expected to provide on site or have good accessibility to shops, services, community facilities and open space and/or have good accessibility to public transport. In this case, the development would have open space within the site for the use of residents. In addition, the site is located adjacent to a health centre and a regular bus route on Springwell Road. The site is also a relatively short distance, without significant changes to gradient, from Wrekenton Centre, containing shops and services along a simple and overlooked route. The proposal would be in accordance with MSGP12.
- 5.10 Policy CS11 requires 15% affordable homes on all developments of 15 or more dwellings subject to development viability. All dwellings are proposed to be affordable (mix of affordable rent and shared ownership) and this would

meet and exceed the requirement in policy CS11. It is understood that this provision is 100% as it makes up for lower provision on other sites in the borough.

- 5.11 Saved UDP policy H12 requires residential development to be at a density of between 30 and 50 dwellings per hectare net. Densities above this range will be permitted in locations with good public transport accessibility. The scheme would have a density equating to 44 dwellings per hectare and so would be in accordance with policy H12, as the site has good access to public transport.
- 5.12 The proposal would provide affordable and family homes in the borough, along with specialist supported accommodation, and it is considered that the principle of residential development on site is acceptable in terms of housing policy.
- 5.13 **OPEN SPACE AND PLAY**
Whilst the site is not specifically allocated as open space in the Local Plan, it is acknowledged that particularly since demolition of various buildings on site the land has been used by the public, and loss of this space has been specifically raised in objections.
- 5.14 As above, the site is proposed to be allocated housing in emerging policy MSGP10.56. Although this policy remains emerging and cannot be given full weight at this stage, the aspirations of the Council for this site are clear, and together with the area not being identified as deficient in open space, it is considered that the redevelopment of the site is acceptable in principle.
- 5.15 Saved policies H13 and H15 of the Council's UDP require new residential development to contribute towards open space and play provision. This is based on the anticipated population of the development and is based on the standards of open space and play provision required per population under saved policies CFR20, CFR28, CFR29 and CFR30 of the UDP.
- 5.16 As the site is not within an area identified as being deficient in open space, there would be no policy requirement for the proposed development to provide any. However, small elements of open space have been identified within the proposal, and it is considered that the recreational and amenity value of these spaces should be optimized. Conditions are recommended to be imposed requiring final details of a landscaping scheme and implementation of the approved scheme.
- 5.17 Information provided with this application indicates the development would provide 28 dwellings, and 16 supported homes for those with autism. Dwellings that could be occupied by families with children have potential to increase needs for children's play space, and the council's preference is for play facilities to be provided on-site, where needed.
- 5.18 There are no toddler play areas located within the maximum distance specified by saved UDP policy CFR28. Given the scale of this scheme, on-site provision of toddler play would be appropriate, and the applicant has

indicated an informal play space in the north western corner of the site. This is considered to be appropriate and it is recommended that conditions be imposed requiring final details of the informal play space and implementation of the approved scheme.

- 5.19 There are no junior play facilities within the maximum distance of this site as specified by policy CFR29. However, it would not be appropriate to provide a junior play facility on a site of this size, and therefore this element would not be required.
- 5.20 There are five teenage recreational facilities within the maximum distance specified in policy CFR30, at Leamhead, Hillcrest, Blackhill Crescent, Wrekenton MUGA, and Moss Heaps. However, these do not have sufficient capacity to serve the needs of the catchment area.
- 5.21 Pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which meant that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project. The Council exceeded the 5-obligation maximum in respect of all three types of play (toddler, junior and teenage) and for open space.
- 5.22 With regards to the open space and play space contributions, the legislation has changed to mean that the pooling restriction has now been lifted and therefore, in theory, the Local Planning Authority could seek a contribution towards off site open space and/or play provision. Given that there has not been enough time since the change to the legislation for the Council to identify where an off-site contribution could be spent, the Local Planning Authority are of the opinion that it would not be reasonable in this instance to require it.
- 5.23 Therefore while it cannot be concluded that the proposal would fully comply with saved policies H15, CFR29 and CFR30 of the UDP, the Local Planning Authority consider that it is not possible to require any contribution for off-site play provision in this case based on the above assessment.
- 5.24 **HIGHWAY SAFETY AND PARKING**
The proposed development consists of 44 dwellings with vehicular access achieved via two existing routes, Ebchester Avenue and Marsden Grove.
- 5.25 Marsden Grove is an existing road of substandard width. As part of the development proposals, the carriageway would be widened to 4.8m to allow for two-way vehicle movements. For the first 12m from the junction with Springwell Road, the road is to be widened to 5.5m to allow two vehicles to comfortably pass one another when turning in-or-out of Springwell Road/Marsden Grove. This is shown on plans and considered acceptable.
- 5.26 The existing bend in the unnamed road (to the front of development plots 13 to 16) is to be widened slightly, by approximately 200mm, to ensure two cars can pass one another. On the same road, a secondary turning head is to be introduced in front of plot 20. This is to allow cars and delivery vans to turn

without the need to reverse over a significant distance to the main turning head located between plots 16 and 17. The secondary turning head is shown indicatively on plans to be provided with a 'keep clear' road marking, which is considered a necessary deterrent for vehicles parking in this area, and it is recommended that condition be imposed requiring final details of road markings and implementation of the approved scheme.

- 5.27 In terms of parking, there is an existing area of highway to the rear (north) of the medical centre that is used as an informal parking area. Council highway officers have inspected this area at multiple times during the morning, afternoon and late evening (post 8pm). During the morning and afternoon inspections, the maximum number of cars observed was five at any one time and it was noted that the medical centre car park was not full at the time of inspections.
- 5.28 Evening inspections consistently showed there to be three vehicles in this informal car park area and it is likely these are associated with existing residents. As part of the redevelopment of the area, submitted plans show five visitor/public parking spaces to the rear of the medical centre (opposite plots 34 to 36) to cater for existing parking demand, and this is considered adequate provision in this location.
- 5.29 There is a road leading to Westwood Gardens that runs south from Ebchester Avenue, then east (to the rear of 1 to 11 Westwood Gardens) before terminating at the existing block of garages (that are proposed to be demolished). It is understood that these garages are almost all empty and the few that are occupied are not used by nearby residents for the parking of cars.
- 5.30 During the aforementioned site inspections, Council officers observed up to six cars parked along this street. The peak times for parking were post 8pm, therefore it can be reasonably assumed that all of these cars are associated with the existing residents of Westwood Gardens/nearby residents.
- 5.31 Due to the road width and proposed driveways onto the existing road, current on-street parking would be displaced because cars parked opposite drives would likely block egress from the driveways. As such, submitted plans show seven visitor/public parking spaces be provided at this north eastern part of the site for use by any highway users, including existing residents of Westwood Gardens. Three such spaces are to be provided at the top of the new turning head between development plots 16 and 17 and a further row of 4 new bays is proposed to be provided in the area between no.1 and no.2 Westwood Gardens (opposite the gable end of new development plot 12). It is recommended that conditions be imposed requiring final details of the four bays at Westwood gardens (including surfacing, new pathways and retention of the existing tree) and implementation of the approved scheme. The retention of on-street public parking for existing residents in the area is welcomed.
- 5.32 It is acknowledged that school drop-off and pick-up parking occurs in the area as a result of two nearby primary schools. The development would result in

the loss of some on-street parking capacity due to the installation of new driveway accesses however, the impact would not be severe (under NPPF testing) and not a reason to prevent the development of the land. Any school parking that may be displaced by the proposed development could be accommodated in the wider area. There is also a good level of visitor/public parking being provided within the development site.

5.33 There are a total of 32 houses/bungalows in the new development. Half of these meet the Council's minimum parking standard of one private driveway per dwelling, whilst the other half match the maximum Council standard of two driveways per plot. This is considered to be appropriate.

5.34 In terms of parking for the apartments, the Council parking standard for flats/apartments is one space per dwelling. The proposed development would only provide six private parking spaces for the apartments. Whilst this does not comply with the typical Council parking standard, it is recognised that the apartments on this scheme are specialist units for those with autism and the applicant has submitted a supporting statement indicating that car ownership, and therefore parking demand, would be likely to be low amongst residents of such specialist housing schemes, based upon their experience of operating similar facilities.

5.35 Whilst the low parking ratio for the assisted living apartments is undesirable in principle, weight is given to the supporting information submitted by the applicant, and the following considerations:

- On-street parking for up to four cars should be available on the widened Marsden Grove, in between the six private driveways associated with the apartment block.

- The development is in a very sustainable location, being in close to bus stops and a short walk from Wrekenton Local Centre.

- The overall development site has a higher than usual number of visitor/public parking bays. A site with 44 houses would normally be expected to have between 11 and 15 visitor spaces, but this site would provide 18 spaces in total.

5.36 Additionally, as the parking demand/provision in this location is directly linked with the specific use of the apartments, it is recommended that a condition be imposed restricting the apartments to the following sub-category of Use Class C3:

'Use as a dwellinghouse (whether or not as a sole or main residence) by (b) not more than six residents living together as a single household where care is provided for residents'

5.37 Therefore, taking the above into account and subject to the imposition of a condition limiting the use, it is considered that the lower parking ratio for the specialist apartment block would be acceptable.

- 5.38 Gateshead Council's design guide requires a 2m x 2m visibility splay between driveways, and a number of plots do not achieve this on the proposed layout. It is considered that this could be reasonably achieved on site, and it is recommended that conditions be imposed requiring a final layout of driveways with the full standard splay, and implementation of the approved scheme.
- 5.39 On the southern side of Ebchester Avenue (along the northern boundary of the development site) there is a narrow verge that was hardened a number of years ago. During officer inspections there was little-to-no parking along this side of the development boundary, although it was noted that parking does occur on hardened verges of the same type elsewhere on the residential estate. Due to the narrow width of the hardened verge and the absence of a full kerb face between it and the adjoining footway, the footway surface is prone to vehicle overrun/parking.
- 5.40 Whilst this is not within the red line boundary, plans indicate that to address this potential problem along the northern boundary of the site, the informal visitor/public parking laybys would be widened to 1.8m. This is considered acceptable in principle and it is recommended that conditions be imposed requiring final details of works to the highway for improvements (including the widening of this 'verge' and an 100mm kerb face (height) between it and the footway) and implementation of the approved scheme.
- 5.41 In relation to provision for pedestrians, the development site is criss-crossed by several existing adopted public footpaths. These will mostly be removed/stopped-up and so it is important that new, equally commodious routes are provided as part of the development proposal. Overall officers are satisfied that this would be achieved, providing the proposed ramp on the eastern boundary between plot 20 and the Public Right of Way (PROW) is constructed at a 1 in 20 gradient. It is recommended that a condition be imposed requiring this.
- 5.42 Additionally, as this would be a main pedestrian route to Springwell Road for existing and future residents, it is recommended that conditions be imposed requiring final details of the upgrade of the public right of way along the eastern boundary of the site (between Springwell Road and the proposed new steps to the north) and implementation of the approved scheme.
- 5.43 Given the application is for major development, policy CS13 requires that charging infrastructure for electric vehicles is provided, and conditions are recommended to be imposed requiring a scheme for this provision and implementation of the approved scheme.
- 5.44 In terms of cycle storage, the provision for the houses and bungalows (consisting of a lockable shed with internal ground-mounted Sheffield cycle hoop) is acceptable. The proposed communal cycle storage for the apartments is acceptable in principle given the proposed use, however confirmation is required regarding the final specification. Therefore, conditions are recommended to be imposed requiring final details of the communal store

for the 12 apartments, implementation of the approved scheme and implementation of the cycle storage for the houses and bungalows.

- 5.45 It is noted that details have been submitted with the planning application indicating proposed areas of highway to be adopted and works to the highway. Whilst indicative details at planning stage are helpful for understanding the developer's intentions, final design, construction and adoption would be secured through the relevant section agreements. It is recommended that an informative be added to the permission, advising that, for the avoidance of doubt, the planning permission does not grant the details submitted on these plans. It is also recommended that conditions be imposed requiring final details of all areas of public highway to be stopped up or improved, and a street lighting scheme (showing relocation of existing columns where indicated/required and a new street lighting scheme for the development, including the specifications and locations of the street lights).
- 5.46 Furthermore, it is recommended that conditions be imposed requiring submission of a demolition and construction management plan (including measures for vehicles of site operatives and visitors, a Construction Traffic Management Plan, storage of plant and materials, security hoarding and wheel washing facilities), and implementation of the approved scheme.
- 5.47 Subject to conditions, it is considered that the proposal would not have an unacceptable impact on highway safety and parking, and would comply with the aims and requirements of policy CS13 of the CSUCP.
- 5.48 **DESIGN/VISUAL AMENITY**
It is considered that the site would be laid out in an appropriate and logical way, and that each unit would have adequate space and landscaping and open space would adequately break up areas of hardstanding. The number of units proposed is in line with the densities specified in policy H12, adequate parking would be provided that would at the same time not dominate the site, and it is considered that the proposal would not represent overdevelopment of the site.
- 5.49 The south east part of the site would address the street scene well, with properties facing outwards, and would also make good use of the land in the centre with specifically designed, dedicated communal outdoor space. The single storey and heavily glazed central part of the apartments at the corner is a visual break in the higher elements of the flats and health centre opposite, so the cumulative development in this location would not appear overbearing.
- 5.50 The proposal has a modern design approach, and it is considered that the proposed materials and feature detailing would be mainly appropriate, drawing from the modern health centre and surrounding mix of house types. However, it is considered that Woodland Mix bricks proposed should be substituted for a more appropriate brick type, given the context of the health centre and other neighbouring properties. Prominent houses would include feature gable treatments to enhance surveillance levels, design quality, and

visual interest, and the stone, cladding and glazing features at the apartments would address Springwell Road and the corner well.

- 5.51 It is recommended that a condition be imposed requiring the materials proposed to be implemented on site in accordance with the relevant details, with the exception of Woodland Mix bricks, which should instead be Crofters Medley (as also put forward by the applicant). Additionally, it is recommended that conditions be imposed requiring final details of hard landscaping areas, and implementation of the approved design.
- 5.52 Subject to conditions, the proposal would comply with the aims and requirements of saved policy ENV3 of the UDP, policy CS15 of the CSUCP and the NPPF.
- 5.53 **RESIDENTIAL AMENITY**
In terms of existing residents, the proposal would provide appropriate distances between proposed and existing dwellings, and it is considered that it would not result in an unacceptable loss of privacy, loss of light, loss of outlook or overbearing impact at neighbouring residential properties.
- 5.54 In particular, regarding proposed house 44 and the relationship with flats at 19 and 21 Marsden Grove to the north, the distance between side elevations would increase from 3.6m at the south west point to over 6m at the north east point. Therefore, the fronts of the properties would be angled away from each other, and it is considered that the distances would not result in an unacceptable loss of light or outlook, or unacceptable overbearing impact. Additionally, whilst there are windows in the existing side elevation of nos.19 and 21, the only windows proposed on the side of house 44 would serve a ground floor WC and first floor bathroom, which are recommended to be required by condition to be obscurely glazed (as with similar windows on the rest of the site). As such, it is considered that the proposal would not result in an unacceptable loss of privacy at either existing or proposed dwellings in this location.
- 5.55 Additionally, regarding proposed house 41 and the relationship with 9 Marsden Grove to the south, there would be 4.5m between the side elevation of house 41 and the boundary/single storey side/rear of no.9. The elevation of the existing dwelling at no.9 is mainly blank with the exception of a small upper window set back from the boundary. As above, the side elevation of house 41 would include obscure glazing only, and it is considered that the proposal would not result in an unacceptable loss of light, outlook or privacy, or unacceptable overbearing impact at 9 Marsden Grove.
- 5.56 In terms of the proposed ramp at the eastern part of the site, the northern end of this (where users would turn the corner and access the stairs or ramped path) would be up against the boundary with the offset southern boundary at 11 Westwood Gardens. Currently there is the side wall of a garage at this boundary, which would be removed as part of the development. As such, and given the proposed use of the ramp/steps as a main route to Springwell Road, conditions are recommended to be imposed requiring the submission of final

details of boundary treatment in this location (ensuring appropriate privacy at the garden of no.11), and implementation of the approved details.

- 5.57 Regarding the proposed unallocated parking area between properties at Westwood Gardens, this would introduce vehicles further into a landscaping/pedestrian area. However, bays (and therefore cars and drivers) would not extend so far east that they would be opposite the facing elevations of the nearest dwellings. The existing paths between the proposed bays and garden boundaries on each side would remain, and it would be likely that users of the parking bays would be residents of Westwood Gardens themselves (although not necessarily those at nos.1 and 2). It is considered that the proposed introduction of an unallocated parking area in this location would not result in an unacceptable impact on residential amenity at these neighbouring properties.
- 5.58 Additionally, given the location of the proposed development site near to a number of existing residential properties, it is recommended that a condition be imposed specifying/restricting hours of construction on site to minimise disturbance to neighbours. It is also recommended that the conditions be imposed requiring that the demolition and construction management plan (referenced earlier in the report) includes how dust, noise and vibration, deliveries and hours of operation will be managed on site, and implementation of the approved scheme.
- 5.59 In terms of potential future occupiers, it is considered that the proposal would provide adequate internal and external space, and, as above, it is recommended that a condition be imposed requiring windows serving WCs, bathrooms and en-suites to be obscurely glazed.
- 5.60 Details submitted with the application indicate that there would be a change in levels across the site, whereby properties at the north and eastern parts of the site would be at a lower level. Site sections have been submitted, along with a levels plan, which show that the main change in levels at dwellings would be at the boundaries between the rear gardens at houses 33 to 40 and 13 to 16. At the highest, there would be a 1.725m retaining wall with a 1.8m high fence (totalling 3.5m high) at the rear of houses 15 and 16. Given that that gardens at 13 and 16 would be 9.4m long, those at 14 and 15 would be 11m long, and that much of the land immediately adjacent the retaining boundary treatment would be walkways providing access to the rears of 14 and 15, it is considered that changes in levels in this location would not result in an unacceptable impact on residential amenity at these properties. The change in levels at the south eastern part of the site would be encompassed within the communal garden design, and this arrangement is considered appropriate in terms of amenity. Similarly, it is considered that lesser changes in levels at other parts of the site would not have an unacceptable impact on residential amenity for occupiers.
- 5.61 Furthermore, the application is supported by a Noise Impact Assessment in relation to internal and external noise levels to determine whether mitigation is required from noise from the nearby roads. Private gardens would meet the

guidance noise levels, but a number of noise sensitive rooms towards the southern and northern perimeters of the site would not achieve internal guidance levels with windows open. Officers agree with the recommendations of the report that particular glazing and acoustic vents should be used in the locations identified, and a condition is recommended requiring implementation of the measures in the report.

5.62 Therefore, subject to conditions, the proposal would comply with the aims and requirements of saved policy DC2 of the UDP and policy CS14 of the CSUCP.

5.63 FLOOD RISK/DRAINAGE

Paragraph 165 of the NPPF states that:

'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

(a) take account of advice from the lead local flood authority;

(b) have appropriate proposed minimum operational standards;

(c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and

(d) where possible, provide multifunctional benefits.'

5.64 The application is supported by a Flood Risk Assessment (FRA) and a Drainage Strategy. This proposes SuDS in the form of surface water attenuation attenuated via cellular storage below porous and permeable paved private drives and rain gardens and discharge into the sewer. A new adoptable foul sewerage system is proposed to be installed for the development to connect into.

5.65 Northumbrian Water, in relation to connection to their system, have recommended that condition be imposed requiring compliance with the submitted details and specifying connection points and maximum discharge rates.

5.66 In terms of on site, the Lead Local Flood Authority (LLFA) have commented that the overall approach is considered to be acceptable, however, there are some outstanding matters and it is recommended that conditions are imposed requiring the submission of an updated FRA and Drainage Strategy to include the following points, and implementation of the approved details:

- Evidence that the flows resulting from rainfall in excess of a 1 in 100 year rainfall event would be managed in exceedance routes that minimise the risks to people and property

- Adequate flood resilience at properties to mitigate exceedance flood events

- Confirmation on a drainage plan that downpipes would discharge directly into the rain gardens at ground level

- A scheme to manage/address risk of overland runoff accumulating to the eastern gable of plot 20
- An updated impermeable areas drawing showing all impermeable areas that cannot drain to landscaping (eg. pathways between drives) and should be included in the areas contributing to the drainage system
- Consistency between the drainage plan and drainage calculations
- Clarity on the modelling and intended ground levels relating to the permeable paved area for parking to plots 35-41
- Confirmation that a geotextile would be provided between raingarden topsoil and the top of the crated tank to prevent fines draining into the tank
- Confirmation that the porous bitmac base would be punctured in accordance with Ciria SuDS manual standards (ie. 75mm dia core on an orthogonal grid of 750mm)
- Clarity regarding the proposed permeable membrane to base and sides and whether the intention is to allow partial infiltration to the ground
- Adequate thicknesses of sub-bases
- Measures for adequate sediment removal in the geocellular system
- Final details of drainage measures in the highway

5.67 Subject to conditions, the proposal would comply with the aims and requirements of policy CS17 of the CSUCP and the NPPF.

5.68 **GROUND CONDITIONS**

The property has been assessed and inspected as part of the Council's Contaminated Land Strategy and has been assessed as being situated on potentially contaminated land based on previous historic uses.

5.69 Reports have been submitted of combining Preliminary Risk Assessment report and site investigation report with a Phase II Detailed Risk Assessment relating to the potential land contamination and land gas risk.

5.70 Officers agree with the recommendations of the report and it is recommended that conditions be imposed requiring the submission of final gas monitoring results and a 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), the implementation of the approved remediation measures and the submission of a verification report(s) demonstrating their effectiveness.

5.71 Further, in relation to potential asbestos in the garages proposed for demolition, a separate risk assessment report has been submitted, and officers agree with the recommended measures. As such, it is recommended that conditions be imposed requiring the submission of a site-specific asbestos removal method statement prior to demolition or any other works that might disturb the asbestos materials identified, and implementation of the approved details.

5.72 Additionally, the site is not within a Coal Authority defined high risk area, and as such, a Coal Mining Risk Assessment has not been submitted with the application and conditions are not recommended in relation to land stability.

- 5.73 Subject to conditions, the proposal would comply with the aims and requirements of saved policies DC1 and ENV54 of the UDP and policy CS14 of the CSUCP.
- 5.74 **ECOLOGY**
The site is within a wildlife corridor, and generally, it is considered that the site is of low ecological value. The application is supported by a Preliminary Ecological Appraisal, which includes recommendations for avoidance, mitigation and enhancement measures.
- 5.75 Officers agree with the recommendations of the report, and it is recommended that a condition be imposed requiring compliance with and implementation of the proposed measures, in accordance with saved policies DC1, ENV46, ENV47 and ENV51 of the UDP and policy CS18 of the CSUCP.
- 5.76 **TREES AND LANDSCAPING**
The submitted arboricultural report refers to four trees in total, two are Poplars T1 and T2 these are off site and in poor condition. T9 and T10 are shown as moderate value trees a Cherry and a Whitebeam. Both are small trees in reasonable condition and retainable. However, as they are growing so close to the proposed development to require 3m of the canopy to be removed so that they don't interfere with the fabric, it is considered more beneficial to remove these and plant replacements in a more appropriate location. The removal of these trees is indicated on the proposed layout plan.
- 5.77 A planting strategy has been submitted with the application, and whilst this includes species recommended in the ecology report and trees at extra heavy standards, it does not reflect the final amended layout. As such, it is recommended that conditions be imposed requiring submission of final details of precise location of trees and landscaping, implementation of the approved scheme, and maintenance/management of landscaping into the future.
- 5.78 In terms of amended plans showing four unallocated parking bays proposed at Westwood Gardens, it is noted that there is an existing tree on site (further east of the proposed parking area). It is recommended that conditions be imposed requiring a tree protection method statement (including tree protection plan) and implementation of the approved details.
- 5.79 Subject to conditions, the proposal would comply with the aims and requirements of saved policy ENV44 of the UDP and policy CS18 of the CSUCP.
- 5.80 **SUSTAINABILITY**
The site is not near a decentralised energy scheme or any planned scheme, and the next option would be to install renewable energy solutions. In addition, in accordance with policy CS16 of the CSUCP, all development is required to use a good standard of building fabric, passive design and landscaping measures to minimise demand and achieve a good level of

sustainability, as required by national standards and also reduce its whole life CO2 emissions.

5.81 Overall, the development would include the following wider measures:

- A Sustainable Procurement Policy emphasising the legal and sustainable sourcing of building materials.
- Fabric First approach to energy and CO2 reduction.
- Efficient and rigorous waste management plans across all developments.
- Best practice policies with respect to site pollution implemented as standard.
- A drainage scheme to reduce the volume and rate of surface water discharge to green field rates.
- Measures incorporated into the design to achieve a water consumption lower than 105 litres per person per day.

5.82 Specifically, units would include the following elements

- Energy efficiency device
- External drying facilities
- Low energy external lighting
- Reduced Indoor water use and an external water butt
- Internal storage device of recyclable waste
- A low nitrogen oxides emissions boiler
- External private space to each plot
- A Home User Guide
- Cycle storage.
- Home office facilities.
- External water butts.
- Internal & external waste and compost bins.
- Reduced sound transfer at Party walls.
- High levels of natural daylight.
- Enhanced Landscaping & Ecology

5.83 It is considered that this approach is acceptable given the scale of the development. The implementation of a drainage strategy, provision of cycle storage, enhanced landscaping and enhanced ecology are addressed in conditions as recommended earlier in the report. The proposal would comply with the aims and requirements of saved policy MWR35 of the UDP, policies CS1 and CS16 of the CSUCP and the NPPF.

5.84 OTHER MATTERS

Loss of views of green space from neighbouring properties is not a material planning consideration

5.85 Additionally, the availability and/or appropriateness of alternative sites or alternative development types are not material planning considerations; the proposal in this application is assessed on its own merits.

5.86 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This proposal has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is housing related. The site is located within residential Charging Zone C with a levy of £0 per square metre.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is considered that the proposed is acceptable in principle and, subject to relevant conditions, in terms of visual and residential amenity, highway safety and parking, ground conditions, flood risk, trees and ecology and the provision of affordable housing would comply with the aims and objectives of the NPPF, and the relevant policies of the UDP and the CSUCP.

6.2 Therefore, it is recommended that planning permission be granted, subject to the below conditions.

7.0 Recommendation:

Minded to GRANT planning permission, subject to planning conditions and subject to further representations and consultations that may be received before the current publicity/notification period ends (17 December), and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

Unless otherwise required by condition, the development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Location Plan QD1356-300-01 Rev A (received 23.11.2020)

Proposed Site Layout Plan QD1356-311-01 Rev E (received 23.11.2020)

Assisted Living Apartments Ground Floor plan QD1361-317-01

Assisted Living Apartments First & Roof Floor plan QD1361-317-02 Rev A

Assisted Living Apartments Elevations QD1361-317-03 Rev B (received 20.11.2020)

Assisted Living Bungalows QD1361-317-04 Rev A (received 16.11.2020)

AF2 - 2 Bedroom House Type QD1356-317-05 Rev A (received 20.11.2020)

AF3 - 3 Bedroom House Type QD1361-317-06 Rev B (received 20.11.2020)

Parking Strategy QD1356-335-01 Rev C (received 23.11.2020)

Enclosures Layout QD1356-332-01 Rev B (received 23.11.2020)

Materials Layout QD1356-333-01 Rev A (received 23.11.2020)

External Levels QD1356-04-01 Rev E (received 23.11.2020)

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

The dwellings hereby approved shall not be occupied until final details of the appearance of the following features have been submitted to and approved in writing by the Local Planning Authority:

(a) Boundary treatments on site (including at the northern end of the proposed ramp, on the boundary with 11 Westwood Gardens)

(b) The appearance of hard landscaping on site

Reason

To safeguard the visual amenities of the area, and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing street scene or residential amenity in accordance with saved policies DC2 and ENV3 of the Unitary Development Plan, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and the NPPF.

4

The boundary treatment and hard landscaping details approved under condition 3 shall be implemented in accordance with the approved details before the dwellings hereby approved are occupied and retained as such for the lifetime of the development.

The development hereby permitted shall also be constructed entirely of the materials detailed on plan QD1356-330-01 Rev A (received 23.11.2020), with the exception of the use of Weinerberger Woodland Mix bricks, which shall instead be Weinerberger Crofters Medley in all areas where Woodland Mix is referenced on the above plan.

All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the dwellings hereby approved and retained as such for the lifetime of the development.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing street scene, and to ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance saved policies DC2 and ENV3 of the Unitary Development Plan, policies CS14 and CS15 of the Core Strategy and Urban Core Plan and the NPPF.

5

All 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 1800 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 saved policies DC1, DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF.

6

The apartments hereby approved shall be used as Use Class C3(b) ('Use as a dwellinghouse (whether or not as a sole or main residence) by not more than six residents living together as a single household where care is provided for residents') and for no other purpose (including any other purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose (including any other use permitted by Schedule 2,

Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason

To ensure ongoing adequate parking provision for the apartments, in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

7

No dwelling hereby approved shall be occupied until final details of the informal play area, including timescales for its laying out, and long term maintenance have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate and appropriate play provision in accordance with saved policies H15 and CFR28 of the Unitary Development Plan and the NPPF.

8

The informal play area approved under condition 7 shall be implemented in accordance with the approved details and maintained as such for the lifetime of the development.

Reason

To ensure adequate and appropriate play provision in accordance with saved policies H15 and CFR28 of the CSUCP and the NPPF

9

No demolition or any other development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) A Demolition and Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during demolition and construction;
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during demolition and construction

(g) Measures to control noise and vibration during demolition and construction

(h) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason

To safeguard the amenities of nearby sensitive receptors and to safeguard highway safety and in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan, policies CS13 and CS14 of the Core Strategy and Urban Core Plan and the NPPF.

Pre-commencement reason

To ensure that demolition and construction details can be approved prior to on-site works thereby avoiding any abortive work and preventing harm to nearby sensitive receptors due to uncontrolled demolition and/or construction and harm to highway safety which could otherwise occur.

10

The Demolition and Construction Management Plan approved under condition 9 shall be adhered to throughout the demolition and construction period of the development.

Reason

To safeguard the amenities of nearby sensitive receptors and to safeguard highway safety and in accordance with policies CS13 and CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

11

No development or other operations shall commence on site in connection with the development hereby approved, (including soil moving or any operations involving the use of motorised vehicles or construction machinery) until a Tree Protection Scheme and Arboricultural Method Statement (particularly in relation to the tree east of the proposed unallocated parking bays at Westwood Gardens) have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

Reason for pre-commencement condition

To ensure that trees are appropriately protected at all times during works and construction.

12

The details approved under condition 11 shall be implemented at all times during construction and there shall be no access, storage, ground disturbance or contamination within the protected areas without the prior written approval of the Local Planning Authority.

Reason

To ensure the retained trees can be successfully protected during the construction phase in accordance saved policy ENV44 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

13

No dwelling hereby approved shall be occupied until a fully updated landscaping and replacement tree scheme, including native plant species, sizes, planting densities, precise locations and timescale for planting have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development would provide appropriate landscaping on site in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

14

The scheme approved under condition 13 shall be implemented in full accordance with the approved details and shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any planting which dies, become diseased or is removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species.

Reason

To ensure that the planting scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance saved policies DC1, ENV3 and ENV44 of the Unitary Development Plan, Policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

15

No demolition or any other development shall take place until an Asbestos Removal Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure asbestos is dealt with appropriately and safely on site, in accordance with, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

Reason for prior to commencement condition

To ensure that all works can be carried out safely and appropriately at all times from the beginning of works in relation to asbestos.

16

The Asbestos Removal Method Statement approved under condition 15 shall be adhered to at all times during the demolition works.

Reason

To ensure asbestos is dealt with appropriately and safely on site, in accordance with, in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

17

Following demolition, no further development hereby approved shall commence until a report of final gas monitoring results and a remediation scheme (including timescales) pursuant to the submitted Phase II Risk Assessment and above gas monitoring have been 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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

18

The remediation measures approved under Condition 17 shall be implemented in accordance with the timescales approved and in full accordance with the approved details.

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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure appropriate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

19

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

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

Reason

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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

20

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

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 saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

21

Where remediation is required (under conditions 17-20), following completion of the approved remediation and monitoring measures, no dwelling hereby approved shall be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

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, to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and other offsite receptors, and to ensure there is adequate land stability in accordance with saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the NPPF

22

The development hereby approved shall be implemented in accordance with the noise mitigation measures as detailed in the submitted Noise Assessment (specifically Table 8 and Figures 4 and 5) by NJD Environmental Associates dated June 2020 (project no. NJD19-0117-001R Rev 1). No dwelling shall be occupied until the respective measures relating to that unit have been fully implemented and post-construction noise testing has demonstrated that the relevant internal noise levels have been achieved. Thereafter, the measures shall be maintained in accordance with the approved details for the lifetime of the development.

Any dwelling not passing the post-construction noise test shall not be occupied until the internal noise levels, at that property, have been re-tested and have been shown to have achieved the relevant internal noise levels.

Reason

To safeguard the amenities of future occupiers in accordance with saved policies DC1, DC2 and ENV61 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan and the NPPF.

23

The development shall be carried out in full accordance with the measures in section 6 of the submitted Preliminary Ecological Appraisal dated December 2019 (Galliford_WhitleyCt_PEA1.1), and no dwelling hereby approved shall be occupied until a plan indicating the locations of the integral potential bat roost features within at least four of the new dwellings, locations of bird nesting boxes for an appropriate suite of species on at least four new dwellings, and timescales for implementation of these features and the hedgehog highways, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To protect and enhance the conservation status of protected/priority species within the development site in accordance with saved policies DC1, ENV46 and ENV47 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

24

The details approved under condition 23 and the provision for hedgehog highways shown on plan QD1356-330-01 Rev A (received 23.11.2020) shall be implemented in full accordance with the approved

details and timescales and retained and maintained as such for the lifetime of the development.

Reason

To protect and enhance the conservation status of protected/priority species within the development site in accordance with saved policies DC1, ENV46 and ENV47 of the Unitary Development Plan, policy CS18 of the Core Strategy and Urban Core Plan and the NPPF.

25

No new hard surfacing shall be installed on site until a revised Flood Risk Assessment and Drainage Strategy (including Drainage Layout Plan) incorporating the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) Evidence that the flows resulting from rainfall in excess of a 1 in 100 year rainfall event would be managed in exceedance routes that minimise the risks to people and property
- (b) Adequate flood resilience at properties to mitigate exceedance flood events
- (c) Confirmation on a drainage plan that downpipes would discharge directly into the rain gardens at ground level
- (d) A scheme to manage/address risk of overland runoff accumulating to the eastern gable of plot 20
- (e) An updated impermeable areas drawing showing all impermeable areas that cannot drain to landscaping (eg. pathways between drives) and should be included in the areas contributing to the drainage system
- (f) Consistency between the drainage plan and drainage calculations
- (g) Clarity on the modelling and intended ground levels relating to the permeable paved area for parking to plots 35-41
- (h) Confirmation that a geotextile would be provided between raingarden topsoil and the top of the crated tank to prevent fines draining into the tank
- (i) Confirmation that the porous bitmac base would be punctured in accordance with Ciria SuDS manual standards (ie. 75mm dia core on an orthogonal grid of 750mm)
- (j) Clarity regarding the proposed permeable membrane to base and sides and whether the intention is to allow partial infiltration to the ground

(k) Adequate thicknesses of sub-bases

(l) Measures for adequate sediment removal in the geocellular system

(m) Final details of drainage measures in the highway

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

26

The development hereby approved shall be implemented in accordance with the details approved under condition 25 at all times and retained and maintained as such for the lifetime of the development.

The drainage scheme shall also ensure that foul flows discharge to the foul sewer at manholes 6202 and 5204 and ensure that surface water discharges to the surface water sewer at manholes 6201 and 5203. The surface water discharge rate shall not exceed the available capacity of 20l/sec that has been identified in this sewer.

Reason

To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF

27

No dwellings hereby approved shall be occupied until a scheme relating to electric vehicle charging infrastructure has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate provision for electric vehicles in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

28

The scheme approved under condition 27 shall be implemented in accordance with the approved details before the respective dwelling is occupied and the electric vehicle infrastructure shall be retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate provision for electric vehicles in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

29

No apartments hereby approved shall be occupied until final details of secure and weatherproof cycle storage for the apartments have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate cycle storage provision in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

30

The details approved under condition 29 for the apartments and the details on plan QD1356-SHED-01 for the houses and bungalows shall be implemented in accordance with the approved details before the respective dwelling is occupied and retained and maintained as such for the lifetime of the development.

Reason

To ensure adequate cycle storage provision in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

31

No dwellings hereby approved shall be occupied until the following details and timescales for their implementation, have been submitted to and approved in writing by the Local Planning Authority:

a) A detailed highways design, including upgrade work deemed necessary on the existing carriageways of Ebchester Avenue and Marsden Grove, the widening of those roads at the junction with Springwell Road and at the south eastern part of Ebchester Avenue (at Westwood Gardens), necessary road markings, final details of the unallocated parking area at Westwood Gardens (including surfacing, new pathways and retention of the existing tree), 1.8m wide unallocated parking laybys on the northern boundary at Ebchester Avenue and an 100mm kerb face between it and the footway, and appropriate chamfering of the two westernmost laybys at house 1.

b) Details of all areas of public highway to be stopped-up, improved and adopted

c) Details of the upgrading of the public right of way along the eastern boundary of the site, to ensure that a bituminous path to adoptable standards is provided between the footway of Springwell Road and the proposed ramp, and then continuing along the public right of way until the point where the new steps would intersect it

(d) A street lighting scheme to adoptable standards (showing relocation of the existing lighting columns and a new street lighting scheme for the development, including the specifications and locations of the street lights, and lighting along the upgraded public right of way)

(e) Confirmation that the ramp on the eastern boundary would have a maximum gradient of 1 in 20

(f) Final layout of all driveways with the full standard visibility splay of 2m x 2m

Reason

To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

32

The details approved under condition 31 shall be implemented in accordance with the approved details and timescales and retained and maintained as such thereafter.

Reason

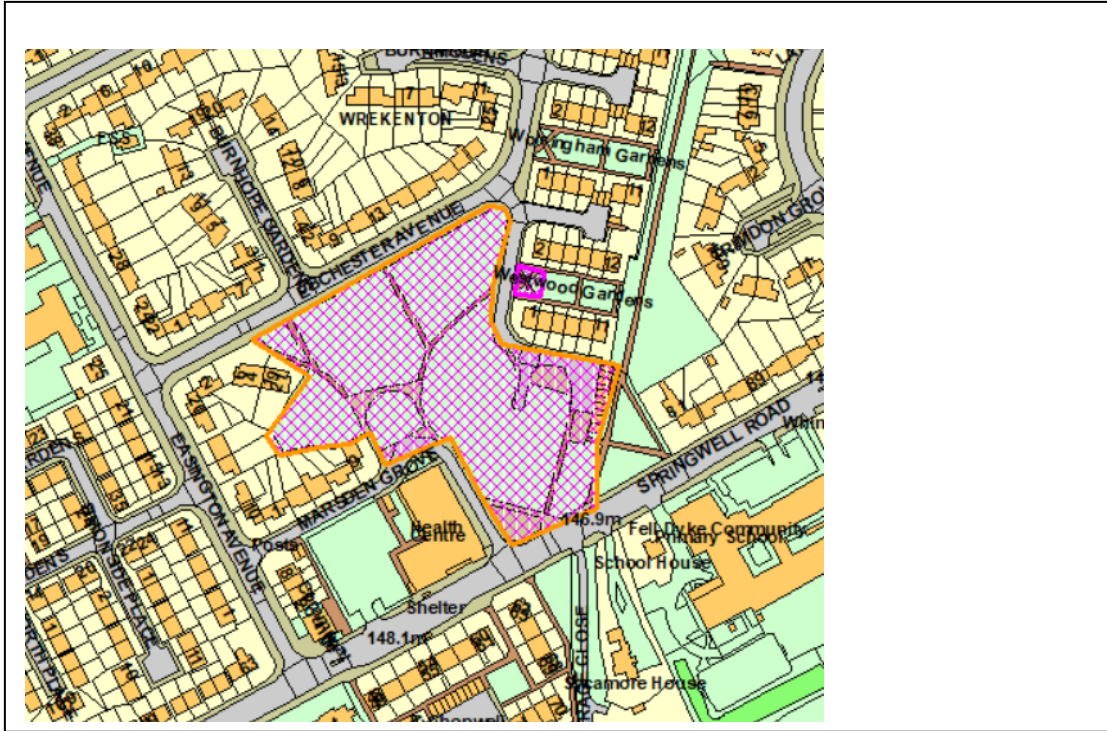
To ensure appropriate highway safety in accordance with policy CS13 of the Core Strategy and Urban Core Plan and the NPPF.

33

The dwellings hereby approved shall not be occupied until details of a scheme demonstrating a minimum of 15% affordable homes would be provided on site has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the proposal would provide appropriate range and choice of housing in accordance with policy CS11 of the Core Strategy and Urban Core Plan and the NPPF.



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Committee Report

Application No:	DC/20/00924/FUL
Case Officer	Joanne Munton
Date Application Valid	9 October 2020
Applicant	Mr Alex Mitchell
Site:	Land on North Side Of Lead Road (Penny Hill)
Ward:	Crawcrook And Greenside
Proposal:	VARIATION OF CONDITIONS 8 (approved plans) and 10 (noise) of permission DC/18/01009/FUL for the construction of gas-powered standby generation plant
Recommendation:	MINDED TO GRANT TEMPORARY PERMISSION
Application Type	Full Application

1.0 The Application:**1.1 BACKGROUND**

The principle of the proposed development has been established through the granting of planning applications DC/18/01009/FUL and DC/19/00997/FUL for a temporary period of 25 years. The approval considered issues of Green Belt, visual amenity, residential amenity, air quality, highway safety and parking, ecology and ground conditions.

1.2 Through the consideration of very special circumstances and the imposition of conditions, the development was considered acceptable in all regards and the temporary permission was granted following a referral response from the Secretary of State confirming that they did not wish to call in the application.

1.3 The latest planning application seeks the variation of Conditions 8 (approved plans) and 10 (noise level, specifying noise assessment) of DC/18/01009/FUL. In terms of condition 8, this would be to allow amendments to the proposed layout and elevations

1.4 Permission DC/19/00997/FUL allowed for the following amendments:

- a) Removal of the acoustic fence;
- b) Removal of the CCTV Columns;
- c) Reduction from 40no. gas generator units to 16no.;
- d) Reduction from 10no. transformer units to 1no. auxiliary transformer;
- e) Reduction of the Distribution Network Operator's (DNO) compound;
- f) Amendment to control room adjacent to 66kV compound to meet DNO requirements;
- g) Amendment to switchgear building to meet DNO requirements;

- h) Amendment to welfare cabin to include generator control room and LV room;
 - i) Amendment to the gas governor specifications to meet DNO requirements;
 - j) Inclusion of 2no. neutral earthing resistor (NER) units; and
 - k) Inclusion of 1no. lighting columns to meet DNO requirements within the DNO compound.
- 1.5 Plans submitted for this application include the above amendments and also show the following further proposed changes:
- 1) Reintroduction of the 4m acoustic fence/barrier (relevant to a) above)
 - 2) The gas generator units (as in c) above), as compared to those approved under DC/19/00997/FUL, would have an increase in length from 13.19m to 14.20m, increase in width from 3.4m to 3.49m, and a reduction in height from 4.03m to 3.52m (with the total height including the associated infrastructure being reduced by approximately 0.85m). The associated maintenance steps would be moved from the back of the unit to the side, and the flue would remain at 6.25m.
 - 3) Auxiliary transformer (as in d) above) and welfare cabin/control room (as in h) above) moved to the previous location of the gas compound
 - 4) Removal of 66kV transformer control room (relevant to f) above)
 - 5) Removal of gas compound (in the centre of the site, relevant to i) above)
 - 6) Addition of two gas kiosks to the south of the generators (measuring 3.05m long, 2.10m wide and 2.05m high).
- 1.6 Overall, this application to amend permission DC/18/01009/FUL would incorporate points 1) to 6) and b), c), d), e), g), h), j) and k) above.
- 1.7 In terms of condition 10, the updated noise assessment would take into account the proposed revisions above.
- 1.8 Based on the above, it is considered necessary to consider the application in regard to changes in site circumstance, planning policy and any implication with regard to the amendment of the planning conditions.
- 1.9 PLANNING HISTORY
- DC/18/01009/FUL - Construction of gas powered standby generation plant (as amended 11.01.2019) - Granted Temporary Permission (25 years) - 07.03.2019
- DC/19/00997/FUL - Variation of conditions 8 (approved plans) and 10 (noise) of application DC/18/01009/FUL (amended and additional details received 15.11.2019 and 18/11/19) - Granted Temporary Permission (25 years) - 10.01.2020

2.0 Consultation Responses:

Coal Authority	No objection, advice provided
Northern Electric Distribution Ltd	No objection, advice provided
Environment Agency	No objection, advice provided
Northern Gas Networks	No objection, advice provided

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.

3.2 No representations have been received.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

CS1 Spatial Strategy for Sustainable Growth

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS18 Green Infrastructure/Natural Environment

CS19 Green Belt

DC1C Landform, landscape and after-use

DC1D Protected Species

DC1E Planting and Screening

DC1H Pollution

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

5.0 Assessment of the Proposal:

5.1 POLICY BACKGROUND/SITE CIRCUMSTANCES

There have been no significant changes to National or Local policy or site circumstances following the granting of application DC/18/01009/FUL in March 2019.

5.2 The applicant has confirmed that the amended scheme would have the same capacity as that currently approved (40MW).

5.3 In terms of the proposed amendments to site layout and elevations, the principle of higher elements were deemed acceptable under DC/19/00997/FUL, and overall the site would be more compact/less spread out. It is considered that the proposal in this regard would not affect the conclusions of the original assessment.

5.4 The applicant has also submitted an updated Air Quality Assessment; officers concur with the methodology used and the conclusions of the assessment, and the proposed amendments to the plant are considered to be acceptable in this regard.

5.5 Further, condition 10 of temporary permission DC/18/01009/FUL requires the following:

The noise rating level from the operation of the plant hereby approved shall not exceed the daytime background noise level, as measured at the façade of any noise sensitive receptor identified in section 5.4 of the Acoustic Report Rev D dated 19.09.2018. The measurements and assessment shall be made in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Reason

To safeguard the amenities of nearby sensitive receptors in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

- 5.6 This condition was updated in amendment permission DC/19/00997/FUL to the following wording (incorporating the updated assessment report and British Standard):

The noise rating level from the operation of the plant hereby approved shall not exceed the typical daytime background noise level, as measured at the façade of any noise-sensitive receptor, existing at the time of the granting of planning permission (identified in section 4 of the Noise Assessment ref 19-132 dated 12.09.2019), when assessed in accordance with the methodology set out in BS 4142:2014:+A1:2019 Methods for rating and assessing industrial and commercial sound. Night time operation (23:00 - 07:00) of the facility will be limited to emergency situations as defined by the National Grid.

Reason

To safeguard the amenities of nearby sensitive receptors in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

- 5.7 The applicant has provided an updated Noise Assessment to incorporate the proposed changes on site. This concludes that the noise impacts from the proposed development would remain unchanged, with the development resulting in rating noise levels that are typically below the measured background sound level in the area, at each assessed residential receptor (ie. Low Impact). The updated Assessment also identifies that no significant change in ambient sound level would be caused by the development in its proposed and assessed form, at the closest residential receptors. Officers agree with the conclusions of the report and it is recommended that the condition wording be updated to the following:

The noise rating level from the operation of the plant hereby approved shall not exceed the typical daytime background noise level, as measured at the façade of any noise-sensitive receptor, existing at the time of the granting of planning permission (identified in section 4 of the Noise Assessment ref 20-158-1 dated 12.08.2020), when assessed in accordance with the methodology set out in BS 4142:2014:+A1:2019 Methods for rating and assessing industrial and commercial sound. Night time operation (23:00 - 07:00) of the facility will be limited to emergency situations as defined by the National Grid.

Reason

To safeguard the amenities of nearby sensitive receptors in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

- 5.8 The acoustic fence is proposed to be retained and this condition would also require the development to not exceed typical daytime background noise levels at noise sensitive receptors in any event. Additionally, the condition would clarify when night time operation could take place, thus ensuring noise at night time would be kept to a minimum. It is also noted that the British

Standard has been updated since the granting of the original permission; however, the update does not include significant changes that would affect the assessment of the noise levels.

5.9 CONDITIONS

The current application, given it would grant a new planning consent, allows an opportunity to re-consider the conditions and obligations attached to permission DC/18/01009/FUL.

5.10 As part of application DC/19/00997/FUL, which was subsequently granted, the applicant submitted further details relating to Condition 1 (Construction Method Statement), Condition 3 (material finishes) and Condition 5 (lighting details), and the wording of conditions were updated to reflect this information.

5.11 In terms of the material finishes, the applicant has confirmed the materials for the new kiosks to be metallic with powder a coat finish to match the engine enclosures (ie. Moss Green RAL6005), and it is recommended that condition 3 be updated to include reference to this.

5.12 Other conditions were recommended to be imposed relating to the removal of the construction compound and restoration of the land and construction hours to better reflect the hours in the submitted Construction Method Statement.

5.13 Except for updated wording for conditions relating to approved plans, noise levels and materials, it is recommended that the updated wording for conditions in permission DC/19/00997/FUL be carried across to the conditions for this application.

5.14 REFERRAL TO SECRETARY OF STATE

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the Local Planning Authority has resolved to grant planning permission for certain types of development that are set out in paragraphs 3-8 of the Direction.

5.15 The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to 'call in' an application under section 77 of the Town and Country Planning Act 1990. The use of the call-in power requires that the decision be taken by the Secretary of State rather than the Local Planning Authority.

5.16 Paragraph 4 of the Direction states that "Green Belt development" means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes:

- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

- 5.17 Paragraph 11 of the Direction stipulates that where a Local Planning Authority is required to consult the Secretary of State, it shall not grant planning permission on the application until the expiry of a 21-day period after the Secretary of State acknowledges receipt of the referral.
- 5.18 Granting this application would result in a new permission and it is therefore recommended that the application be referred to the Secretary of State, in accordance with the requirements of The Town and Country Planning (Consultation) (England) Direction 2009 on the basis that the proposal would have a significant impact on the openness of the Green Belt.

6.0 CONCLUSION

- 6.1 Following full consideration of policies contained in the Council's Unitary Development Plan, the CSUSP, national planning policy and all other material planning considerations it is considered that the proposed amendments to the relevant conditions would be acceptable and it is recommended that the development should be granted planning permission for a temporary period of 25 years, subject to conditions.

7.0 Recommendation:

Minded to GRANT a temporary planning permission (for 25 years from the date of this permission), subject to planning conditions and referral of the application to the Secretary of State, and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

The approved Construction Method Statement (ref 1898-R001 dated September 2019 and including plans 21330B-0206 rev P6, 21330B-0205 rev P6, 21330B-0204 rev P6) shall be adhered to throughout the construction period for the development.

For the avoidance of doubt, HGVs and LGVs shall turn in the main construction compound only, as shown on plans 21330B-0207 rev P1 and 21330B-0206 rev P6.

Reason

To safeguard the amenities of nearby sensitive receptors and to safeguard highway safety and in accordance with policies CS13 and CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

2

Within 6 months of the end of the construction period, all items, structures, hardcore and any underground apparatus or concrete shall be removed from the temporary compound (as identified on plans 21330B-0204 P6, 21330B-0205 P6 and 21330B-0206 P6) within the

Construction Method Statement (ref 1898-R001 dated September 2019)) and the relevant land shall be subsequently restored to its undeveloped state.

Reason

To ensure that upon the end of the construction phase the harm to the Green Belt ceases and the visual amenity of the countryside is restored in accordance with the NPPF, policies CS15 and CS19 of the Core Strategy and Urban Core Plan and saved policy ENV3 of the Unitary Development Plan.

3

The materials used in relation to the development shall be in full accordance with the approved materials, as detailed in Schedule 2 of the covering letter ref 5148/kl dated 24.09.2019 and the gas kiosks shall be metallic with powder a coat finish (Moss Green RAL6005).

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The illumination of the external areas shall be in full accordance with the details approved in 'Lighting Details (November 2019)' received 15.11.2019, at all times for the lifetime of the development.

Reason

In order to safeguard the character and appearance of the countryside, in the interest of the residential amenity of surrounding residents and to prevent harm to local wildlife in accordance with policies CS14, CS15 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV46 of the Unitary Development Plan.

5

The development to which this permission relates must be commenced not later than 3 years from the date that the original temporary planning permission DC/18/01009/FUL, which was granted on 07.03.2019.

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.

6

The development shall be carried out in complete accordance with the approved plans and documents as detailed below -

911-PL-01 Rev 3 dated 10.07.2018
21330B-0201 P14
911-PL-04 Rev 7 dated 10.07.2018
21330B-0301 P8
21330B-0405 P4
21330-0400 P2
21330-0402 P1
21330-0403 P1
21330-0406 P1
21330-0407 P1
21330-0409 P1
21330-0411 P1
21330-0413 P1
21330-0404 P2
CRM.349.008.L.D.001 dated 31.08.2018
CRM.349.008.L.D.002 dated 17.12.2018
CRM.349.008.L.D.003 dated 17.12.2018
CRM.349.008.L.D.004 dated 17.12.2018
J4217A/1/F3 dated 12.08.20
CRM.349.008.EC.R.001 dated 05.09.2018
CRM.349.008.GE. R.006.A dated April 2018
Noise Assessment (20-158-1) Rev 2 dated 12.08.20

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.

7

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 08:00 and 18:00 Monday to Friday and 08:00 to 17:00 on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby sensitive receptors in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

8

The noise rating level from the operation of the plant hereby approved shall not exceed the typical daytime background noise level, as measured at the façade of any noise-sensitive receptor, existing at the time of the granting of planning permission (identified in section 4 of the Noise Assessment ref 20-158-1 dated 12.08.2020), when assessed in accordance with the methodology set out in BS 4142:2014:+A1:2019 Methods for rating and assessing industrial and commercial sound. Night time operation (23:00 - 07:00) of the facility will be limited to emergency situations as defined by the National Grid.

Reason

To safeguard the amenities of nearby sensitive receptors in accordance with policy CS14 of the Core Strategy and Urban Core Plan and saved policies DC1, DC2 and ENV61 of the Unitary Development Plan.

9

The implementation of the approved landscaping details (shown on plans CRM.349.008.L.D.001 dated 31.08.2018, CRM.349.008.L.D.002 dated 17.12.2018, CRM.349.008.L.D.003 dated 17.12.2018, CRM.349.008.L.D.004 dated 17.12.2018) shall be carried out in the first planting and seeding season (October to March) following the completion of the development, and any trees, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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 CS15 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1 and ENV3 of the Unitary Development Plan.

10

The ecological mitigation measures in Section 5.2 of Ecological Appraisal report CRM.349.008.EC.R.001 dated 05.09.2018 shall be adhered to and carried out in full during any site preparation works and the construction of the development hereby approved.

Reason

In order to avoid harm to breeding birds and reptiles in accordance with policy CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV44, ENV46, ENV47 and ENV51 of the Unitary Development Plan.

11

Within 25 years of the date of this permission or 6 months of the end of the operational life of the standby generation plant hereby approved

(whichever is soonest) the plant shall be decommissioned, all items, structures, hardcore and any underground apparatus or concrete shall be removed from the site within the red line application site identified on drawing 911-PL-04 Rev 7 dated 10.07.2018 and the land shall be subsequently restored to its undeveloped state in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that upon the end of the operational life of the development the harm to the Green Belt ceases and the visual amenity of the countryside is restored in accordance with the NPPF, policies CS15 and CS19 of the Core Strategy and Urban Core Plan and saved policy ENV3 of the Unitary Development Plan.



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Committee Report

Application No:	DC/20/00954/HHA
Case Officer	Gergo Gered
Applicant	Mr Scott Jobson
Site:	41 Haswell Close Felling Gateshead NE10 8UE
Ward:	Wardley And Leam Lane
Proposal:	Demolition of sun lounge and erection of single storey rear extension (Description amended 1/12/20)
Recommendation:	GRANT
Application Type	Householder Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The application property is a two-storey detached dwelling facing north-east with an existing extension to rear. The existing extension has a projection of 4.5m and is set 1m away from the common boundary between the host property and no.42 Haswell Close. To the rear of the site are the back gardens of the properties at no.161 and no.163 Sherburn Way.

1.2 DESCRIPTION OF THE PROPOSAL

Permission is sought for the removal of an existing sun lounge and its replacement with a single storey rear extension. The proposed extension would have a projection of 2.5m, height of 3.5m, width of 9m. The extension would extend along the full width of the host property. The proposed addition would have a pitched roof over and would provide extra kitchen/dining room at ground floor level.

1.3 RELEVANT PLANNING HISTORY

DC/03/00224/FUL: Erection of extension at side and rear of dwellinghouse to provide enlarged kitchen and sunlounge with installation of bay window on front elevation and additional bedroom with en-suite and bathroom and enlarged bedroom above.
Granted 14 March 2003.

DC/13/01130/HHA: Proposed raising of ridge height, installation of two dormer windows to rear roof space, installation of two rooflights to rear roof space and single rooflight in roof space at front (amended 31/10/13 and 12/11/13).
Granted 11 December 2013.

2.0 Consultation responses:

2.1 None

3.0 Representations:

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

3.2 6 neighbouring properties have been notified of the application. One letter of objection and three letters of support have been received.

3.3 The letter of objection is summarised below:

- The proposed extension appears to leave 18.5m between habitable rooms between the rear elevation of 161 Sherburn Way and the host property, which is 2.5m less than the 21m recommended limit by the Householder Alterations and Extensions SPD.
- The rear extension would exacerbate the already detrimental impact on 161 Sherburn Way and the quality of life.
- The development would have a negative effect on the privacy of neighbours to the rear.

3.4 The letters of support are summarised below:

- The proposed rear extension would improve the host property and would make the dwellinghouse more individual. As a result, all of the residents in the street and the surrounding area will benefit.
- The design is in accordance with the aesthetics of the current design of the premises. In addition, the overall design appears to reduce the property from its current size and would not impact neighbouring properties negatively.
- The proposed development would bring support to local industries by the provision of materials and labour.
- The development would improve the thermal efficiency of the property and therefore reduce the carbon footprint of the dwelling over the coming years.
- The addition would have a positive impact on the whole area.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

CS13 Transport

CS14 Wellbeing and Health

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when assessing this planning application are set out below:
- 5.2 **IMPACT ON VISUAL AMENITY**
The extension has been designed to reflect the host dwelling with matching details, materials and roof design. The width (9m), height (3.5m) and projection (2.5m) combine to ensure that the extension would appear as a proportionate and well design addition to the property.
- 5.3 The rear extension would not be visible from the street scene and the proposal would result in a sympathetically designed and modest extension consistent with the established character of the area.
- 5.4 It is considered that the extension would not have any negative impact on the street scene and that the scale and design of the development as a whole is appropriate to the host property and surrounding area. To ensure that the proposed development does not have an adverse effect upon the appearance of the existing building a condition relating to the proposed materials is recommended.
- 5.5 It is considered that the development is in accordance with policy ENV3 of the Unitary Development Plan for Gateshead (UDP) and policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (CSUCP).
- 5.6 **IMPACT ON RESIDENTIAL AMENITY**
According to the Council's Householder Alterations and Extensions SPD, "Following the erection of any extension, neighbouring properties, including gardens, should still have a reasonable level of privacy. Windows and balconies should be positioned so that they do not directly overlook into the windows of neighbouring homes or gardens. As a general rule, on acceptable levels of privacy are achieved by keeping a distance of 21m between main facing elevations containing habitable room windows (i.e living/dining room, kitchen and bedrooms)".
- 5.7 Although the extension would project 2.5m beyond the rear building line of the host dwelling, the length of the structure would be reduced from that of the existing sun lounge which is to be removed and has a projection of 4.5m. The proposed extension is considered to be limited in scale and would be located 8.3m from the common boundary with no.161 and no.163 Sherburn Way and approximately 18.5m from the rear elevations of the previously mentioned properties.

- 5.8 Although the distance between the main facing elevations containing habitable room windows at no.161 and no.163 Sherburn Way and the proposed rear extension at no.41 Haswell Close is within the suggested 21m, the single storey rear extension is modest in scale and due to the fencing between the properties (approximately 2m high), the structure is not considered to harm the privacy or cause overlooking to the neighbouring properties to the rear.
- 5.9 The limited projection of the extension, along with its location off the side boundaries help to ensure that the proposal would not have an unacceptable impact on the level of amenity experienced within the properties to either side.
- 5.10 In conclusion, the proposed development would not have an unacceptable impact on the nearby residential properties as it would not result in a harmful increase in loss of light, overshadowing, visual intrusion, overlooking or harm to privacy. Therefore, it is considered that the proposal is in accordance with saved policy DC2 of the UDP and policy CS14 of the CSUCP.

6.0 CONCLUSION

- 6.1 Taking all the relevant planning policies into account along with all other material planning considerations, it is recommended that planning permission be granted, subject to conditions as set out below.

7.0 Recommendation:

That planning permission be GRANTED subject to the following conditions and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990.

2

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

Site Layout AD-20-33 Sheet 2

Proposed Plans AD-20-33 Sheet 1

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

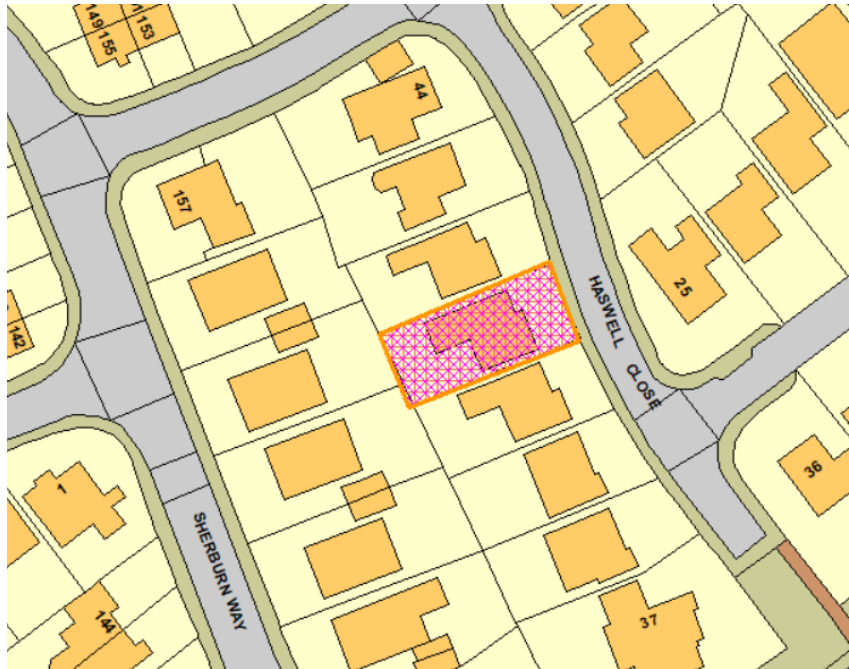
In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3

All external surfaces shall be completed in materials to match those of the existing building.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.



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